



Queensland Advocacy Incorporated

Our mission is to promote, protect and defend, through advocacy, the fundamental needs and rights and lives of the most vulnerable people with disability in Queensland.

Systems and Legal Advocacy for vulnerable people with Disability

Australian Press Council
GPO Box 3343
Sydney NSW 2001

7 June 2017

Dear Sir/Madam,

The media coverage of the National Disability Insurance Scheme (NDIS) and the impact of this on Australians with disability and mental illness

Queensland Advocacy Incorporated (QAI) is an independent, community-based systems and individual advocacy organisation and a community legal service for people with disability. Our mission is to promote, protect and defend, through systems and individual advocacy, the fundamental needs and rights and lives of the most vulnerable people with disability in Queensland.

We write to voice our concerns over the reporting of matters pertaining to disability by members of the Australian media. In particular, we refer to the inaccurate and sensationalised reporting by the *Daily Telegraph*,¹ which has already attracted outrage from within the disability sector and a formal response by the National Disability Insurance Agency (NDIA).² This example of misleading, inaccurate and prejudicial reporting is deplorable both in terms of the deceitful and unprofessional way in which information was obtained³ and the selective and misleading way in which it was reported. It's duplication in the *Courier Mail*⁴ further aggravates the damage caused by this highly unprofessional conduct and compounds the vilification and denigration of people with disability.

QAI is privy to the complaint made by members of the NDIS Grassroots FaceBook discussion group, dated 3 June 2017, which we have endorsed. We are also contacting you separately to express our concerns about the need for tighter regulation of the media industry when reporting on matters pertaining to people with disability and mental illness, given that the

¹ Daily Telegraph. 'National Disability Insurance Scheme: Funding going to animal whisperers, soul counsellors and spiritual coaches'. Reported by Natasha Bitá, 1 June 2017, available at: <http://www.dailytelegraph.com.au/news/nsw/ndis-billions-unconventional-treatment-providers-register-for-public-funding/news-story/16e1047275774eba47da8070e2886c13>.

² See: <https://www.ndis.gov.au/news/media-response.html>.

³ By a reporter who joined a private FaceBook discussion group with a lack of integrity and good faith, and failed to gain consent to the disclosure of private and confidential information published by members.

⁴ Courier Mail. 'National Disability Insurance Scheme: Funding going to animal whisperers, soul counsellors and spiritual coaches'. 1 June 2017, available at:

Ph: (07) 3844 4200 or 1300 130 582 Fax: (07) 3844 4220 Email: qai@qai.org.au Website: www.qai.org.au

2nd Floor, South Central, 43 Peel Street, STH BRISBANE QLD 4101

QAI endorses the objectives, and promotes the principles, of the Convention on the Rights of Persons with Disabilities.

Patron: His Excellency The Honorable Paul de Jersey AC

Daily Telegraph is sadly not alone in making false, prejudicial, misleading and damaging statements in this regard.⁵

QAI has long advocated for recognition of the importance of language in shaping public perception and debate, particularly when it comes to the most vulnerable people in our society. QAI deems that all humans are equally important, unique and of intrinsic value and that all people should be seen and valued, first and foremost, as a whole person. Further, QAI believes that all communities should embrace difference and diversity, rather than aspiring to an ideal of uniformity of appearance and behaviour. Central to this, and consistent with our core values and beliefs, QAI will not perpetuate use of language that stereotypes or makes projections based on a particular feature or attribute of a person or detracts from the worth and status of a person with disability. We consider that the use of appropriate language and discourse is fundamental to protecting the rights and dignity, and elevating the status, of people with disability. From this perspective, the reporting of inaccurate and damaging information on an already vulnerable group in our society is particularly concerning.

We note that the press is in a position of considerable power, given its role in shaping public perception, opinion and discourse. Media and language conveys beliefs about people with disability to the community, who may accept much of this as fact.⁶ As the gatekeeper to contemporaneous happenings, and the purported provider of factual information, it is imperative that all members of the Australian media are held accountable to strict standards both when obtaining and reporting information and that any breaches of the Australian Press Council's Standards of Practice are addressed in an expeditious, appropriate and resolute manner, and one which will act to deter other journalists from engaging in similar practices.

In the example of the reporting by the *Daily Telegraph*, discussed above, the reporter breached a number of the Standards of Practice.⁷ We endorse the collective request by members of the NDIS Grassroots FaceBook discussion group, dated 3 June 2017, for the Press Council to publish an independent press release about the repeated breaches of Standards and targeting of people with disability by the *Daily Telegraph* and ensure that the *Daily Telegraph* publish an apology and retraction on their website and in their newspaper.

Additionally, QAI calls for stronger guidance and regulation of the media in terms of their reporting of people with disability and mental illness. We note that the Press Council has developed Specific Standards, to complement the General Principles (which set out the basic standards of practice applied by the Council when handling complaints) and which govern:

- the coverage of suicide;⁸ and
- contacting patients in hospitals and people in residential care facilities.⁹

⁵ See for example Kate McKenna's article in the Courier Mail, 'Teen with 15-page rap sheet allegedly set fire to \$100,000 worth Kmart stock'. Available at: <http://www.couriermail.com.au/news/queensland/crime-and-justice/teen-with-15page-rap-sheet-allegedly-set-fire-to-100000-worth-kmart-stock/news-story/c9c17cbdc407f0c4bf40bf52cadfebcc>.

⁶ An example of this is the USA President: https://www.washingtonpost.com/news/the-fix/wp/2017/01/09/meryl-streep-was-right-donald-trump-did-mock-a-disabled-reporter/?utm_term=.3dc6dc2f3e46

⁷ These breaches have been ably detailed by the members of the NDIS Grassroots FaceBook discussion group in their complaint of 3 June 2017 and we do not propose to repeat these details here.

⁸ Issued August 2011.

QAI submits that the unique vulnerability of people with disability and mental illness, and the historical tendency to devalue and disempower people with disability and mental illness by subjecting them to inaccurate and damaging stereotypes, warrants the development of Specific Standards for the coverage of disability and mental health issues. We further propose that the development of such standards should be informed by broad consultation with people with disability and mental illness and their advocates. QAI would welcome the opportunity to consult in this regard.

Thank you for your consideration of this important matter.

We would be happy to discuss any questions or concerns you may have at your convenience.

Yours Faithfully,

A handwritten signature in black ink, appearing to read "Michelle O'Flynn". The signature is written in a cursive, flowing style.

Michelle O'Flynn

Director

Copy to:

President, Australian Human Rights Commission

President, Australian Lawyers for Human Rights

Australian Communications and Media Authority

Media Watch

Media, Entertainment and Arts Alliance