



To: Ms Abigail Boyd MLC
Chair, Portfolio Committee No 3
Legislative Council of NSW

CC Ms Sarah Newlands,
Principal Legal Officer

Dear Ms Boyd

As the Chair of the Royal Commission into Violence, Abuse, Neglect and Exploitation of People with Disability I was pleased to read the Report 52 of the Portfolio Committee, of which you are the Chair. It has been my hope that the Royal Commission's Final Report will be the catalyst over time for very significant reforms designed to improve the lives of people with disability. These include reforms to educational settings to enhance the experiences and opportunities for all children with disabilities, not least children with intellectual or psychosocial disability.

However, I wish to point out an apparently minor, yet significant error in Committee Report 52. The Committee Report states (at [5.39]) that three Commissioners recommended phasing out and ending (what they called) special or segregated education. The Report then says (at [5.40]) that two Commissioners made alternative recommendations seeking to close the gap between mainstream and non-mainstream schools.

The Royal Commission's Final Report makes it clear (at Vol 7, pp 25-26 [Recommendation 7.15]; also at pp 329-357) that three (not two) Commissioners supported what Committee Report 52 describes as 'alternative recommendations'. The error is significant because Committee Report 52 wrongly implies that a majority of the Royal Commission proposed phasing out special schools. In fact the Royal Commission was evenly split on this question.

I do not know what mechanisms are available, if any, to correct errors in reports of Committees of the Legislative Council. Given the sensitive nature of this issue, in my respectful view it would be appropriate at least to place on the Parliamentary record that Committee Report 52 contains the error I have identified.

Yours sincerely

Ronald Sackville AO KC