



SUBMISSION OF ALL MEANS ALL TO THE AUSTRALIAN DEPARTMENT OF SOCIAL SERVICES

Next Steps: Supported Employment Discussion Paper (March 2025)

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INTRODUCTION

1. All Means All – The Australian Alliance for Inclusive Education (**All Means All**) is a nationwide multi-stakeholder organisation working towards the implementation of an inclusive education system and the removal of the legal, structural, and attitudinal barriers that limit the rights of some students, including students with disability, to access an inclusive education in regular classrooms in Australian schools. Our work is guided by the human rights framework, including the principles embodied in United Nations Convention on the Rights of Persons With Disabilities (**CRPD**)¹ and other relevant international human rights treaties and instruments.
2. All Means All's members and stakeholders include people with disability and their families, educators, academic and other experts in Australia, including in Western Australia. We work to actively foster connections and collaborations within and across specific stakeholder groups, to support the achievement of our shared objectives. Our dedicated [Networks](#) currently have over 11,000 members.
3. All Means All is a member and the Chair and national Co-convenor of the [Australian Coalition for Inclusive Education \(ACIE\)](#), an initiative that brings together organisations from around Australia that share a commitment to advance Inclusive Education in Australia. ACIE is a national

¹ United Nations General Assembly, *Convention on the Rights of Persons with Disabilities*, 13 December 2006, United Nations, Treaty Series, vol. 2515, p. 3.

coalition of 25 not-for-profit organisations that have a combined representative membership of over 1.2 million. We are also a member of [Inclusion International](#), the international peak body representing people with intellectual disability and their families. All Means All's Executive Director of Government Relations and Advocacy, Stephanie Gotlib, is the elected Co Asia Pacific Regional Representative for the Inclusion International Council. All Means All is also a member of the Equitable Education Alliance (EEA), an Asia-Pacific focussed community of practice for organisations, ministries, agencies and NGO's working towards more inclusive and equitable educational systems.

4. All Means All acknowledges the traditional custodians of the land on which we live and work, and we pay our respects to Elders, past and present, across the many Aboriginal and Torres Strait Islander nations across Australia.
5. We also wish to recognise the generations of people with disability, and their families and allies, who have worked to advance the understanding and *realisation* of human rights, equality, and inclusion for all. We honour and respect their vision and legacy.

OVERVIEW

6. All Means All welcomes the opportunity to respond to the Department of Social Services' March 2025 discussion paper, 'Next Steps: Supported Employment, and to support the Australian Government's stated objective of transitioning to a fairer, more inclusive employment system for people with disability.
7. While All Means All's core mission is to realise inclusive education under Article 24 of the CRPD, our commitment extends beyond school settings to the full social and economic participation of people with disability across the life course. We strongly believe that for inclusive education to fulfil its promise, there must be structural pathways to inclusive, fairly paid employment.
8. It is critical to note that inclusive education is a fundamental pillar and enabler of an inclusive life, including employability. Direct experience and research² repeatedly demonstrate the overwhelmingly positive outcomes of inclusive education, for students who do and do not experience disability for social, academic, cognitive and physical development, social justice and sense of community and belonging. These are strong factors and building blocks for an individual's employability.
9. Segregated education shapes expectations about the trajectory of life for people with disability, particularly for those with intellectual disability and

² Kate de Bruin, 'Inclusive Education: A Review of the Evidence' in Linda J Graham (ed), *Inclusive Education for the 21st Century: Theory, Policy and Practice* (Routledge, 2nd ed, 2024) 95; Todd Grindal, Thomas Hehir, Brian Freeman, Renee Lamoreau, Yolanda Borquaye and Samantha Burke, 'A Summary of the Research Evidence on Inclusive Education' (2016); Krämer, S., Möller, J., & Zimmermann, F. (2021). Inclusive Education of Students With General Learning Difficulties: A Meta-Analysis. *Review of Educational Research*, 91(3), 432–478.

high support needs, reinforcing a belief that segregation is both typical and appropriate across other life domains. The experience of early childhood care or education, education, recreation, employment and housing is often experienced and legitimised as segregated. For example, data analysis carried out by the Royal Commission into Violence, Abuse, Neglect and Exploitation of People with Disability (**Disability Royal Commission**) found a clear association between segregated schooling and subsequent placement in segregated employment, with NDIS participants who attended segregated 'special' schools significantly more likely to be employed in Australian Disability Enterprises (**ADEs**).³ This 'polished pathway' from segregated 'special' school to segregated work illustrates how parallel systems and institutions reproduce exclusion and limit opportunities. Despite this, these systems and institutions for people with disability are seen as the norm, reflecting strong misconceptions that people with high support needs should and learn best, and should live separately. Lived experience, contemporary research and our commitments under international human rights treaties and conventions ratified by Australia do not support this view, affirming instead the right to full inclusion and participation.

10. It is therefore critical to interrogate the argument of 'choice' in relation to people with disability wanting to continue employment within Australian ADEs. For many people, it is all that has been known and experienced and it is not an informed decision. We note, in this context, the CRPD Committee's 2022 'Guidelines on Deinstitutionalization, including in emergencies'⁴ that rightly refutes any narrative that institutionalisation and segregation are ever legitimate choices made freely by people with disability, and affirms that genuine choice requires genuine support and community-based arrangements compliant with the CRPD — not defaulting to segregation. The CRPD Committee urges States Parties to:

Ensure that persons with disabilities, including those who may require support in choosing and managing their support, have real choice and are not obliged to choose between services that do not comply with the Convention.

11. Post school transition is a critical area which must be strengthened for students with disability. The experience of students with disability is varied, with many students being subjected to low expectations and limited options. There remains variable formal assistance and processes which vary between different education jurisdictions. We have included in the Appendix to this Submission, an article written by Stephanie Gotlib titled 'Roll of the Dice: The Transition Experience in Australia' and published by Institute on Community Integration, University of Minnesota, on the experience of school transition in Australia⁵.

³ Royal Commission into Violence, Abuse, Neglect and Exploitation of People with Disability, *The Association Between Segregated Education and Employment on the Outcomes of NDIS Participants* (Research Report, 25 September 2023) 6.

⁴ Committee on the Rights of Persons with Disabilities, *Guidelines on Deinstitutionalization, Including in Emergencies*, UN Doc CRPD/C/5 (9 September 2022)

⁵ Stephanie Gotlib, 'Roll of the Dice: The Transition Experience in Australia' *Impact: Feature Issue on Transition in a Global Context for People with Intellectual, Developmental, and Other Disabilities* (Institute on Community Integration Publications, vol 35, no 2, 2023)

<<https://publications.ici.umn.edu/impact/35-2/roll-of-the-dice-the-transition-experience-in->

12. The current review of supported employment represents a critical juncture to ensure that students with disability, particularly those with high support needs, are not funnelled from segregated classrooms into segregated workplaces. Our contribution to this consultation underscores the need for policy coherence and alignment between inclusive education and inclusive employment.
13. All Means All's submission (this **Submission**) is guided by the principle that inclusive employment is not merely a matter of economic participation, but a question of human rights, dignity, and equality. Accordingly, this Submission applies the principles in the CRPD and international law standards in relation to the employment of people with disability, having regard to the relevant treaty texts and works of relevant treaty monitoring bodies and applying the rules of interpretation codified in the Vienna Convention on the Law of Treaties.
14. In our view, human rights-based supported employment reforms must be undertaken, underpinned by a clear and unambiguous commitment to phasing out segregation and subminimum wages, while ensuring appropriate supports and effective transitions to inclusive, fairly remunerated work.
15. We outline our vision for inclusive employment in the section that follows.

VISION FOR INCLUSIVE EMPLOYMENT

16. All Means All envisions a future in which all people with disability — including those with high and complex support needs — can access meaningful, fairly paid work in inclusive workplaces where they are valued and supported to flourish, consistently with their rights under the CRPD and Australia's obligations under it.
17. Disability-segregated employment, often occurring within ADEs, not only perpetuates discrimination and exploitation but may also meet the legal threshold of forced labour or servitude under modern slavery frameworks. As legal scholars and advocates have noted, ADEs typically involve menial, repetitive tasks, subminimum wages, and institutionalised segregation — conditions that would be recognised in modern slavery legislation as exploitative forms of forced labour⁶. The closed nature of these workplaces not only violates the imperative in Article 27 of the CRPD that work be accessible and fairly remunerated but also undermines the protections from slavery, servitude and forced labour guaranteed under Article 27(2).
18. The experience of the State of Vermont, in the United States of America, provides an exemplar for the elimination of segregated employment for

australia. <https://publications.ici.umn.edu/impact/35-2/roll-of-the-dice-the-transition-experience-in-australia>>

⁶ Linda Steele, "Ending Disability Segregated Employment: 'Modern Slavery' Law and Disabled People's Human Right to Work" (2023) 19(2) *International Journal of Law in Context* 217–235; Catia Malaquias and Jackie Softly, "Time to Stop Defending the Low Ground – Moving from Segregated to Open Employment", *Starting With Julius* (Web Page, 15 January 2023) <https://www.startingwithjulius.org.au/time-to-stop-defending-the-low-ground-moving-from-segregated-to-open-employment/>.

people with disability and the achievement of better outcomes in wages, job quality, and inclusion⁷ that sets a compelling precedent for reforms in Australia. Legal expert Theresa Golde summarises Vermont's path and experience as follows⁸:

Vermont achieved the elimination of the subminimum wage program through a reduction and reallocation of state funds. Starting in 1999, Vermont started to gradually restrict the use of state funds to sheltered workshops under the 14(c) program. With this reduction in funds, the state worked alongside the providers to stimulate a conversion from sheltered workshops to individualized support. This individualized support prevented the disabled, who transitioned out of a sheltered workshop, from being sent home with no alternative opportunity.

[...]

Vermont's 1999 plan – reducing funding to sheltered workshops – helped prevent their subminimum wage system from growing. By not providing resources to the workshops, the state's idea was that no new individuals would enter into workshop employment; therefore the state could focus on transitioning out those who were already employed. The state's push to phase out the subminimum wage program in the 1999 legislative plan was further delineated through the 2002 legislative plan. The 2002 plan went beyond the 1999 plan by incorporating group employment settings, including [smaller] enclaves or work crews. This plan stopped state funds being used to increase employment capacity in such [segregated] environments. By 2005, all sheltered workshops were successfully closed. Vermont had a system in place for most of the disabled community to receive one-on-one day supports (i.e. individualized support) for employment and other activities.

[...]

Individualized support provides a number of beneficial services. With regard to employment, the services include employment assessment, employer and job development, job training, and ongoing support to maintain employment. ... The transition to a system of individualized support enhanced one's ability to manage life skills, increased autonomy, and proved to be a successful model for employment.

19. In terms of outcomes for people with disability, Golde states the following:

Within three years after the last sheltered workshop closed, about 80% of the workshop's employees found jobs. The individuals that did not find jobs received other community-based services. ... '[T]he employment rate of people with developmental disabilities ... is twice the national average.' ... Reported from 2013, supported employees made ... \$0.50 above Vermont's minimum wage and \$2 above the national minimum wage. This shift away from sheltered workshops to earning a real wage shows how 'the attitude of the state and its business community' can change when the law sets it in the right direction.

20. Consistently with the experience in Vermont, the progressive achievement of a vision for inclusive employment in Australia, requires a comprehensive and well-coordinated transformation of the current system and should be

⁷ Bryan Dague, Jesse C. Suter, Justin M.H. Salisbury, Jennie Masterson and June Bascom, "Supported Employment in Vermont Is Competitive and Integrated" (Data Brief, Center on Disability & Community Inclusion, University of Vermont, October 2023)

⁸ Theresa Golde, "Pennies an Hour: Was This Really the Intent Behind § 14(c) of the Fair Labor Standards Act? A Note Calling for a System Change to an Otherwise Broken System" (2016) 48 *Texas Tech Law Review* 459.

based on the following pillars:

- 20.1 the progressive phase out and eventual elimination of segregated employment models and a transition to inclusive workplaces that uphold equal rights and remuneration;
 - 20.2 the recognition that Article 27 of the CRPD guarantees the right of people with disability to work on an equal basis with others, in a labour market and work environment that is open, inclusive and accessible;
 - 20.3 access to supported decision-making, high-quality individualised employment supports (including job coaching, peer mentoring, and workplace modifications), and career development opportunities;
 - 20.4 investment in school-to-work transitions that connect inclusive education to inclusive employment, particularly for students with high support needs; and
 - 20.5 an approach that centres people with disability as co-designers and leaders in all aspects of reform, consistent with General Comment No. 7 of the Committee on the Rights of Persons With Disabilities.
21. All Means All sets out below, key priorities and recommendations towards achieving a vision for the inclusive employment of people with disability in Australia that upholds their fundamental human rights.

KEY PRIORITIES AND RECOMMENDATIONS

A. Key Priority: Phasing out segregated employment models

All Means All **RECOMMENDS** that the Australian Government:

- 22. adopt a time-bound plan to close all ADEs, with appropriate funding for workforce transition and innovation; and
- 23. ensure that no new segregated employment models are established or rebranded under different terminology.

B. Key Priority: Ending sub-minimum wages

All Means All **RECOMMENDS** that the Australian Government:

- 24. immediately establish a 'Full Wage Transition Fund' to raise all supported employees to award wages; and
- 25. reform wage assessment tools to reflect job value, contribution, and support needs, not productivity alone.

C. Key Priority: Integrate modern slavery legal mechanisms into supported employment reform

All Means All **RECOMMENDS** that the Australian Government:

26. provide for mandatory public reporting on labour practices in ADEs under modern slavery disclosure laws (e.g., *Modern Slavery Act 2018* (Cth)), to provide transparency about wages, task types, workplace segregation, and risk of exploitative conditions;
27. undertake targeted investigation and sanctioning, in collaboration with anti-slavery regulators, of ADE operations where evidence suggests forced labour or servitude conditions, as recognised under modern slavery law; and
28. use modern slavery frameworks to trigger structural change — prompting employers and funders to shift investment away from segregated models toward supported open employment, supported by stronger oversight and enforcement mechanisms.

D. Key Priority: Adopt legal policy levers informed by successful international precedents for inclusive employment

All Means All **RECOMMENDS** that the Australian Government:

29. adopt legal and policy levers informed by international precedents (e.g. Vermont, USA) to phase out ADEs and eliminate subminimum wage exemptions.

E. Key Priority: Embedding inclusive employment supports in mainstream settings

All Means All **RECOMMENDS** that the Australian Government:

30. expand 'JobAccess' and similar programs to provide in-situ job coaching, tailored to people with high support needs; and
31. incentivise employers through outcome-linked funding, promotion of inclusive procurement, and public sector employment targets.

F. Key Priority: Strengthening school-to-work transitions and supporting informed decision-making

All Means All **RECOMMENDS** that the Australian Government:

32. undertake a comprehensive, rights-based review of post-school transition pathways for students with disability, with a view to establishing a national framework that ensures all students, particularly those with intellectual disability and high support needs, have equitable access to inclusive, individualised transition planning and supports, aligned with Australia's obligations under the CRPD;
33. eliminate systemic default pathways into segregated work from special schools and programs, through appropriate laws and policies;
34. embed nationally consistent, inclusive transition planning in education policy from Year 9; and
35. fund supported internships and traineeships linked to open employment and further education.

G. Key Priority: Establishing a robust accountability framework

All Means All **RECOMMENDS** that the Australian Government:

36. mandate transparent reporting on employment outcomes, disaggregated by disability, age, and support needs;
37. include indicators of job satisfaction, inclusion, progression and remuneration in all reporting frameworks; and
38. embed a participation framework consistent with *General Comment No. 7* to ensure the meaningful involvement of people with disability and families — particularly those with intellectual disability and high support needs — in the design, delivery, and oversight of supported employment reforms. This should include sustained funding for representative organisations of persons with disability, including peer-led and intersectional groups.

CONCLUSION

39. Reform of supported employment is not simply a matter of workforce participation. It is about affirming the right of people with disability to be included, respected, and recognised as equal contributors to society. This requires more than incremental adjustments to existing structures — it demands a bold and rights-affirming transformation.
40. The final report of the Disability Royal Commission, Commissioners Galbally, McEwin, Bennett, and Mason, recommended the phased closure of Australian Disability Enterprises (ADEs) and the abolition of the Supported Wage System. They stressed that segregated employment environments are inherently discriminatory, reinforce low expectations, and deny people with disability the right to work on an equal basis with others. These Commissioners called for an urgent commitment to building inclusive employment pathways with equitable pay, workplace adjustments, and transition supports. Their position aligns with Australia's binding obligations under Article 27 of the CRPD and must serve as a blueprint for reform that centres dignity, equality, and full economic participation
41. We urge the Department of Social Services and the Australian Government to adopt an unambiguous commitment to dismantling segregated systems, ensuring fair pay, and building inclusive, supported workplaces. This must include investment in transition, capacity building, and co-design, underpinned by accountability to the disability community. In addition, adoption of anti-slavery measures would place labour exploitation at the centre of policy reform in disability employment, provide new accountability levers, and reinforce the CRPD-mandated right to work on an equal basis — a shift from a charity-based model toward a human rights-centred system.

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APPENDIX

Feature Issue on Transition in a Global Context for People with Intellectual, Developmental, and Other Disabilities

Roll of the Dice: The Transition Experience in Australia

Author

Stephanie Gotlib has worked in the disability sector for 25 years in various advocacy and service provision roles. She was chief executive officer of Children and Young People with Disability Australia from 2009 to 2019. She also has experience with disability as a parent. She may be reached at skgotlib@bigpond.com.





The former Australian Prime Minister Scott Morrison drew public criticism this year for remarks that many observers believed were fundamentally ableist. He subsequently apologised, but the negative attitude regarding disability is widespread here. It is a major reason why many Australian public policies, programs, services and supports are inadequate and do not afford people with disability equal opportunities or their human rights.

Low expectations regarding abilities and aspirations for people with disability are extremely common. Segregation occurs often in education, employment, community settings, and housing. The experience of post-school transition for people with disability very much reflects these circumstances.

Post-school transition in Australia refers to the process in which young people can access information and make decisions about their lives after leaving school. The options are continued education; open employment (known elsewhere as mainstream employment); supported employment (sometimes referred to as sheltered workshops); day programs; community day centres; transition and employment programs; volunteering; individual programs; and unemployment.

It is a highly variable experience. Done well, young people receive information, work experience, options, assistance and expertise from their school and other community sources.

Too often, this is the exception. When I served as chief executive of Children and Young People with Disability Australia (CYDA), poor transition experiences were often reported to CYDA and significant systemic inadequacies were evident. This led us to seek funding in 2015 for a project to analyse legislative and policy frameworks, programs, and the lived experiences of young people with disability.

The project, Post-School Transition – The Experiences of Students with Disability, found that these experiences are typically poor and inadequate, reflecting systemic disadvantage. It is common for students with disability, families, and schools to have difficulty accessing information about options, the project found.

Some good transition programs and practices exist, but these are not consistent in quality and geographical location. A key reason for this is there is no clarity as to who is responsible for post-school transition. It doesn't lie specifically with either the federal or state governments. It also sits within different policy and program areas – disability, education, and employment.

A key finding of the project was that students with disability had better outcomes if their families provided strong advocacy and support and had community connections. Many others left school with no plans for the future and become isolated, dependent, and impoverished. (Children with Disability Australia, 2015)

Little has changed since the report was released. Australia has one of the most enviable disability services and support systems in the world, the National Disability Insurance Scheme (NDIS). Supports and services have increased in number, but the transition process remains highly variable across the country and responsibility for implementation is unclear.

My son Adam's experience of post-school transition demonstrates the precariousness, and also the critical role family can play, particularly for people with intellectual disability and very high communication and behaviour support needs. There is no doubt that without my experience and expertise, and the broader advocacy and support of our family, Adam would have been destined for a life of limited opportunities and segregation.

Adam is 22 years old and lives at home with our family. This includes his two siblings, Danny, 23, and Charlotte, 17, along with his parents. His older brother Josh, 25, lives in regional Victoria. We live in inner city Melbourne. Adam likes being active and really enjoys family life, travel, swimming, food, music, art, and screen media.

Adam has significant communication and behaviour support needs, and we have advocated strongly for his participation in family life and the broader community. His life has very much been characterised by an experience and expectation of inclusion.

Our expectations around transition were no different. We knew employment would present significant challenges, but were adamant that his life after school must be informed and based on his interests, be inclusive, and enable him to meaningfully participate in the community.

Adam's inclusive education paved the foundations for a rich post-school life. We were fortunate to have local schools willing to work with us as a family, which allowed Adam to attend, learn, be enriched, and be a valued contributor to his school. It also meant that he developed relationships with peers and others in the community. These connections are critical to forming pathways within and beyond the post-school transition process.

Initially, Adam attended a segregated school. We were informed that this was best for him, despite him attending the local preschool, and it was presented as the only option. He was overwhelmed by low expectations and was very unhappy in this environment.

A telling moment was when his teachers summoned me to a meeting after I had said I thought Adam, then 6 years old, may be bored at school. In his presence, they told me how incapable Adam was as they asked him to undertake a learning task I knew Adam had been doing since Kindergarten. Adam put the learning task in the rubbish, looked me in the eye, and said "car – home." The teachers told me this was a clear demonstration of what little understanding I had of how "impaired" he was. For me, it was the moment I became determined to send him to the non-segregated school, where he did complete the remainder of his primary and secondary education. This required vigilant advocacy by us as his parents, and his siblings played a strong role along this journey.

Had he stayed at the school for students with disabilities, Adam would have spent significant time travelling. This would have left no time for other regular childhood activities after school, such as getting to know other children, joining clubs, sport, or even just simple things like playing in the park or going to the shops near home. Many people know Adam in our neighbourhood through him just being present. He has developed relationships and connections.

Adam has people in his life who are what I think of as "life changers." His secondary school principal, Linda Mitchell, is one of these people. Her commitment and expertise in adjusting curriculum and navigating the school system made an inclusive high school education possible for Adam, and her community connections created additional opportunities. She was constant in her view that the school was greatly strengthened through having Adam as a student.

The typical school transition process at our local school provided rich information, mostly about further education or work training pathways. It was thorough, but was of little relevance to Adam.

The post-school coordinator said she had little knowledge of what options existed that would be accessible and meaningful for Adam. It was not because she didn't see it as important, but more a reflection of the reality that there aren't clear pathways. She provided me with a list of about 15 options. Around 10 were situated in segregated settings and the others didn't reflect what he was interested in, such as literacy classes at the neighbourhood house.

I carefully considered Adam's strengths, what he enjoyed, and how he could be supported. Adam likes to be busy and have a routine. How long he participates in a task can be variable.

We thought about the places and people Adam and our family had developed connections and relationships with during his childhood. I researched options for participating and volunteering in the community. I met often with the school principal, who suggested contacts and options or brokered introductions in the community she thought may provide rich opportunities for Adam. He then met people, visited places, and tried different experiences.

Today, Adam is engaged in an inclusive, meaningful life that includes personal training, music lessons, art, and six volunteer jobs each week. The volunteer tasks vary in time commitment, and that flexibility is important as his interests change or opportunities arise. He volunteers at CYDA, Disability Discrimination Legal Service, the local outdoor bowling club, his former high school, a thrift shop, and at a community farm.

Funding from the NDIS is critical, as it means that Adam has access to significant paid support to go about his life. I undertake “self-management” of his funding package. This has enabled us to employ a range of people of similar age to Adam. The relationships with his support workers are critical. Most have worked with him for years, and the few that have left are still in his life and keep in contact as friends.

None of this was simple. Often, the initial contact for involvement for volunteering is met with a genuine disbelief that Adam can contribute to an organisation. We constantly need to work through misconceptions that an organisation is doing Adam a favour by allowing him to volunteer. Some suggested Adam volunteer in only disability specific programs. We patiently explain and educate about the value of inclusion.

It is a constant process of education by Adam and our family that with the right supports and attitude, there are great outcomes. This includes a genuine recognition by those Adam gets to know that he makes a valuable contribution. We remain vigilant in our advocacy for Adam to have an inclusive and meaningful life, and everyone is richer for it.

References

Children with Disability Australia. (2015). *Post school transition: The experiences of students with disability*. <https://cyda.org.au/search/details/85/post-school-transition-the-experiences-of-students-with-disability>.

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