

Attitude Foundation

Submission to the Royal Commission into
Violence, Abuse, Neglect and Exploitation
of People with Disability: Rights and
Attitudes Issues Paper, Question 9

17th August 2020

Contents

		Page
1	Recommendations	1
2	About Attitude Foundation	4
3	Introduction	5
4	Convention on the Rights of Persons with Disabilities	7
	4.1 Article 8: Awareness raising	7
	4.2 Article 9: Access	8
	4.3 Article 21: Accessibility and participation	8
5	Attitudes towards people with disability	10
	5.1 Why attitudes matter	10
	5.2 Feelings toward people with disability	10
	5.3 Beliefs and stereotypes	11
	5.4 Fairness and respect	11
	5.5 Social inclusion	11
	5.6 Work, school, health and housing	12
	5.7 Variation in attitudes by disability type	12
	5.8 Predictors of attitudes towards people with disability	12
	5.9 Influencing attitudes	13
6	News Media	14
	6.1 People with disability in the news	14
	6.2 Reporting guidelines	14
	6.3 News reporters with disability	16
7	Television Programmes	19
	7.1 Representation and content	19
	7.2 Who are the story-tellers?	20
	7.3 BBC initiatives	25
	7.4 Canadian initiatives	27
8	Advertising	28
9	Social media	30

10	Attitude Foundation initiatives	33
	10.1 Perspective Shift	33
	10.2 Content guidelines	33

1 Recommendations

1. The new National Disability Strategy should entrench obligations in relation to awareness raising, combatting stereotypes, representations of people with disability in the media, accessibility of information and communication technologies and participation in media and social media in accordance with Articles 8, 9 and 21 of the Convention.
2. Disability and media studies should be a core subject in all university journalism, media, creative writing, directing and related courses.
3. Employees of media organisations should be required to undergo annual continuing professional development training in relation to disability and media issues (in addition to diversity and inclusion training).
4. A comprehensive set of standards should be developed regarding the representation and engagement of people with disability in the news media, with input from people with disabilities. These standards should be reviewed biannually.
5. Annual training on inclusion and disability should be provided for APC staff who make decisions concerning the referral of complaints, and members of the APC adjudication panel.
6. The APC adjudication panel should be comprised of at least one community member with a disability.
7. The APC should take steps to increase awareness of its complaints process amongst people with disability, and ensure that people with disability are able to access the complaints process.
8. Employees of news media organisations should be required to undergo continuing professional development training in relation to the reporting standards.
9. News organisations should develop strategies to increase the recruitment and retention of people with disability into reporting and editorial roles. The BBC's 'Extend' programme could be considered as a model. The Australian Government should explore how it can support such initiatives.
10. News organisations should ensure that the unique perspectives of news reporters with disability are valued and amplified where appropriate.
11. Notwithstanding **Recommendation 10** news reporters with disability should not be limited by news organisations to reporting on disability issues and should be supported in professional development opportunities.
12. Broadcasters and other media organisations should have diversity inclusion plans that set out practical strategies for how they will combat stereotypes in the representation of people with disability, and how they will develop new content that tells the stories of people with disability.
13. Broadcasters should set quotas for the inclusion of characters with identifiable disabilities in their programming which reflect community rates of disability. The quotas and progress against the quotas should be reported publicly.
14. Characters with disability should be played by actors with disability.
15. Broadcasters should commit to actively procuring and developing content that is told by people with disability.

16. Broadcasters should employ people with disability to develop and advise on fictional content.
17. Broadcasters should create media content guidelines that explain what the networks will do to ensure inclusive and accessible media content.
18. The Australian Government should introduce initiatives to support the development of content telling the stories of people with disability by people with disability.
19. Broadcasters should have diversity inclusion plans that set out targets and practical strategies to increase the inclusion of people with disability both in front of and behind the screen.
20. Broadcasters should set specific and measurable employment targets for people with disability.
21. The Screen Diversity and Inclusion Network should support broadcasters to set and track progress against employment targets.
22. Broadcasters should develop strategies to increase the recruitment, development and promotion of people with disability into decision making and leadership positions.
23. ACMA should review its licensing arrangements to ensure it is playing its role in promoting and supporting the employment of people with disability.
24. ACMA staff who make decisions about complaints should receive annual training on inclusion and disability.
25. Amongst the ACMA staff who make decisions about complaints, there should be at least one person with a disability.
26. ACMA should take steps to increase awareness of its complaints process amongst people with disability, and ensure that people with disability are able to access the complaints process.
27. Broadcasters and the Australian Government should recognise the barriers to participation in the media industry by people with disability and develop initiatives that help to address those barriers and introduce reasonable adjustments in the workplace.
28. The Australian Government should develop initiatives to ensure that people with disability have the technology they need to access programming services.
29. The Australian Association of National Advertisers should work with people with disability to develop a specific industry practice note on the representation of people with disability in advertising.
30. The Australian Association of National Advertisers should develop initiatives to encourage advertisers to represent people with disabilities in advertising through the engagement of actors with disability.
31. The Australian Association of National Advertisers should develop initiatives to encourage advertisers to employ writers, directors, producers, researchers and other professionals with disability in the advertising industry.
32. The Australian Association of National Advertisers and Ad Standards should take steps to increase awareness of the complaints process amongst people with disability and ensure that people with disability are able to access the complaints process.

33. The Ad Standards Community Panel should be comprised of at least one community member with a disability.
34. The Ad Standards Community Panel should receive annual training on inclusion and disability.
35. Social media organisations operating in Australia should ensure the accessibility of their platform and online content, develop initiatives to support all users to create accessible content and engage in regular testing of the accessibility of the platform and content.
36. Social media organisations operating in Australia should have diversity inclusion plans that include goals and strategies in relation to each of representation, access, accessibility and participation of people with disability in social media.
37. The diversity inclusion plans referred to above should include, at a minimum, a unit dedicated to inclusion and representation, led by a person with disability.
38. Broadcasters with digital platforms should ensure the accessibility of their online content.
39. Broadcasters with digital platforms should develop online strategies that specifically seek to address representation, access, accessibility and participation of people with disability in social media.

2 About Attitude Foundation

Attitude Foundation Limited (**Attitude Foundation**) welcomes the opportunity to make this submission in response to the Royal Commission into Violence, Abuse, Neglect and Exploitation of People with Disability (**Royal Commission**) Issue Paper on Rights and Attitudes. The focus of Attitude Foundation's submission is Question 9 of the Rights and Attitudes Issues Paper:

What should the role of media and social media be in helping to improve rights awareness and attitudes towards people with disability? How can they support or drive changes in policy and laws? What good practice examples should we know about?

Established in 2014, Attitude Foundation's vision is to live in an Australia in which people with disabilities are welcomed and fully included on an equal basis in every aspect of life.

In 2018, there were 4.4 million Australians with disabilities, or 17.7% of the population.¹ The 2011 report, 'Disability Expectations: Investing in a better life, a stronger Australia' (PWC, November 2011) noted that the biggest challenge for Australia,

"...is to provide an environment for change which allows for a cultural shift across all parts of our society. Active participation of those with disability in society generally can only occur with a change in attitude. This is something that can't be legislated; people need to see the reason why change is important."²

Attitude Foundation believes that the media is a powerful tool for changing attitudes towards people with disabilities. We work to ensure increased and authentic representation and inclusion of people with disabilities across all forms of media. We want to improve Australia's understanding of disability, including by striving to challenge the following common misconceptions:

1. the portrayal of people with disabilities as objects of inspiration, pity or tragedy;
2. the belief that an individual's diagnosis or impairment is the main barrier to their participation in society. Instead, we promote a "social model"³ perspective of disability, which recognises that everyone is different, and that society needs to be organised in a way that ensures that all people can participate on an equal basis; and
3. that all impairments have obvious physical characteristics, when in fact many impairments are invisible, for example, psychosocial or mental health conditions, intellectual or sensory impairments, and hearing and vision impairments.

While we acknowledge that there is some recent improvement in the portrayal of people with disabilities in the media, there is still much to be done.

Our experienced and diverse board is led by our Chair, former Disability Commissioner Graeme Innes. Our CEO, Matthew Field, has a long history of working within the Community Media sector and has experience working with communities to assist them to develop content for broadcast with the aim of celebrating and sharing unique cultures, increasing representation of diversity on our screens and creating opportunities for emerging screen practitioners.

¹ Australian Bureau of Statistics, 4430.0 – Disability, Ageing and Carers, Australia: Summary of Findings, 2018 <https://www.abs.gov.au/AUSSTATS/abs@.nsf/0/C258C88A7AA5A87ECA2568A9001393E8?OpenDocument>.

² Disability expectations: Investing in a better life, a stronger Australia, PWC, November 2011.

³ For more information about the Social Model of Disability, see People with Disability Australia, 'Social Model of Disability', <https://pwd.org.au/resources/disability-info/social-model-of-disability/>.

3 Introduction

Authentic portrayal of people with disability and their experiences in the media should not be complicated. People with disability have rich and varied lives and different life experiences. They are best placed to share their stories in their own way. However, the stories of people with disability are rarely represented in the media, and when they are, people with disability are rarely the agents or authors of those representations.

The result is often inappropriate, stereotyped, negative and/or patronising. Too often, representations of people with disability in the media and social media rely on negative, outdated tropes of people with disability as cheats, charity cases and inspirations,⁴ figures of pity or tragedy⁵, victims of violence, sinister or evil, as a 'super cripple' – someone who has superhuman qualities and has achieved success, 'in spite of' their disability⁶ – an object of ridicule, their own worst enemy, a burden to their families and the community, sexually abnormal or asexual⁶ and ill or disadvantaged.⁷ Such frameworks and archetypes ignore the diverse realities for people with disability, perpetuate false and harmful portrayals and impact the way our communities think and act towards people with disability.

There is no question that media and social media play a central role in modern life. It is how we get our news, form and share our opinions, hold our politicians to account, obtain information about services, shop and spend money, watch drama, share information about our lives and learn about or "follow" the lives of others. Australians watch an average of 22 hours of TV a week (including streaming services), with twelve TV and movie services. Eighty-one percent of respondents to a Deloitte Media Consumer Survey have Facebook, with over half of all social media users checking their social network daily. Social media use continues to increase.⁸ As people with disability become greater users of digital media, they are also being recognised as an untapped consumer group.⁹

With the prominence of media and social media, comes indisputable power to influence and shape public opinion on a range of issues including politics, religion, the environment and fashion, amongst many others. That power to influence and shape opinion is reflected in the significant media and social presence of Government and business both in Australia and around the world. One needs only to consider media and social media over the last few months for examples including the Trump presidency, covid-19 crisis, Hong Kong protests and the Black Lives Matter movement. Indeed, the power of media and social media is such that it has generated a whole new industry of "influencers" whose brand and wealth are directly related to their ability to influence the opinions (and spending patterns) of millions of people around the world.

The media and social media's dominance in our lives gives them an undeniable power to both reflect and influence societal attitudes and perceptions of people with disability, and to facilitate and shape discussion around public policy and other issues affecting people with disability.¹⁰

⁴ B. Hadley and D McDonald (2019), Disability arts, culture and media studies – mapping a maturing field, The Routledge Handbook of Disability Arts, Culture and Media, p.5

⁵ Katie Ellis, Mike Kent, Scott Hollier, Shawn Burn and Gerard Goggin, 'Reimagining Australia via Disability and Media: Representation, Access and Digital Integration' (2018) 24(25) *Observatory: Australian and Transnational Studies Centre, Universitat de Barcelona*, p.98.

⁶ Colin Barnes, *Disabling Imagery and the Media: An Exploration of the Principles for Media Representations of Disabled People* (The British Council of Organisation of Disabled People and Ryburn Publishing Limited 1992).

⁷ Ellis, above n 5, p.97.

⁸ Respondents to Deloitte's Media Consumer Survey 2019

⁹ Ellis, above n 5, p.97.

¹⁰ Ibid

One of the most effective ways to improve attitudes towards people with disability is through non-stereotyped and non-derogatory portrayals of people with disability in the media and social media.¹¹ Given this, the media has the potential to change how disability is imagined and how it might be reimagined¹² and in establishing new societal norms.

Over the last few years, we have seen more diverse and authentic representations of people with disability in our media and social media.. However, overall, the rates of representation of people with disability in media and social media remain extremely low as do the rates of employment or engagement of people with disability in the development and production of content. Another relevant factor in considering issues relating to the representation of people with disability is the ability of people with disability to access media and social media. Without accessibility there can be no participation – which compounds the forms of exclusion experienced by people with disability.

There are many strategies that can be implemented to improve the representation, access (to the technology itself), accessibility (how that technology is used) and participation of people with disability in Australian media and social media. Such media will be significant drivers in improving rights awareness and attitudes towards people with disability in Australia.

¹¹ Thompson D, Fisher K R, Purcal C, Deeming C and Sawrikar P (2011), Community attitudes to people with disability: scoping project, Social Policy Research Centre, Disability Studies and Research Centre, University of New South Wales, p.21

¹² Ellis, above n 5, p.96.

4 Convention on the Rights of Persons with Disabilities

It is useful to begin by reflecting on the Convention on the Rights of Persons with Disabilities (**Convention**), ratified by Australia in 2008.

Under the Convention, Australia has specific obligations in relation to awareness raising, combatting stereotypes, representations of people with disability in the media and accessibility of information and communication technologies.

Yet there is still work to do to satisfy Australia's obligations under the Convention. The National Disability Strategy, Australia's response to the Convention, sets out a strategy for implementation of its obligations that is almost completely silent as to the representation of people with disability in the media and accessibility of technologies.

4.1 Article 8: Awareness raising

Under Article 8 of the Convention, Australia has obligations to:

- (a) raise awareness throughout society, including at the family level, regarding persons with disabilities, and to foster respect for the rights and dignity of persons with disabilities;
- (b) combat stereotypes, prejudices and harmful practices relating to persons with disabilities, including those based on sex and age, in all areas of life; and
- (c) to raise awareness of the capabilities and contributions of persons with disabilities.

Article 8(2) measures to this end include initiating and maintaining effective public awareness campaigns and "encouraging all organs of the media to portray persons with disabilities in a manner consistent with the purpose of the present Convention".

In the combined second and third periodic reports submitted by Australia on 7 September 2018, Australia reported that in accordance with Article 8 it had participated in celebrations of the International Day of People with Disability, referred to the awareness-raising functions of the Australian Human Rights Commission and Disability Commissioner and the NSW 'Don't Dis My Ability' campaign.¹³

However, as the Shadow Report, *Disability Rights Now 2019*¹⁴ (**the 2019 Shadow Report**) reported, there is no targeted strategy to raise awareness of the rights of people with disability and there is no formal mechanism nor adequate resourcing to involve people with disability in the design, implementation, monitoring and evaluation of awareness-raising campaigns and strategies. The Report recommends that Australia develop a national cross government strategy to promote positive images and human rights of people with disability in line with the Convention.

¹³ Committee on the Rights of Persons with Disabilities, Combined second and third periodic reports submitted by Australia under article 35 of the Convention (& September 2018), <http://docstore.ohchr.org/SelfServices/FilesHandler.ashx?enc=6QkG1d%2fPPRiCAqhKb7yhsnzSGolKOaUX8SsM2PfxU7simjcDtbhPSCoi7RrWmaLBUwdV4b4xZUdFNNBHsCY%2bhuxCFsX71hoc5hauPTR3Jz5r5s6Q2Oazv9CEJNVMIeFI>

¹⁴ Disability Rights Now 2019, Australian Civil Society Shadow Report to the United Nations Committee on the Rights of Persons with Disabilities: UN CRPD Review 2019, <https://www.afdo.org.au/wp-content/uploads/2019/08/CRPD-Shadow-Report-2019-English-PDF.pdf>

4.2 Article 9: Access

Under Article 9 of the Convention, Australia has obligations to, amongst other things, identify and eliminate obstacles and barriers to accessibility of information, communication and other services and to take appropriate measures to, amongst other things, to:

- (a) promote access for persons with disabilities to new information and communications technologies and systems, including the Internet;
- (b) promote the design, development, production and distribution of accessible information and communications technologies and systems at an early stage, so that these technologies and systems become accessible at minimum cost.

The 2019 Shadow Report reported that despite the Disability Discrimination Act and National Standards for Disability Services are the primary legislative and policy framework designed to increase the quality of access for people with disability, inaccessibility in information and modes of communications (amongst other areas including housing and transport) remain.

4.3 Article 21: Accessibility and participation

Under Article 21 of the Convention, Australia has obligations to “take all appropriate measures to ensure that persons with disabilities can exercise the right to freedom of expression and opinion, including the freedom to seek, receive and impart information and ideas on an equal basis with others and through all forms of communication of their choice” including by:

- (a) Providing information intended for the general public to persons with disabilities in accessible formats and technologies appropriate to different kinds of disabilities in a timely manner and without additional cost;
- (b) Accepting and facilitating the use of sign languages, Braille, augmentative and alternative communication, and all other accessible means, modes and formats of communication of their choice by persons with disabilities in official interactions;
- (c) Urging private entities that provide services to the general public, including through the Internet, to provide information and services in accessible and usable formats for persons with disabilities;
- (d) Encouraging the mass media, including providers of information through the Internet, to make their services accessible to persons with disabilities;
- (e) Recognizing and promoting the use of sign languages.

In the combined second and third periodic reports submitted by Australia on 7 September 2018, Australia reported that in accordance with Article 21:

- there is a captioning regime for programs broadcast on free-to and subscription television in Australia pursuant to the *Broadcasting Services Act 1992* (Cth);
- subscription television licensees are also subject to captioning targets that gradually increase until they reach 100 per cent of programming by 1 July 2033; and
- in April 2017, the Australian Government established the Audio Description Working Group to examine options for sustainably increasing the availability of audio description services in Australia.

However, the 2019 Shadow Report noted that:

- Australia does not recognise Auslan as a national language;
- there are no Information and Communication Standards that require information to be fully accessible;
- there are no mandated minimum standards for government and the public sector organisations to ensure web accessibility and usability;
- there are no mandated minimum standards for accessible information and services to be provided to the public;
- many people with disability are unable to enjoy freedom of expression and opinion due to lack of communication supports and inequitable access to information.

It is also relevant to note that disability discrimination complaints are the most commonly reported complaint to both the Australian Human Rights Commission (**AHRC**) (891 complaints received in the 2019 FY) and NSW Anti-Discrimination Board (**ADB**) (866 enquiries received in the 2019 FY).

The 2019 Shadow Report makes recommendations that Australia act to ensure Auslan is recognised as a national language, and the right to use Auslan is legally recognised, develop Information and Communication Standards that require information to be fully accessible and communication supports to be routinely available and develop a Plain Writing Act that requires government agencies to use clear communication that the public can understand.

The new National Disability Strategy to commence in 2021 is currently in the consultation phase.¹⁵

Recommendation 1:

The new National Disability Strategy should entrench obligations in relation to awareness raising, combatting stereotypes, representations of people with disability in the media, accessibility of information and communication technologies and participation in media and social media in accordance with Articles 8, 9 and 21 of the Convention.

¹⁵ <https://www.dss.gov.au/disability-and-carers/a-new-national-disability-strategy>

5 Attitudes towards people with disability

*The way we see, speak, and think about disability – in real life, and in fictionalised representations of real life in the arts, the media, and popular entertainment – defines disabled identities, which in turn defines disabled people’s access to agency, authority, and power in society.*¹⁶

5.1 Why attitudes matter

Attitudes are thoughts, feelings and predispositions held by people towards something or someone.¹⁷ It has been said that there are three types of attitudes towards people with disability in Australia:

- an **inclusive** attitude involving an awareness of and willingness to engage with people with disabilities as consumers, neighbours and friends,
- an **exclusionary** attitude involving a lack of awareness of people with disabilities, and
- an **exclusionary** attitude of discomfort with the ‘otherness’ of people with disability, which can lead to hostility, exclusion and discrimination.¹⁸

There is no doubt that perceptions of people with disability greatly affect their inclusion in communities.¹⁹ A recent survey undertaken of community attitudes towards people with disabilities in Victoria in 2018 by the University of Melbourne (**Melbourne Survey**)²⁰ noted that:

*Attitudes have great impact on people’s lives. There is a link between community attitudes about disability and the extent to which people with disability are included in society. Attitudes are embedded in all levels of communities, from person-to person interactions to formal policy and law.*²¹

Negative, misconceived and patronising attitudes towards people with disabilities create barriers to equal participation and recognition in all aspects of life including education, employment and community participation and can make people’s access to services difficult.²²

5.2 Feelings toward people with disability

Many people experience discomfort or uncertainty around people with disabilities and some feel pity, awkwardness or even fear: “[S]uch feelings...form the basis of and reinforce many harmful attitudes toward people with disability.”²³ In a survey undertaken as part of a public consultation in 2019 on the New Disability Strategy, 80 percent of respondents said that people without disability are unsure how to act toward people with disability.

¹⁶ Hadley, above n.4, p.1

¹⁷ Staniland, L (2009), Public Perceptions of Disabled People, Evidence from the British Social Attitudes Survey, Office of Disability Issues, p.10, https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/325989/ppdp.pdf (accessed 24 July 2020)

¹⁸ Thompson, above n.11, p.9

¹⁹ Ibid, p.2

²⁰ Ibid.

²¹ Bollier AM, Krnjacki L, Kavanagh A, Kasidis V, Katsikis G and Ozge J (2018). Survey of Community Attitudes toward People with Disability: A report for the Victorian Department of Health and Human Services. Melbourne, VIC: Disability & Health Unit, Centre for Health Equity, University of Melbourne, p.5. https://www.statedisabilityplan.vic.gov.au/application/files/5415/7526/0530/University_of_Melbourne_Community_Attitude_s_Final_Report_19.06.19_-_PDF.PDF.

²² Thompson, above n.11, p.(vi)

²³ Bollier, above n.21, p.15

The Melbourne Survey found that over two-thirds of participants saw blind people, deaf people and people who use a wheelchair as likely to be pitied. About half said that people are likely to avoid people with long-term depression and about three-quarters said that people are likely to avoid people with schizophrenia. More than half said that people are likely or very likely to avoid people with brain injury and people with an intellectual disability. Three quarters said that people are likely to pity those with a brain injury or intellectual disability.²⁴

Nearly three-quarters of participants agreed that people without disability are unsure how to act toward people with disability. About one-third agreed or strongly agreed that people without disability are uncomfortable asking people with disability what supports they need.²⁵

5.3 Beliefs and stereotypes

Misconceptions about people with disability are widespread and there is no doubt that misleading assumptions about people with disabilities are deep seated within our culture²⁶. In the Melbourne Survey, nearly one-quarter of participants agreed or strongly agreed that people with disability have less to look forward to than others. Twelve percent of participants agreed that people with disability are a burden on society. Twenty-four percent agreed that people with disability are a burden on their family. Almost one in ten participants disagreed or strongly disagreed that Australian society is strengthened by people with disability. Twenty percent agreed that people should not expect too much from people with disability.²⁷

5.4 Fairness and respect

The Melbourne Survey found that the majority of participants saw people with disability as equally deserving of the rights and opportunities that others enjoy. Eighty-three percent agreed or strongly agreed that people with disability should get to have a say about who they live with. Over three-quarters agreed or strongly agreed that people with disability have the right to sexual relationships. However nearly 20 percent of participants agreed or strongly agreed that people with disability should not raise children.²⁸

5.5 Social inclusion

It is widely acknowledged that attitudes can reduce people's participation in social and leisure activities²⁹ and are connected to acts of discrimination and social exclusion.³⁰

The Melbourne Survey found that most participants agreed or strongly agreed that people with disability have problems getting involved in society, find it harder than people without disability to make new friends, and are easier to take advantage of. Two out of every five participants agreed or strongly agreed that people without disability ignore people with disability. A similar number agreed that people tend to treat people with disability as if they have no feelings. About three in five people agreed or strongly agreed that people tend to become impatient with people with disability. About the same number agreed that people often make fun of disabilities.³¹

²⁴ Ibid, p.16

²⁵ Ibid, p.17

²⁶ D Garrisi and J Johanssen, (2020) Disability, Media and Representations, Routledge, p.5

²⁷ Bollier, above n.21, p.19

²⁸ Ibid, p.21

²⁹ Thompson, above n.11, p.19

³⁰ Bollier, above n.21, p.22

³¹ Ibid, p.23

5.6 Work, school, health and housing

Negative attitudes amongst teachers and student peers constitute a barrier to inclusive education³² and negative attitudes of employers is a major barrier to employment of people with disability.³³ Historically, people with disability have been segregated in schools and workplaces, and people with disability continue to experience barriers to full inclusion in education and work.³⁴

The Melbourne Survey found that one in five participants agreed or strongly agreed that employers should not be allowed to refuse to hire people with disability. Fewer than half of participants agreed that workplaces are accepting of people with disability. Just under half agreed that people with disability work as productively as people without disability. Most participants disagreed or strongly disagreed that children with disability should only be educated at special schools. Three in five participants agreed or strongly agreed that 'mainstream' schools are accepting of people with disability.³⁵

Attitudes in the health and community care sector have also been found to be a barrier to people's access to equal treatment³⁶ and where they live including to deprive them of the choice to live independently in the community because of the attitudes of landlords and real-estate agents.³⁷

5.7 Variation in attitudes by disability type

Attitudes vary according to the type of disability or impairment. People with sensory impairments and physical impairments are viewed more favourably, while people with intellectual or psychological impairments are viewed less favourably. The Melbourne Survey noted that this is consistent with research that shows people with psychological and intellectual impairments are more socially excluded and more commonly experience issues with housing, low incomes, unemployment, poor quality jobs, poor social support and experiences of discrimination.³⁸ These are very similar to the findings of the ACT Disability Advisory Council study in 2007 which found, as 'an overwhelming response', the view that people with physical or sensory impairments were more able to make a more valuable contribution than people with intellectual or psychiatric disability.³⁹

5.8 Predictors of attitudes towards people with disability

A national survey of Australian adults found that more positive attitudes towards people with disability are likely to be held by women, people from overseas of English-speaking origin and people who had completed year 12 or university studies. More negative attitudes towards people with disability are likely to be held by people with disability, older people, people from overseas of non-English speaking origin. Positive attitudes were associated with people who had never had a colleague, classmate, close friend, teacher or boss with a disability.⁴⁰

³² Thompson, above n.11, p.(vi)

³³ Ibid, p.15

³⁴ Bollier, above n.21, p.24

³⁵ Ibid, p.25

³⁶ Thompson, above n.11, p.17

³⁷ Ibid, p.18

³⁸ Bollier, above n.21, p.28

³⁹ Thompson, above n.11, p.12

⁴⁰ A Kavanagh, AM Bollier, L Krnjacki, G Katsikis, V Kasidis, J Ozge, A Milne (2019), Predictors of attitudes towards people with disability in Australia: Findings from a cross-sectional survey of Australian adults, Melbourne School of Population and Global Health, Melbourne University, https://jech.bmj.com/content/jech/73/Suppl_1/A72.1.full.pdf.

5.9 Influencing attitudes

Words and images matter. Media and social media reflect and influence societal attitudes and perceptions of people with disability and public policy discussions about issues affecting people with disability through the choices they make in language and imagery.

The intersection of disability and media and the ways in which meaning and attitudes can be shaped and influenced through words and images are the focus of rigorous academic study (both nationally and internationally). This academic work also explores important issues around the intersection of disability with gender, First Nations People and people from diverse cultural backgrounds.

In order to represent people with disability through language and imagery that is inclusive and is not negative or stereotyped, media and social media must listen to and learn from people with disability and those who regularly engage in analysis and critique of their practices, including experts in the field of disability and media studies:

Arts practices, media practices, and ubiquitous cultural practices are hugely impactful on the way disabled people are engaged, included, or not included in the many social situations and institutions we encounter in everyday life. The work of those who create, analyse, critique, and change these practices and the representations of disability they promote in the public sphere are vital contributors to efforts to address the exclusion of those with physical, sensory, intellectual, and other disabilities in so many spheres of social life. Their insights are useful not just to those producing or studying these types of practices but also to those working across community services, social services, health, medicine, education, and other industries which engage disabled people as part of their day-to-day business.⁴¹

It is our view that a commitment to continuous reflection, critique and learning is necessary for media and social media to truly reckon with issues around representation, access, accessibility and participation of people with disability.

Recommendation 2:

Disability and media studies should be a core subject in all university journalism, media, creative writing, directing and related courses.

Recommendation 3:

Employees of media organisations should be required to undergo annual continuing professional development training in relation to disability and media issues (in addition to diversity and inclusion training).

⁴¹ B Hadley and D McDonald (eds), (2019), The Routledge Handbook of Disability Arts, Culture and Media, p. xvii

6 News Media

6.1 People with disability in the news

Much of the potential for reimagining disability in Australia is within the remit of the country's news media...the news media has the capacity to set the public agenda and influence the way people think about other people, events and issues through story framing...⁴²

Given the powerful role that the news media plays in discussions around policy issues and decisions that impact the lives of people with disability, stereotyped, negative and patronising representations of people with disability are particularly troubling when they occur in our news media.

News media coverage of the trial and roll-out of the National Disability Insurance Scheme (**NDIS**) provides a useful case study, given that much of the recent public discussion about people with disability has arisen as a result of the NDIS.⁴³

A 2015 study conducted by Burns and Haller analysed 455 articles published about the NDIS in Australian media between 2008 and 2013.⁴⁴ The majority (74 percent) of articles published about the NDIS during that period contained traditional representations of disability, that is, disability as an illness, people with disability as disadvantaged and needing economic support, or special for living a regular life 'in spite of' their disability. Within that group of articles, 94 percent framed people with disability as disadvantaged and reliant on the state for support.

There is also a common and recurring theme in current affairs programs and news programs of exposés on "disability cheats" that are fraudulently claiming the disability support pension because they are 'not disabled enough'. A classic example is staking out disabled parking spaces and "catching" people who don't 'look' like they have a disability. This reinforces perceptions of people with disability as having only disabilities that are visible and ignores the range of non-visible disabilities that exist as well as the important role of carers and assistants, who may, for example, use a parking spot to drop off or pick-up the person with a disability whom they care for.

[include stuff about special schools, etc]

Although there has been some improvement in recent years, particularly with news programming on the ABC, overall the voices and perspectives of people with disability do not regularly feature in the news media. The perspectives of people with disability are not shown in stories about people with disability nor in stories on other issues of public interest. Further, stories rarely reflect a rights-based framing when considering issues or barriers experienced by people with disability, frequently framing these issues through a lens of "benevolence" instead. This needs to change.

6.2 Reporting guidelines

While ad hoc reporting guidelines prepared by broadcasters exist, it is unclear how widely they are referred to and relied upon by broadcasters, reporters and producers. The absence of a single, national comprehensive guiding document (and the lack of genuine accountability for those breaching the guidelines, notwithstanding the regulator's oversight) contributes to the issues we continue to see regarding representations of people with disability in the news media.

⁴² Ellis, above n 5, p.96

⁴³ Ibid, p.95

⁴⁴ Ibid, p.98

The ABC has a useful guidance note on 'Reporting and Portraying Disability in ABC Content'⁴⁵ (**ABC Advisory Note**). Free TV Australia, the industry body for Australian commercial television broadcasters, has published an advisory note⁴⁶ on 'The portrayal of people with disabilities' (**Free TV Advisory Note**). The Free TV Advisory Note has been published in accordance with the requirement set out in the Commercial Television Industry Code of Practice, regulated by the Australian Communications and Media Authority (**ACMA**) pursuant to the *Broadcasting Services Act 1992* (Cth) (**BSA**). Although the ACMA codes generally include a prohibition on licensees broadcasting programs that are likely to provoke or perpetuate intense dislike, serious contempt or severe ridicule against a person or group of people because of disability (among other characteristics),⁴⁷ there are exceptions for the broadcasting of artistic work (including comedy and satire), broadcasts with a public interest purpose and in the course of a fair report, or comment on a matter of public interest.

The Australian Press Council (**APC**) promotes responsible journalism and is the body responsible for responding to complaints about newspapers, magazines and associated digital outlets. Publications are required by their membership of the APC to take reasonable steps to comply with the APA General Principles⁴⁸ and Standards of Practice. The Principles include ensuring that factual material in news reports is accurate, not misleading, presented with reasonable fairness and balance, and avoiding causing or contributing materially to substantial offence, distress or prejudice, or a substantial risk to health or safety, unless doing so is sufficiently in the public interest.

Complaints to the APC are considered initially by APC staff who then decide whether to refer the complaint to the APC's adjudication process. The adjudication panel comprises a Chair plus an equal number of public and industry members.

APC publishes a summary of its adjudications. The APC has published only 22 decisions since 2001 that contain the word 'disability', though a person's disability does not appear to be central to the complaint in all of those cases. The most recent of those complaints relating to the representation of people with disabilities include a complaint in June 2020 about a Herald Sun article on climate activist Greta Thunberg and the language used to describe her 'mental disorders' (Adjudication 1775)⁴⁹ and an October 2017 complaint about a Sunday Telegraph article implying that a person was an undeserving welfare recipient (Adjudication 1721).⁵⁰

The APC does not have Advisory Guidelines in relation to the representation of and engagement with people with disability (though it does have Advisory Guidelines in relation to other groups and issues).

Recommendation 4:

A comprehensive set of standards should be developed regarding the representation and engagement of people with disability in the news media, with input from people with disabilities. These standards should be reviewed biannually.

Recommendation 5:

⁴⁵ Australian Broadcasting Corporation, *Editorial guidance note: Reporting and Portraying Disability in ABC Content* (3 July 2019) <https://edpols.abc.net.au/guidance/reporting-and-portraying-disability-in-abc-content/>

⁴⁶ Free TV Australia, *Advisory Note: The Portrayal of People with Disabilities* https://www.freetv.com.au/wp-content/uploads/2019/07/FINAL_Amended_Advisory_Note_Portrayal_of_people_with_disabilities_12_June.pdf

⁴⁷ See, eg, Commercial Television Industry Code of Practice cl 1.1.5; Commercial Radio Code of Practice cl 2.1.4; Community Television Broadcasting Codes of Practice cl 3.2(c); Community Radio Broadcasting Codes of Practice cl 2.5; Subscription broadcast television codes of practice 2013 cl 2.1(a).

⁴⁸ Press Council of Australia, *Statements of Principles*, <https://www.presscouncil.org.au/statements-of-principles/>

⁴⁹ Press Council of Australia, *Adjudication 1775*, <https://www.presscouncil.org.au/document-search/adj-1775>

⁵⁰ Press Council of Australia, *Adjudication 1721*, <https://www.presscouncil.org.au/document-search/adj-1721>

Annual training on inclusion and disability should be provided for APC staff who make decisions concerning the referral of complaints, and members of the APC adjudication panel.

Recommendation 6:

The APC adjudication panel should be comprised of at least one community member with a disability.

Recommendation 7:

The APC should take steps to increase awareness of its complaints process amongst people with disability, and ensure that people with disability are able to access the complaints process.

Recommendation 8:

Employees of news media organisations should be required to undergo continuing professional development training in relation to the reporting standards.

6.3 News reporters with disability

One of the explanations for stereotyped, negative and patronising representations of people with disability in the news media is the comparatively small number of news reporters with disability. While there has been progress in the diversity of news reporters, including more women and more people from diverse cultural backgrounds, the overall number of news reporters with disability remains very low.

News reporters with disability can bring a different perspective to disability issues because of their lived experience of disability, which is particularly valuable in news reporting. It should go without saying, however, that news reporters with disability should not be expected to report on disability issues and nothing else, just as female reporters should not be limited to reporting on issues of gender nor should First Nations reporters be limited to reporting on Indigenous issues. People with disability are more than their disabilities and bring enormously valuable perspectives to a range of other issues.

Notable examples of news reporters with disability who have brought important perspectives to news issues include the ABC's Nastasia Campanella⁵¹ and ABC Regional Storyteller Scholarship winner Catherine Mahony, who has produced a five-part ABC Radio series called A Fine Line about the NDIS.⁵² It is encouraging that the ABC seems to be engaging more new reporters with disability.

It is worth pausing to acknowledge that the reporters in both of these examples have disabilities that are visible to the viewer. Seeing people with visible disabilities on our screens can be a powerful agent for education, inclusion, acceptance and changing societal views. However, as we emphasise throughout this submission, many people with disability have invisible disabilities. Although we do not know the precise number of reporters with invisible disabilities, statistically speaking, we know they exist. Their contributions as news reporters with disability are just as powerful for the perspective they bring from their own lived experience.

⁵¹ Nastasia Campanella, *How ABC triple j newsreader Nas Campanella's experience of being blind is informing ABC News coverage of people with a disability* (ABC, 3 December 2019) <<https://www.abc.net.au/news/about/backstory/radio/2019-12-03/nas-campanella-on-news-coverage-of-people-with-disability/11744486>>.

⁵² Catherine Mahony, *NDIS Participants and support workers ponder the fine line between relationship and friendship* (ABC, 2 December 2019) <https://www.abc.net.au/news/2019-12-02/people-with-disability-open-up-about-support-work-relationships/11747202>

As we discuss later in this submission, the voluntary and anonymous collection of data on disability is one potential solution to knowing more about the number of people with invisible disabilities working in front of and behind the camera. There is also a significant onus on broadcasters to ensure inclusive and diverse workplaces and practices in which different perspectives of people with disability are sought out and valued.

Indeed, there are benefits to having a diverse workforce that includes people with disability, both visible and invisible. The employment of news reporters with disability, as well as other people with disability in roles across the newsroom from research to production and editing, helps shape representations through shared and lived experiences, bringing different perspectives and a broader understanding of disability issues, without people with disability necessarily needing to be the ones to report on those issues.

BBC's 'Extend' programme

The United Kingdom provides us with a useful example of what is possible.

The 'Extend' programme is part of the BBC's aim of creating more opportunities for journalists with disabilities in BBC News due to an under-representation across the BBC as a whole.⁵³ 'Extend' offers a 12-month, full-time contract in different parts of the organisation, where people with disabilities are embedded into the newsroom and learn to hone their skills in journalism, research and production roles. After the 12 months, the idea is to extend the offer into a continuing contract.

From the interview process, job applicants can make suggestions regarding access to work, where they receive support from the BBC Access Unit to apply for an Access to Work report⁵⁴, a UK government programme to support people with disability to obtain reasonable adjustments for their disability in the workplace. An access to work grant can pay for special equipment, adaptations or support the worker to help answer the phone or go to meetings, and can help pay for getting to and from work.

Journalists are then matched to a BBC department based on their current skill sets and passions. Ongoing one-to-one assessments are set up in three-month intervals to check in with how they are settling in, and if needed, change department.

The programme piloted in 2017 and since then, the BBC has employed 31 journalists with disability through the programme.

Recommendation 9:

News organisations should develop strategies to increase the recruitment and retention of people with disability into reporting and editorial roles. The BBC's 'Extend' programme could be considered as a model. The Australian Government should explore how it can support such initiatives.

Recommendation 10:

News organisations should ensure that the unique perspectives of news reporters with disability are valued and amplified where appropriate.

Recommendation 11:

⁵³ BBC Careers, 'Extend In News – A BBC News development initiative for journalists with disabilities' <<https://www.bbc.co.uk/careers/trainee-schemes-and-apprenticeships/journalism/extend-news>>.

⁵⁴ Access to Work, <https://www.gov.uk/access-to-work>

Notwithstanding **Recommendation 10**, news reporters with disability should not be limited by news organisations to reporting on disability issues and should be supported in professional development opportunities.

7 Television Programmes

7.1 Representation and content

People with disability are significantly underrepresented on Australian television programmes and many of the representations that do exist are shamefully one-dimensional and often negative.

Seeing Ourselves is a 2016 report by Screen Australia which analysed 199 TV drama programs broadcast between 2011 and 2015. The report found:

- only 4 percent of main characters in Australian TV dramas were identifiably characters with a disability (that is, where the 'characteristics' of the disability generally appeared on screen in some way), representing a significant statistical under-representation in TV drama compared with the rates of people with disability in Australia⁵⁵;
- an overwhelming 90 percent of programs had no main characters with a disability;
- 77 percent of all characters with disabilities were found in just two programs, *Neighbours* (Ten) and *Home and Away* (Seven);
- where there were characters with a disability, rather than those characters playing a normal part of the TV programme's world, they were largely built into storylines for dramatic effect and to help drive ongoing storylines in ongoing serials. Often the characters had only temporary disabilities for dramatic effect, such as memory loss and psychosis; and
- characters with a disability were much less likely to work in the legal or medical field than characters without disability, and no characters with disability were identified as 'leaders' at all.⁵⁶

Another issue is that where people with disability are represented as characters in TV programs, those characters tend to have obvious, visible impairments that are easily signalled using visual props and cues, for example, blind characters with a guide dog, white cane or dark glasses, deaf characters that use sign language or have visible hearing aids, and characters with physical impairments who use wheelchairs or have crutches, calipers or artificial limbs on display.

This ignores the reality that many people with disability have "invisible disabilities", disabilities that are not immediately apparent and not easily signalled using visual props and cues. Invisible disabilities include hearing loss (one in six Australians are affected by hearing loss and not all wear hearing aids), cognitive, neurological and intellectual impairments, mental illness (for one in five Australians with disability, their main form of disability is mental or behavioural⁵⁷) chronic pain, kidney disease, diabetes and musculoskeletal disorder (over three quarter of Australians with disability have physical conditions with the most popular being musculoskeletal disorder, arthritis and related disorders and back problems).⁵⁸

Presumably, television shows tend not to feature characters with invisible disabilities because:

- (a) it is more complex to portray such a character, as the disability cannot be immediately conveyed to the audience via the character's appearance or visual props and cues; and

⁵⁵ "Of the 71 characters with disabilities, 25 were considered to have physical or sensory disabilities such as blindness, paralysis or amputated limbs, while 47 had psychiatric, neurological, cognitive and/or intellectual disabilities". Some characters had multiple disabilities.

⁵⁶ Screen Australia, *Seeing ourselves: Reflections on diversity in Australian TV drama* (2016) 15.

⁵⁷ Australian Institute of Health and Welfare, *People with disability in Australia* (3 September 2019)

<https://www.aihw.gov.au/reports/disability/people-with-disability-in-australia/personal-factors/prevalence-of-disability>

⁵⁸ Australian Network on Disability, *Disability Statistics*, <https://www.and.org.au/pages/disability-statistics.html>

- (b) invisible disabilities tend not to immediately evoke sympathy, inspiration or support from viewers in the same way as disabilities which have more obvious impairments.

Genuine reflection and inclusion of people with disability requires TV shows with real and diverse representations of people with a disability, including people with invisible disabilities.

An excellent example is the ABC show *You Can't Ask That*, where people with disability answer questions to help dispel the myth that all people with disability are the same.

Children's television also presents some leading examples. The "DisRupted" film initiative by ABC Children's Content and Screen Australia funded and supported three content makers with disability to each write and produce a short film that was shown on ABC Me. Another example is the popular, long-standing children's show *Sesame Street*, which has 'incidentally' included cast members with disabilities as part of 'the street' community since the 1970s. More recently, *Sesame Street* developed a puppet character, Julia, who is autistic⁵⁹, in collaboration with autistic self-advocates, parents of autistic children and organisations including the Autistic Self Advocacy Network, the only national organisation by and for autistic people in the United States of America.⁶⁰ The puppeteer that plays Julia has a son on the autism spectrum. In TV terms, Julia is revolutionary. For the first time, children with autism and their families can see their experiences reflected on TV. This helps reduce stigma, normalises the experiences of children with autism and increases acceptance, connection and inclusion. (However, the show's partnership with an organisation that many autistic self advocates oppose, Autism Speaks, and their promotion of resources that advance a problematic narrative about autism, has resulted in controversy⁶² and ongoing discussion about the voices of parents of children with disability prevailing over the voices of people with disability.)

Recommendation 12:

Broadcasters and other media organisations should have diversity inclusion plans that set out practical strategies for how they will combat stereotypes in the representation of people with disability, and how they will develop new content that tells the stories of people with disability.

Recommendation 13:

Broadcasters should set quotas for the inclusion of characters with identifiable disabilities in their programming which reflect community rates of disability. The quotas and progress against the quotas should be reported publicly.

7.2 Who are the story-tellers?

It is not enough to merely commit to increase rates of representation of people with disability in television shows. Increased representation will only be effective if people with disability are involved in the telling of their own stories.

⁵⁹ Katie Sutherland, *Sesame Street's Julia and moving autism on TV beyond the genius stereotype* (ABC Online, 28 April 2017) <https://www.abc.net.au/news/2017-04-28/sesame-streets-julia-and-autism-on-television/8479658>

⁶⁰ Zach Johnson, *Meet Julia, Sesame Street's First Muppet with Autism* (E! Online, 20 March 2017) <https://www.eonline.com/news/837210/meet-julia-sesame-street-s-first-muppet-with-autism>.

⁶² Luterman, Sarah, *Trouble on Sesame Street: Julia, an autistic Muppet, was an emotional triumph. So why is the show now helping promote insidious ideas about neurodiverse people?* (Slate online 16 August 2019) <https://slate.com/human-interest/2019/08/sesame-street-autism-speaks-controversy-julia.html>

?

There is a demonstrated connection between the use of repetitive narrative tropes in framing and representing disability in film and television and the lack of access to employment and training in the arts for people with disabilities who, with their presence, could influence the programmes' content and make it more representative.⁶³

People with disability are best placed to express what they think and to share their own stories in their own way. People with disability should be on our screens, behind the camera, creating and producing content and directing how stories are shared.

With only four percent of characters in Australian TV dramas being identifiable characters with a disability, there are very few opportunities for actors with a disability to tell their own stories. In recent years there have been some notable examples, such as Bridie McKim, an actor with cerebral palsy, who plays Sabine on ABC show *The Heights* (notably, Sabine's disability was just one element of the multi-faceted character and storyline), and on Netflix, Ryan O'Connell an actor with cerebral palsy played himself in the semi-biographical comedy *Special*. A new children's television series *Hardball* created by Northern Pictures for ABC Me also has a central character, Jerry, who is played by Logan Reberger who is a wheelchair user. However, unfortunately many roles of characters with a disability are still played by actors without a disability.

Authentic representations are important to educate people who do not have disability, but they are also especially meaningful for people who have a disability:

"I feel passionately about this, not only because I'm a struggling actor with a disability, but also because the more disabled actors we have on our screens, the greater impact we can have on people with disabilities in our society. ... If there had been more positive depictions of people with disability in the media when I acquired my disability as an 11 year old, I believe I wouldn't have struggled with my self-worth as a disabled person as much."
Daniel Monks, actor, writer, producer⁶⁴

With an increased commitment to diversity and accessibility, the roles available to Australian actors with disability could increase dramatically, which would in turn contribute to increasing the number of authentic representations of people with disability in Australian media.

Recommendation 14:

Characters with disability should be played by actors with disability.

Recommendation 15:

Broadcasters should commit to actively procuring and developing content that is told by people with disability.

Recommendation 16:

Broadcasters should employ people with disability to develop and advise on fictional content.

Recommendation 17:

Broadcasters should create media content guidelines that explain what the networks will do to ensure inclusive and accessible media content.

Recommendation 18:

⁶³ Garrisi, above n.26, p.5

⁶⁴ Screen Australia, *Seeing ourselves: Reflections on diversity in Australian TV drama* (2016) p.16

The Australian Government should introduce initiatives to support the development of content telling the stories of people with disability by people with disability.

Having a workplace culture that fosters an understanding of disability beyond stereotypes (including through the training opportunities recommended earlier) is an extremely important factor in ensuring that once people with disability are employed—whether as actors, directors, producers, writers or in any other role—that they are given the same professional development opportunities as their peers. That means, as Kate Larsen, formerly CEO of Arts Access Australia, has pointed out, not patronising every piece of work undertaken by a person with disability as ‘inspirational’ and ‘amazing’, and not denying people with disability the opportunity for professional critiques of their work and development of their craft.⁶⁵

Diversity and Inclusion Plans can help ensure that media organisations are taking the steps necessary to build a workforce that is inclusive of people with disability. The ABC has a Diversity and Inclusion Plan 2019-2022.⁶⁶ SBS also has a Diversity and Inclusion Plan.⁶⁷ It is unclear how ABC and SBS will report against their plans. It is also unclear whether other broadcasters also have a diversity and inclusion plan.

The ABC’s Diversity and Inclusion Plan sets out three strategic goals: a diverse workforce, inclusive workplace culture, and inclusive content, products and services. The plan includes the following specific goals in relation to people with disability:

- a target of 8% employees with disability by August 2022 (currently 5.3% of its 4017 employees have a disability);
- the Regional Storyteller Scholarship for content makers with disability;
- a new scheme to help address the barriers people with disability often face in the initial stages of recruitment, under which candidates with disability who meet the requirements of the job will be guaranteed an interview;
- a commitment to audit its recruitment processes and systems to identify unintended barriers for people with disability; and
- a commitment to conduct a review of all ABC on-air talent (hosts, presenters, reporters) using the diversity measures of gender, CALD, Disability, age.

The ABC has also committed to tracking and measuring diversity generally in its content. It is ABC policy that all productions featuring diverse content have at least one member of the core creative team from that background. In the 2019-2022 plan, the ABC has committed to going further and commissioning content that increases the participation of diverse talent both on-air and behind the scenes. Each time a new program is commissioned, production teams will be required to explain how their programme will help the ABC achieve diversity.

The ABC commitment to tracking and measuring diversity, which we assume will include the collection of data relating to people with disability, is commendable as such data is one of the ways in which we can truly capture the reality of what is happening for people with disability both in front and behind the camera, and identify the steps needed to make changes.

⁶⁵ Kate Larsen, *Don’t play us, pay us* (Australian Broadcasting Corporation: Ramp Up, 20 August 2012) <https://www.abc.net.au/rampup/articles/2012/08/20/3573675.htm>

⁶⁶ ABC Diversity and Inclusion Plan 2019-2022, <http://about.abc.net.au/wp-content/uploads/2019/11/ABC-Diversity-Inclusion-Plan-201922.pdf>

⁶⁷ SBS, Diversity and Inclusion at SBS, <http://careers.sbs.com.au/wp-content/uploads/2018/05/three-year-plan.pdf>

This is the logic of the Creative Diversity Network (**CDN**), a UK industry body created and funded by the UK's major broadcasters. It has the objective of inspiring and supporting the British television industry to increase diversity and inclusion across the entire supply chain, including both on and off screen. In 2017, the CDN launched *Diamond (Diversity Analysis Monitoring Data)* (**Project Diamond**), an industry-wide diversity monitoring system which collects data about diversity in UK media to give the industry regular and transparent data on how it is progressing against its objectives. In August 2019, the CDN (backed by its members), committed to doubling the percentage of people with disability working in British television by the end of 2020.

Project Diamond works by asking people working on or off screen on all UK-originated productions to voluntarily enter information on their gender, gender identity, age, ethnicity, sexual orientation and disability into the Project Diamond monitoring system. The CDN describes Diamond as: "A ground-breaking project: as far as we know no other broadcasting industry in the world has developed a cross industry approach where competing broadcasters collect and publish diversity data together."⁶⁸

The CDN has published three annual reports, the most recent of which "Diamond: The Third Cut"⁶⁹ was published on 27 February 2020 and analysed data from more than 600,000 contributions through over 30,000 completed Project Diamond forms from individuals working on and off screen on qualifying television content produced for the five main Diamond broadcasters and broadcast between 1 August 2018 and 31 July 2019. The report found the industry as a whole still has a long way to go with its employment of people with disability, with people with disability only making 5.2 percent contributions off-screen and 7.8 percent on-screen – figures which have flatlined over the last three reports. On-screen contributions by people with disability are higher on BBC (9.4 percent) and people with disability are less well represented in senior roles. Though there is clearly still much to be done in the UK, Project Diamond allows broadcasters to have access to the data to help drive changes and improvements across the industry.

In Australia, the Screen Diversity and Inclusion Network (**SDIN**), established in 2017, is modelled on the CDN and is comprised of broadcasters and other organisations who are committed to improving diversity of talent. Members include the ABC, SBS, Foxtel and the commercial television stations. The SDIN has a Charter of Inclusion reflecting a commitment made and delivered at board level by its members. The Charter states that its members commit to policies and practices for recruitment, retention, career progression, workplace flexibility, training, talent development and commissioning processes. SDIN draws on Project Diamond data in its work, however there is no Australian equivalent, and the policies and practices of broadcasters are not generally published (nor presumably shared amongst the broadcasters) so it is difficult to consider their effectiveness.

Recommendation 19:

Broadcasters should have diversity inclusion plans that set out targets and practical strategies to increase the inclusion of people with disability both in front of and behind the screen.

Recommendation 20:

Broadcasters should set specific and measurable employment targets for people with disability.

Recommendation 21:

The Screen Diversity and Inclusion Network should support broadcasters to set and track progress against employment targets.

⁶⁸ Creative Diversity Network, "Diamond FAQ – Learn More About Diamond" <<https://creativitydiversitynetwork.com/diamond/diamond-faq/about-diamond/>>.

⁶⁹ Creative Diversity Network, Diamond, The Third Cut Report, <https://creativitydiversitynetwork.com/diamond/diamond-reports/diamond-the-third-cut-report/>

Recommendation 22:

Broadcasters should develop strategies to increase the recruitment, development and promotion of people with disability into decision making and leadership positions.

It is perhaps worth pausing here to make a point about accountability and transparency. The commitment of our commercial broadcasters is extremely welcome and commendable. However, the reality remains that although the commercial broadcasters are subject to Australian laws prohibiting discrimination and are accountable to the Australian broadcasting regulator ACMA in relation to disability issues (mostly through the Commercial Television Industry Code of Practice as outlined earlier), there is very little that they are legally obliged to do and report on by way of increasing opportunities for people with disability.

The UK broadcasting regulator Ofcom has specific obligations under the *Communications Act 2003* (UK) to take all such steps as it considers appropriate to promote equality of opportunities in relation to employment and the 'equalisation' of opportunities for people with disability. As a result, Ofcom has included conditions in all the relevant broadcasting licences requiring relevant licensees—television and radio broadcasters—to make and review arrangements to promote equality of opportunity in employment for people in these groups and to make arrangements for training. In addition, broadcasters must:

- take steps to make those affected by the arrangements aware of them;
- review their arrangements from time to time; and
- publish observations on the operation and effectiveness of their arrangements, at least annually, in a form the broadcaster consider appropriate.⁷⁰

Ofcom reports on broadcasters' compliance with the licence condition in an annual report.⁷¹ In its recent report, Ofcom stated that it is seeking extended powers to allow it to require broadcasters to provide data on a broader range of diversity statistics. Ofcom has also published updated guidance for broadcasters, "Guidance: Diversity in Broadcasting", which became effective on 10 May 2019.⁷² The guidance sets out recommendations to help broadcasters make their arrangements to promote equal opportunities.

Complaints can be made to ACMA about both commercial and public broadcasters. If a complainant is not satisfied, they can then make a complaint to ACMA using an online complaint form, by email or by letter. There is minimal information on ACMA's website about the adjudication of those complaints.

Recommendation 23:

ACMA should review its licensing arrangements to ensure it is playing its role in promoting and supporting the employment of people with disability.

Recommendation 24:

⁷⁰ Ofcom, 'Ofcom's role, powers and responsibilities' <https://www.ofcom.org.uk/tv-radio-and-on-demand/information-for-industry/guidance/diversity/ofcoms-role>.

⁷¹ The most recent report published 18 September 2019 can be found at 'Diversity and equal opportunities in television, Monitoring report on the UK-based broadcasting industry', https://www.ofcom.org.uk/__data/assets/pdf_file/0028/166807/Diversity-in-TV-2019.pdf

⁷² Ofcom, Guidance: Diversity in Broadcasting, Arrangements for the promotion of equal opportunities in the broadcast industry, (10 May 2019) https://www.ofcom.org.uk/__data/assets/pdf_file/0020/147710/Diversity-in-broadcasting-guidance.pdf

ACMA staff who make decisions about complaints should receive annual training on inclusion and disability.

Recommendation 25:

Amongst the ACMA staff who make decisions about complaints, there should be at least one person with a disability.

Recommendation 26:

ACMA should take steps to increase awareness of its complaints process amongst people with disability, and ensure that people with disability are able to access the complaints process.

7.3 BBC initiatives

The BBC has additional commitments to diversity and equal opportunity under the Royal Charter and BBC Agreement. The BBC is also required to review its equal opportunities and training arrangements at least once a year, and publish a report on the current operation and effectiveness of the arrangements.⁷³

The BBC has pledged to hardwire diversity into everything they do, both internally and for all those who make programmes for them. They have shown their commitment to this by investing in a number of schemes, partnerships and resources⁷⁴ in accordance with its Diversity and Inclusion Strategy 2016-20.⁷⁵

In the UK, in June 2020 the BBC announced that it would allocate £100 million of its TV budget to the production of “diverse and inclusive content”. The all-round diversity investment, described as a “big leap” by Director-General Tony Hall, continues until 2024 and is supplemented by a commitment to ensuring that 20 percent of off-screen talent comes from under-represented groups, which includes those with a disability. There will be three “tests” for diversity in the BBC TV’s output, with programmes needing to meet two of them to qualify: diverse stories and portrayal on-screen, diverse production teams and talent, and diverse-led production companies.

(a) BBC Elevate

On 3 December 2019, the BBC unveiled BBC Elevate as part of a three-pronged strategy to improve the representation of and opportunities for people with disability on and off air in 2020.

BBC Elevate is a deliberate, concerted drive from the BBC to support production talent with disabilities into roles which genuinely grow their careers and accelerate change across the industry. The initiative is an extension of the BBC’s internal development programme for staff with disability, to include freelancers and suppliers, and aims to create a greater pool of off-screen talent regularly working across broadcasting.

It is talent-led, tailored to respond to the specific needs of individual people with disability who already have some experience in the industry. The aim is to unlock any barriers to progression and to ensure off-screen talent are reaching their full potential. There will be opportunities for participants to work and gain experience across the BBC’s key shows in dramas, entertainment shows, comedies and daytime quiz and game shows, such as *Antiques Roadshow*, *Who Do You*

⁷³ Agreement, Schedule 2 s 14.

⁷⁴ BBC, ‘Commissioning – Diversity, portrayal and representation’
<https://www.bbc.co.uk/commissioning/tv/production/articles/diversity>.

⁷⁵ BBC Diversity and Inclusion Strategy, 2016-20, <http://downloads.bbc.co.uk/diversity/pdf/diversity-and-inclusion-strategy-2016.pdf>

Think You Are? and *EastEnders*. Opportunities will be available across the UK including the Nations and Regions. The programme opened for applications on 3 December 2019.

(b) BBC Passport

Another part of BBC's three-pronged strategy to improve representation and opportunities, the 'BBC Passport' will be rolled out for use by staff with a disability working at the BBC in 2020. The BBC is committed to creating a culture of openness, and the launch of the passport will aid employees with disability to have sensitive conversations with their managers and will ideally help remove barriers to progress within the organisation.

The BBC Passport will be a centralised document, which an individual agrees can be used to inform managers about their disability so that when they move roles they have the support they need in place. It will help to inform and assist managers to facilitate a smooth transition between roles, and will provide adequate support or adjustments for individuals in their employment posts. Individuals who choose to use the passport will provide details about the impact of any health condition(s) and any workplace adjustment(s) that have already been put in place. They can then use the document to discuss any changes in circumstances with their manager, either in their existing position or a new role.

The introduction of a BBC Passport was one of the key recommendations made in the report on career progression and culture for staff with disability at the BBC published in November 2018, with the aim of raising awareness and creating a disability-friendly environment within the organisation. The passport will operate alongside a range of measures designed to support staff with disabilities. These include additional training for managers, online unconscious bias training for all staff, and a reverse mentoring scheme for senior leaders, which is currently being piloted.

(c) Doubling Disability

The BBC has committed to increasing the number of people with disability in its workforce from 8 percent in 2016 to 12 percent in 2022. The BBC has backed an initiative by the Creative Diversity Network (CDN) and the Cultural and Media Economies Institute (CAMEo) Research Institute at the University of Leicester to double the percentage of people with disability working in off-screen production and creative talent roles by the end of 2020.⁷⁶ Launched in 2018, the "Doubling Disability" initiative is also backed by the four other major UK broadcasters.

The BBC's commitment builds on existing initiatives including:

- The Commissioner Development Programme, which is now running for a third cohort and focuses on people from black and minority ethnic backgrounds and with disabilities. It is a training and development scheme which offers under-represented TV professionals the opportunity to develop their commissioning skills. In the second intake in 2019, eight out of the 10 participants secured permanent senior roles with the BBC in commissioning and social media. In early 2020, the BBC appointed six new Assistant Commissioners through the programme.
- The Disabled Writers Access Group,⁷⁷ which launched in 2018 and developed ten writers with disability over nine months. The programme included workshops on structure, pitching and writing for radio and television drama. The writers were introduced to drama commissioners as well as several independent producers and writers, and are developing speculative scripts with an assigned script editor. The writers were also supported with mentors who are guiding them as they begin their writing careers.

⁷⁶ Creative Diversity Network, 'Doubling Disability' <<https://creativitydiversitynetwork.com/doubling-disability/>>.

⁷⁷ BBC Media Release, BBC announces a major new opportunity for disabled writers – The Writers Access Group (26 September 2018) <https://www.bbc.co.uk/mediacentre/latestnews/2018/writers-access-group>

7.4 Canadian initiatives

The Accessible Canada Act 2019 (**ACA**), which came into force in July 2019, introduced general and sector-specific requirements applicable to matters under Canadian federal authority, including broadcasting and telecommunications services. In the telecommunications industry, the ACA is enforced by the Canadian Radio-television and Telecommunications Commission (**CRTC**).

Specific measures of the ACA which relate to the participation of people with disabilities in the media include:

- Section 42(1) (Initial accessibility plan): a requirement that regulated entities carrying on a broadcasting undertaking prepare and publish accessibility plans covering policies, programs, practices and services in relation to the identification and removal of barriers and prevention of new barriers relating to information and communication technologies, the procurement of goods, services and facilities and the design and delivery of programs and services (and if it is not subject to the Employment Equity Act, employment equity);
- Section 42(5) (Manner of consultation): a requirement that regulated entities consult persons with disabilities in the preparation of initial and updated accessibility plans;
- Section 44(1) (Obligation): a requirement that regulated entities prepare and publish a progress report in respect of its implementation of its accessibility plan; and
- Section 44(3) (Duty to consult): a requirement that regulated entities consult persons with disabilities in the preparation of progress reports.

Under regulation 7.3 of the Broadcasting Distribution Regulations, licensees are required to make available to subscribers equipment, software or other technology that will allow individuals with disabilities to identify and have access to its programming services.⁷⁸

Recommendation 27:

Broadcasters and the Australian Government should recognise the barriers to participation in the media industry by people with disability and develop initiatives that help to address those barriers and introduce reasonable adjustments in the workplace.

Recommendation 28:

The Australian Government should develop initiatives to ensure that people with disability have the technology they need to access programming services.

⁷⁸ Broadcasting Distribution Regulations (SOR/97-555), regulation 7.3.

8 Advertising

A goal of advertising is to connect an audience to a product or message within 30 seconds or less. As a result, advertising tends to reinforce stereotypes rather than shatter them, as easily-recognisable stereotypes help audiences to quickly “understand” and connect with them. As commentators note,⁷⁹ this means that representations of people with disability in advertising tends to centre around narratives of inspiration and overcoming adversity, rather than doing everyday activities such as cooking, working or household chores.

The effect is the same as discussed earlier regarding the representation of people with disability in TV shows. But imagine if things were different. Imagine if there was a proliferation of advertising images of people, who just happen to have a disability, selling a brand of sliced bread, cleaning product or fashion item. We have no doubt that advertising that includes people with disability in this way will reduce stigma, normalise the experiences of people with disability and increase acceptance, connection and inclusion.

Catia Malaquias, a director of Attitude Foundation, established the *Starting with Julius* project in 2013, to promote the inclusion of people with disability in all forms of media in Australia after the birth of her son Julius with Down syndrome, when she became aware that people with disability were very rarely portrayed in the Australian media. The initial focus of *Starting with Julius* was inclusion in the Australian retail advertising industry because, at its simplest, this industry has two vital components to engage the broader community and shifting attitudes:

1. Mass reach (as advertising is all pervasive); and
2. Positive endorsement (as advertising is inherently promotive).

Target and Kmart are examples of businesses that have worked with *Starting with Julius* to embed a disability-inclusive approach to marketing and corporate communications, and to ensure that they feature, on a sustained commitment basis, multiple people with disability (children and adults) in all their various advertising media.

An interesting case study comes from the UK a few years ago, when UK’s Channel 4 ran a competition for advertisers to ‘look on the light side of d...isability’. The result was a Maltesers campaign centred on three humorous stories of people with disability, played by actors with disability, including a young woman humorously describing how a spasm interrupted a sexual encounter with her new boyfriend,⁸⁰ a woman in a wheelchair recounting running over the bride’s foot at a recent wedding she attended⁸¹ and a woman describing how her partner’s dog accidentally ate her hearing aid. The commercials were celebrated for representing people with disability in the mainstream but also attracted criticism for placing disability at the centre of (rather than being incidental or irrelevant to) the storyline and being so obviously made to ‘educate’ audiences without a disability.⁸²

Advertisers are largely self-regulated in Australia. The peak body for advertisers, the Australian Association of National Advertisers (**AANA**), has a code of ethics⁸³ which includes an obligation to ‘not portray people or depict material in a way which discriminates against or vilifies a person or section of the community on account of’ a range of areas including disability and mental illness.

⁷⁹ See, eg, Kate Magee, *The invisibles: why are portrayals of disability so rare in advertising?* (Campaign, 9 September 2016) <<https://www.campaignlive.co.uk/article/invisibles-why-portrayals-disability-so-rare-advertising/1407945>>.

⁸⁰ Maltesers, *New Boyfriend* (YouTube, 8 September 2016) <<https://www.youtube.com/watch?v=YgUqmKQ9Lrg>>.

⁸¹ The FAB Awards, *The 19th FAB Awards: Maltesers – The Light Side of Disability (Wedding)* (YouTube, 18 May 2017) <https://www.youtube.com/watch?v=IH0tASe9_uM>.

⁸² See, eg, Penny Pepper, *Maltesers’ ads with disabled actors make me feel queasy. But at least they’re trying* (The Guardian, 31 October 2016) <<https://www.theguardian.com/commentisfree/2016/oct/31/maltesers-advertisements-disability-disabled-actors>>.

⁸³ AANA, Self-Regulation, Code of Ethics, <https://aana.com.au/self-regulation/codes-guidelines/code-of-ethics/>

AANA publishes industry practice notes, however, these notes do not specifically address the representation of people with disability.

Complaints are handled by the Advertising Standards Bureau, 'Ad Standards,'⁸⁴ and either dismissed or upheld. Where complaints are upheld, the advertiser is requested to remove or amend the offending advertisement. There is also a review process which attracts a fee of \$100 for individuals, \$500 for not-for-profits and \$1,000-\$2,000 for advertisers. Determination summaries are published on the Ad Standards web site. Complaints are determined by a community panel comprised of people from diverse backgrounds. It appears that the current panel includes at least one member with knowledge of disability rights. It is unclear whether the panel includes a person or persons with disability.

A review of determinations made under the AANA code of ethics dealing with discrimination or vilification of people with disability suggests the last time a complaint was upheld was in September 2015, and that all complaints since then have been dismissed. We have not analysed each of those decisions and do not suggest that they have all been made in error, however, it may be of value for AANA to reflect on why that is the case.

There are no specific guidelines or regulations for advertisers in relation to representation, access, accessibility and participation of people with disability.

Recommendation 29:

The Australian Association of National Advertisers should work with people with disability to develop a specific industry practice note on the representation of people with disability in advertising.

Recommendation 30:

The Australian Association of National Advertisers should develop initiatives to encourage advertisers to represent people with disabilities in advertising through the engagement of actors with disability.

Recommendation 31:

The Australian Association of National Advertisers should develop initiatives to encourage advertisers to employ writers, directors, producers, researchers and other professionals with disability in the advertising industry.

Recommendation 32:

The Australian Association of National Advertisers and Ad Standards should take steps to increase awareness of the complaints process amongst people with disability and ensure that people with disability are able to access the complaints process.

Recommendation 33:

The Ad Standards Community Panel should be comprised of at least one community member with a disability.

Recommendation 34:

The Ad Standards Community Panel should receive annual training on inclusion and disability.

⁸⁴ <https://adstandards.com.au/about/ad-standards>

9 Social media

Social media enable some people with disability to find connections and overcome social isolation, but digital technologies also introduce a new range of barriers, risks and exclusions that demand critical attention. Social media and digital technologies cannot alone compensate for the exclusionary structures and effects of legacy media in relation to people with disability.⁸⁵

Social media has become relevant if not fundamental to so many aspects of our lives. Its influence is reflected in the significant investment of time and money by businesses and government into social media platforms and messaging, as well as the rise of the “social influencer”.

Australians spend a significant amount of time on social media. As noted earlier, it is how we get our news, form and share our opinions, hold our politicians to account, obtain information about services, shop and spend money, watch drama, share information about our lives and learn about or “follow” the lives of others.

The explosion of social media has resulted in increasing opportunities for consumers of media and social media to become greater participants in the development of content, and has led to more opportunity and interest in local content generally. Indeed, digital media has enabled important shifts in discourses of and about disability, and many of these shifts have been positive and empowering,⁸⁶ including to:

- (a) allow increased social connection and sense of community⁸⁷ both between communities of people with disability as well as other communities;
- (b) increase employment and communication opportunities for people with disabilities;⁸⁸
- (c) confront discrimination and actively critique and challenge stereotypes⁸⁹ of people with disability;⁹⁰
- (d) provide opportunities for self-expression.⁹¹

However, while social and digital media present many opportunities, they are not a panacea to the issues around representation of people with disabilities. Social media has its own unique set of challenges and barriers for engagement by people with disability including:

- (a) negative online social interactions, including bullying, trolling, exclusion and exploitation;⁹²
- (b) accessibility issues due to the rapidly evolving nature of web content and social media platforms and complex operating systems, which also means assistive technologies constantly need upgrading, and the continued failure to consider accessibility as an issue

⁸⁵ K Stewart, C Spurgeon and N Edwards (2019), Media Participation by people with disability and the relevance of Australian community broadcasting in the digital area, 3CMedia, Issue 9 (October), p.45

⁸⁶ Ibid, p.46

⁸⁷ Ibid, p.44

⁸⁸ Garrisi, above n.26, p.5

⁸⁹ Stewart, above n.83, p.45

⁹⁰ Indeed a number of people with disability and disability advocates have become popular social media figures and have used those platforms to challenge stereotypes of people with a disability. For example, Paralympian Madison de Roazario, Cory Lee a travel blogger who also shares experiences about being a wheelchair user, Attitude Foundation's Chair Graeme Innes and politician Jordan Steel-John.

⁹¹ Stewart, above n.83, p.45

⁹² Ibid p.46

in the development and design stage. For example on Twitter long threads are sometimes copied over by people with disability into more accessible formats so that they can be accessed with a screen reader application⁹³ and Facebook is still working on its accessibility settings to accommodate a variety of different users.⁹⁴ According to the Australian Bureau of Statistics, in 2018, 1.1 million people with disability did not use the internet, and over 250,000 people with disability lacked confidence or knowledge to use the internet.⁹⁵ Media Access Australia's analysis of social media accessibility issues is startling in the number and nature of the issues identified;⁹⁶

- (c) the cost of the technology and high-speed internet service needed to operate social media platforms and the cost of upgrading assistive technologies, which, in combination, are "...a considerable barrier to participation for those people who need to use a substantial part of their income for daily living activities and support";⁹⁷
- (d) the prevalence of unrealistic representations of people for example through selfies, webcamming and vlogging to make their lives and bodies appear 'perfect', which further conforms to "...racialised, ableist and heteronormative ideals of what it means to be beautiful and normal in contemporary capitalist societies";⁹⁸

The Australian Network on Disability has published a guide on writing accessible social media posts⁹⁹ and Vision Australia's unit, Digital Access Consulting, is dedicated to advising and training on web accessibility.¹⁰⁰

While social media organisations such as Facebook appear to have diversity inclusion strategies that include the employment of people with disability, it is unclear how many people with disability are employed by social media organisations.

Recommendation 35:

Social media organisations operating in Australia should ensure the accessibility of their platform and online content, develop initiatives to support all users to create accessible content and engage in regular testing of the accessibility of the platform and content.

Recommendation 36

Social media organisations operating in Australia should have diversity inclusion plans that include goals and strategies in relation to each of representation, access, accessibility and participation of people with disability in social media.

Recommendation 37:

The diversity inclusion plans referred to above should include, at a minimum, a unit dedicated to inclusion and representation, led by a person with disability.

⁹³ Garrisi, above n.26, p.5

⁹⁴ Stewart, above n.83, p.47

⁹⁵ Australian Bureau of Statistics, Disability, Ageing and Carers, Australia: Summary of Findings 2018 <https://www.abs.gov.au/ausstats/abs@.nsf/Latestproducts/4430.0Main%20Features172018?opendocument&tabname=Summary&prodno=4430.0&issue=2018&num=&view=>

⁹⁶ Media Access Australia and Australian Communications Consumer Action Network, Sociability: Social media for people with a disability, <http://www.mediaaccess.org.au/sites/default/files/files/MAA2657-%20Report-OnlineVersion.pdf>

⁹⁷ Stewart, above n.83, p.48

⁹⁸ Garrisi, above n.26, p.5, pp.7-8

⁹⁹ Australian Network on Disability, How to write more accessible social media posts, (16 May 2019), <https://www.and.org.au/articles.php/43/how-to-write-more-accessible-social-media-posts>

¹⁰⁰ Vision Australia, Digital Access Consulting, <https://www.visionaustralia.org/services/digital-access>

Recommendation 38:

Broadcasters with digital platforms should ensure the accessibility of their online content.

Recommendation 39:

Broadcasters with digital platforms should develop online strategies that specifically seek to address representation, access, accessibility and participation of people with disability in social media.

10 Attitude Foundation initiatives

10.1 Perspective Shift

In 2016, Attitude Foundation set itself the ambitious goal of driving material change in attitudes and lives through the creation of a television documentary series with real stories of people with disabilities, told by people with disabilities.

Annexure A is a copy of Attitude Foundation's Summary Business Case, which sets out the strong case for changing Australian society's attitudes toward people with disabilities including an analysis of relevant data.¹⁰¹

A principal result of Attitude's efforts is 'Perspective Shift', a three-part documentary TV series which explores the triumphs and trials of three of Australia's top practitioners in the arts industries, who also happen to be people with disabilities. The series delivers insight into the experiences of people with disabilities and shapes a new understanding of disability in Australia, framed in terms of possibilities and positivity and showing people with disabilities as agents of their own destiny and not victims or heroes.

The Perspective Shift TV series can be viewed through SBS On Demand or on Attitude Foundation's website at: <https://www.attitude.org.au/perspective-shift>

10.2 Content guidelines

Attitude Foundation created Guidelines for Content Writers (**Guidelines**)¹⁰² to guide the creation of media that is made by or for Attitude Foundation, with Attitude Foundation's help or that has something to do with Attitude Foundation.

The Guidelines are attached as **Annexure B** to this submission. The Guidelines aim to ensure that Attitude media content is inclusive and accessible, involves talking with the disability sector and directly with people with disability, is inclusive of people with disability of all identities, can be understood in different formats and helps the community to know more about the real lives of people with disability. The Guidelines set out the questions that we always ask about Attitude Media Content:

1. Are the people with disability the ones telling their story?

We want people with disability to have the opportunity to decide how they live their lives and to have their say. Our content will be made to respect the right of people with disability to say what they think and to tell their own stories.

2. Does the story:

- a. show the real lives of people with disability?

Our content will show the real lives of people with disability. Our content will also show disability in a way that helps other people understand the things that stop people with disability from enjoying their rights and from being a part of the world around them. Some of these things are the way that people with disability were treated in the past, the way that things are organised and how most people think about disability.

¹⁰¹ *Business Case Summary*, Attitude Foundation, May 2016, <https://www.attitude.org.au/uploads/95/Attitude-Foundation-Business-Case-Summary.docx> (accessed 20 July 2020).

¹⁰² The Guidelines are available at Attitude Foundation, *Resources* <<https://www.attitude.org.au/resources>>.

- b. use stereotypes about disability?

Our content will show that disability is a natural and real part of life and that people with disability are just people. Attitude media content will not show disability in any way that makes stereotypes about people with disability stronger or that talks down to people with disability.

- c. talk down to people with disability? (for example by calling them “inspirational” just because of their disability?)
- d. show the physical or attitude barriers for people with disability in the community or just show them as “broken” and needing “treatments” and “cures”? For a person who uses a wheelchair, only having stairs is a physical barrier.

The Guidelines also express our commitment to:

1. tell the stories of people who are not treated fairly because of their disability and because they belong to another group as well. Women and girls who have a disability or Aboriginal and Torres Strait Islander Australians with a disability are often treated more unfairly;
2. think carefully about words and language when telling stories about people with disability or about what it is like to have a disability. Stories and depictions should try to use modern language to talk about disability to help people to understand better that people with disability have rights and should decide how they live their lives; and
3. look at the Convention on the Right of Persons With Disabilities in deciding how to make Attitude media content. Article 8 of the Convention says that the media should show people with disability in a way that is fair, inclusive and respects their rights.