

**NINTH REVIEW OF THE EXERCISE OF THE FUNCTIONS
OF THE
MOTOR ACCIDENTS AUTHORITY
AND THE
MOTOR ACCIDENTS COUNCIL**

Organisation: Disability Council of NSW
Name: Mr Andrew Buchanan
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Mr Simon Johnston
Director
Standing Committee on Law and Justice
Legislative Council
Parliament House
Macquarie Street
SYDNEY NSW 2000

Submitted by email: Merrin.Thompson@parliament.nsw.gov.au

9 May 2008

RE: Ninth review of the exercise of the functions of the Motor Accidents Authority and Motor Accidents Council and first review of the exercise of the functions of the Lifetime Care and Support Authority and Lifetime Care and Support Advisory Council.

Dear Mr Johnston,

Thank you for the opportunity to contribute to this review.

About the Disability Council of NSW

The Disability Council of NSW was established under the terms of Section 16 of the Community Welfare Act 1987 to advise Government in NSW on issues affecting people with disability and their families. We also give advice to the Australian Government on the effect of policy on people with disability living in NSW.

Council members are appointed by the NSW Governor on the recommendation of the Minister for Disability Services. Members are selected on the basis of their experience of disability and their understanding of issues, their knowledge of service delivery and their ability to reflect and advise on government policy. The majority of Council members are people with disability.

General Observations

Council applauds the Motor Accidents Authority and Motor Accidents Council on developing and implementing the functions and actions of the Lifetime Care and Support Scheme.

Council would like to raise the following concerns to be considered when critiquing the schemes efficiency, accessibility and viability.

Lifetime Care and Support Scheme

NSW State Plan

The NSW State Plan's F2 aims to increase employment and community participation for people with disability. The Disability Council of NSW would like to ensure that the Lifetime Care & Support Authority contributes to achieving this target by targeting the employment of people with disability.

Accessible Information

Council would like to ensure the accessibility of information with regard to the Scheme. The Annual Report for the Motor Accidents Authority and the Lifetime Care & Support Authority is available electronically but only in PDF. PDF documents are not accessible for synthetic speech screen readers, subsequently precluding people who are blind or have low vision to access the information electronically. We therefore strongly recommend that both Authorities ensure that access to information is inclusive and easily attainable for people who are blind or have low vision. The electronic information should however be accessible in conjunction with audio, Braille and large print formats in order to be fully accessible for people who are blind or have low vision.

Compensation Payouts

Council appreciates that the treatment of compensation under the Social Security Law is extremely complex and usually assessed on a case by case basis. However, Council would like to ensure that the likelihood of potential implications on a client's Social Security benefit be explored in detail and where practicable avoided.

For example, depending on the nature of the compensation (in this case the Scheme) and the clients circumstances, the compensation may reduce or preclude a Social Security benefit, including concession cards which reduce medical costs.

Promotion of the Lifetime Care and Support Scheme

Council would like to ensure that there are systems developed and implemented in order to capture eligible clients of the Scheme immediately after they have acquired catastrophic injury as a consequence of a motor vehicle accident. Our view is that there would need to be periodic training and education within hospitals in order to avoid a client potentially being overseen.

Establishment of a National Lifetime Care and Support Scheme

The Disability Council of NSW strongly supports the consideration of a national lifetime care and support scheme. Some States and Territories do not have a scheme that covers the care and support post acquiring a catastrophic injury as a consequence of a motor vehicle accident. This situation results in those acquiring a catastrophic injury having to bear the financial hardship of funding lifelong care and support services.

Expansion of the Lifetime Care and Support Scheme

Many other people are catastrophically injured as a consequence other than a motor vehicle accident. Council strongly supports the expansion of the Lifetime Care and Support Scheme to include this category to avoid those acquiring a catastrophic injury having to bear the financial hardship of funding lifelong care and support services.

Provision of Services & Empowering of Client

Council would support the review of services to ensure that services are flexible, that services support the needs of the client and that the client has a say in any decision making relating to the provision of services.

Motor Accidents Authority

NSW State Plan

The NSW State Plan's F2 aims to increase employment and community participation for people with disability. The Disability Council of NSW would like to ensure that the Motor Accidents Authority contributes to achieving this target by targeting the employment of people with disability.

Accessible Information

In addition, Council would like to stress the importance of accessible information and services. The Helpline outlined in the Annual Report needs to be (if it is not already) entirely inclusive and accessible for people with disability, CALD and Indigenous backgrounds. For example, it must have the following services marketed and made available in order to capture the diverse needs of consumers.

- Teletypewriter Service
- Telephone Interpreting Service
- The National Relay Service

Staff Development

The Motor Accidents Authority states in its Annual Report that it prides itself on developing staff skills and knowledge. Council reiterates the importance of inclusion of disability awareness, CALD and Indigenous training in staff development.

Bereavement Support Program

Council welcomes and applauds the Bereavement Support Program outlined in the Annual Report. We strongly advise that all information in relation to the Bereavement Support Program including feedback be made in accessible formats (Braille, audio, large print and electronic files, HTML, RTF, Word and Text) for people who are blind or have low vision as well as people who are of culturally and linguistically diverse (CALD) and Aboriginal & Torres Strait Islander background.

Injury Prevention Programs

The above also applies to the Injury Prevention Programs outlined in the Annual Report. The Disability Council of NSW would like to ensure that the marketing of these Programs are inclusive of people with disability as well as people from a Culturally & Linguistically Diverse - Aboriginal & Torres Strait Islander background.

Future Direction

Council is aware of the growing population particularly the ageing population. With increased drivers on the roads – aged drivers and potentially increased accidents. Council would like the Scheme to consider whether it is financially prepared for the future to ensure there will be sufficient resources to meet potential future needs and demands.

In summary, the Disability Council of NSW is appreciative of the level of commitment from the Motor Accidents Authority and the Lifetime Care & Support Authority in developing, implementing and more recently reviewing the Scheme.

Council would like to thank both Authorities for providing us with the opportunity to critique The Lifetime Care & Support Scheme.

Yours sincerely,



Andrew Buchanan
Chairperson
Disability Council of NSW