

**INQUIRY INTO IMPLEMENTATION OF THE NATIONAL
DISABILITY INSURANCE SCHEME AND THE PROVISION
OF DISABILITY SERVICES IN NEW SOUTH WALES**

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✶All correspondence to Macquarie Centre

The Hon. Greg Donnelly MLC
Committee Chair
Portfolio Committee No. 2 – Health and Community Services
Parliament of New South Wales
Macquarie Street
SYDNEY NSW 2000

4th of August 2018

Dear The Honourable Donnelly,

I write to you today to make a submission to the “Inquiry into the implementation of the National Disability Insurance Scheme and the provision of disability services in New South Wales” currently being conducted by your committee. This submission makes comment on both the implementation of the National Disability Insurance Scheme (NDIS) and access to mainstream services in this state.

National Disability Insurance Scheme in New South Wales

The Committee should be aware that despite the hype around the NDIS not everyone with a disability can expect to be covered. In 2015, there were 2,896,200 Australians with a disability of eligible age for the NDIS. 683,900 of those people have a severe or profound core activity limitation meaning that they have substantial difficulties in communication, self-care or mobility. An additional 2,126,900 people have either a mild core activity limitation or economic activity restriction¹. The NDIS is expected to cover just 460,000 people Australia wide when rollout is complete². These statistics demonstrate that the NDIS is not ready to deal with the tsunami of disability that it faces. Even people with a mild core activity limitation or restrictions on their economic participation need support and the NDIS is in no position in any jurisdiction to assist the number of people it needs to.

¹ Statistics about the number of people with a disability in Australia can be found in the Australian Bureau of Statistics Report – *Disability, Ageing and Carers* which can be found at <http://www.abs.gov.au/AUSSTATS/abs@.nsf/DetailsPage/4430.02015?OpenDocument>.

² See the Australian Parliamentary Library guide – The National Disability Insurance Scheme: a quick guide at https://www.apl.gov.au/About_Parliament/Parliamentary_Departments/Parliamentary_Library/pubs/rp/rp1617/Quick_Guides/NDIS for further information.

In my opinion, the NDIS lacks the funding and capacity to effectively support the large number of people with a disability who require a moderate level of community based support in order to improve their functioning and quality of life. Funding is partly a matter for the Commonwealth Government and I suspect that there is a lack of political impetus federally at the moment to increase it in light of more immediate budget deficit concerns. This lack of funding, unfortunately, means that the burden for delivering services to the majority of people with a disability falls disproportionately on the state government.

Mainstream Education and Transport Services for People with a Disability

There are significant problems with accessing disability provisions in the Higher School Certificate (HSC) causing detriment and disadvantage to people with a disability. As the NSW Ombudsman reported on in 2013³, there are systematic barriers to HSC disability provision applications. Despite several attempts at improving its image through rebranding, no effort has been taken by the New South Wales Educational Standards Authority (NESA) since the Ombudsman's report to rectify these issues and it remains a frustrating process to obtain adequate support. In particular, a lack of transparent guidelines and consistency hamper the provisions application process making it unnecessarily burdensome which only compounds the stress of Year 12. School recommendations are often ignored and the decision making process is opaque causing students significant anxiety especially if they lose a provision they have previously had in NAPLAN and school based assessments. I am of the opinion that NESA feels hampered by a perceived community attitude that equates disability provisions with elitism and laziness. The need to preserve the integrity of the HSC is also oft cited for the heavy handed way provisions applications are dealt with. Neither of these reasons stand reason or even the pub test and the fact that NESA still subscribe to their antiquated model is to the detriment of people with a disability and the educational professionals who face a difficult task trying to support them.

Access to transport and, in particular, the Opal ticketing system is difficult for people with a disability. While the challenges may not be immediately apparent, the Opal system poses substantial barriers for many people with a disability. For people with psychosocial disabilities including those caused by neurological, intellectual and mental conditions the need to tap on and tap off substantially limits their use of the Opal system. Many people experience forgetfulness, dizziness and fatigue as central components of their disability and they are unduly affected by the move to electronic ticketing. In addition, for people who are prone to wandering away from home and their support network the Opal card system does little to reflect their needs and may lead to unnecessary confrontations with Transport Revenue Protection Officers. The issues with the Opal system are not confined to people with a psychosocial disability either. People with a physical disability who have impairments such as reduced muscle strength also face accessibility issues with the Opal card. The simple solution to this problem is to implement a "Access Travel Pass", similar to what was implemented in Victoria after the introduction of the Myki system, that allows people with a disability that limits use of the ticketing system to travel with a "flash pass" ticket that is not

³ See the NSW Ombudsman report – *A level playing field – HSC disability provisions* available at https://www.ombo.nsw.gov.au/data/assets/pdf_file/0006/9789/HSC-Disability-provisions.pdf.

tapped on or off. While this may be a cost imposition to the state government it is a necessary one to ensure that people with a disability can participate in the community.

I thank the Committee for the opportunity to submit to this inquiry. Should there be any questions about this letter or if I can be of further assistance please do not hesitate to contact me.

Kind Regards,

Gabriel Van Duinen