

25 October 2016

**Response to the Inquiry based on Auditor General Report: No. 18 (2015-16) Qualifying for the Disability Support Pension**

Within the above report, the question was posed:

**Has Human Services conducted eligibility assessments consistent with the legislation, policy and guidance?**

**I submit that in my son's case, the answer to this question is 'no, they did not'.**

Section 1.11 of the report states that a person may be determined to meet the medical and continuing inability to work criteria for DSP if they have a condition which can be granted as 'manifest'. When a person does not meet the manifest criteria, they are required to undergo a Job Capacity Assessment (JCA). Similarly, Section 2.1 notes that Human Services are required to assess and rate the level of functional impact of a person's impairment if they do not meet the manifest criteria. This is reinforced in the flowchart in 2.1, which shows that if the applicant meets the manifest criteria the claim should be granted. One of the manifest criteria is an IQ score of below 70.

My son is currently 17, and meets the criteria for 'manifest'. He has been diagnosed with an intellectual disability, and has had a number of IQ tests over his lifetime, with scores ranging from 48-54. He attends a Special Development School (SDS), and has done since the age of 4. The criteria for entry to an SDS is an IQ score below 50.

Doctors' reports, IQ test results, and other test results, such as the Vineland Adaptive Behaviours results were submitted to Centrelink when applying for Carers Allowance and a Health Card. As such, Centrelink has been aware of his diagnosis for at least 12 years. In May 2015 he turned 16 and applied for DSP. These reports were required to be resubmitted, together with updated reports and results. A supporting letter from his SDS was also provided at this time.

We then received notification that he was required to attend for a Job Capacity Assessment (JCA). This is in direct contrast to the requirement that persons manifestly eligible are not required to have a JCA, however we were not aware of this at the time. When we attended for the JCA, the Centrelink interviewer was most apologetic. She knew it was a waste of time as she knew he was manifestly eligible. She told me they had been directed to carry out these JCAs regardless, due to the 'government crackdown on welfare'. I asked if this requirement would be removed for the manifestly eligible as it was a waste of time and resources, and she replied that she did not know, and it would depend on what direction they received from Canberra. This interview was a waste of her time, it was a waste of my time as I had to take time off work to attend with my son, and it was a waste of his time, when he should have been at school. This interview took place on 5 June 2015 at the Centrelink office. I am also aware of a number of my son's school friends, who are also manifestly eligible, who were required to attend JCAs, so it was not a one-off case.

Furthermore, I am concerned that if my son is 'randomly selected' for a review of his DSP, we will be required to obtain new IQ tests, reports, etc. This will cost hundreds of dollars, take up significant time for both ourselves and the medical staff, and for no good purpose. Unfortunately, his significant intellectual disability is lifelong, and is not going to 'disappear'.

**Recommendations:**

1. That the inquiry seeks to discover why Human Services required JCAs for manifestly eligible applicants for a DSP, when they were not required under the relevant policies and guidelines.
2. Consider removing the requirement for complex and comprehensive reviews of the DSP for the manifestly eligible. Unfortunately there are certain conditions and disabilities that are not going to go away, be cured, or be grown out of. If they must be reviewed, please reconsider the requirements for multiple, excessive, and expensive medical reports. These can have an adverse impact on the disabled person and their carers, and consume medical and support staff time and effort for no real benefit, in addition to placing extra unnecessary burden on the Medicare system.