

Senate Community Affairs Committee
ANSWERS TO ESTIMATES QUESTIONS ON NOTICE
SOCIAL SERVICES PORTFOLIO
2013-14 Additional Estimates Hearings

Outcome Number: 5

Question No: 459

Topic: NDIS – Justice System

Hansard Page: Written

Senator Siewert asked:

Will the NDIS be providing access to disability funding and services to people detained either under supervision or custody orders or indefinitely under mental impairment legislation in gaols and psychiatric institutions?

Answer:

The National Disability Insurance Scheme (NDIS) will fund reasonable and necessary supports for people who meet the access requirements set out in the *National Disability Insurance Scheme Act 2013* and associated rules.

One of the considerations the National Disability Insurance Agency (NDIA) takes into account when determining ‘reasonable and necessary’ is whether the support is more appropriately funded by the NDIS or another service delivery system. The principles to determine the responsibilities of the NDIS and other service systems were agreed by the Council of Australian Governments (COAG) in 2013.

COAG agreed that the NDIS will not fund general accessibility measures to make custodial and secure mental health facilities accessible for people with disability.

COAG also agreed an indicative range of supports that are expected to be possible for the NDIS to fund while a person is in custody. This guidance was agreed as indicative and is subject to ongoing monitoring and review during the trial period. These supports are primarily aids and equipment and supports to facilitate the participant’s transition from custody into the community, such as a support worker or case manager. These supports will be funded by the NDIS where they relate to the participant’s disability.

The NDIS is currently working with state and territory officials to put in place processes for these services to be funded by the NDIS for participants.