

Senate Community Affairs Committee
ANSWERS TO ESTIMATES QUESTIONS ON NOTICE
SOCIAL SERVICES PORTFOLIO
2017-2018 Budget Estimates Hearings

Outcome: National Disability Insurance Agency

Question No: NDIA SQ17-000122

Topic: Justice system

Hansard Page: Written

Senator Kakoschke-Moore, asked:

Can the NDIA confirm that clients within the Justice System are able to receive NDIS packages?

Answer:

Being within the Justice system does not prevent a person from becoming a new National Disability Insurance Scheme (NDIS) participant. New participants that have been made eligible for the NDIS while incarcerated will be able to engage with a planner through their support network approximately six weeks prior to their release date to develop an NDIS plan.

If a client is on an NDIS package and enters the justice system, their NDIS package will continue.

Where a participant is on bail, parole or a community based order and is not serving a custodial sentence or custodial order (incarcerated), they can still access all reasonable and necessary supports in their NDIS plan.

Where a participant is serving a custodial sentence or custodial order (incarcerated), they will generally be unable to access the core and capacity building supports in their NDIS plan. Other support above reasonable adjustment may be funded by the NDIS and accessed by the participant during their incarceration. For example, if a participant uses and wheelchair, their NDIS plan would continue to fund the maintenance and repair of that item, and their plan would be revised as required in order to maintain their equipment.

The NDIS does not fund supports that may be required during periods of custodial orders served in secure mental health facilities; these remain the responsibility of the health and mental health systems which are primarily treatment focussed.