

CHAPTER 1

INTRODUCTION

Terms of reference

1.1 On 11 May 2006 the Senate referred the following matter to the Community Affairs References Committee for inquiry and report by 7 December 2006:

An examination of the funding and operation of the Commonwealth State/Territory Disability Agreement (CSTDA), including:

- (a) an examination of the intent and effect of the three CSTDAs to date;
- (b) the appropriateness or otherwise of current Commonwealth State/Territory joint funding arrangements, including an analysis of levels of unmet needs and, in particular, the unmet need for accommodation services and support;
- (c) an examination of the ageing/disability interface with respect to health, aged care and other services, including the problems of jurisdictional overlap and inefficiency; and
- (d) an examination of alternative funding, jurisdiction and administrative arrangements, including relevant examples from overseas.

1.2 The Community Affairs Committee continued the inquiry following its establishment and the reporting date was extended till 8 February 2007.

Conduct of the inquiry

1.3 The inquiry was advertised in *The Australian* and on the Internet. The Committee invited submissions from Commonwealth, State and Territory Governments and interested organisations and individuals.

1.4 The Committee received 119 public submissions and five confidential submissions. A list of individuals and organisations who made a public submission or provided other information that was authorised for publication by the Committee is at Appendix 1.

1.5 The Committee held seven days of public hearings in Melbourne (28 September); Sydney (3 October); Perth (5 October); Adelaide (6 October); Canberra (13 October); Brisbane (17 November) and Hobart (22 November). Witnesses who give evidence at the hearings are listed in Appendix 2.

Background

1.6 In 1991, the Commonwealth entered into a Multilateral Agreement with the States in order to define the roles and responsibilities of the Commonwealth and State and Territory Governments in the delivery of specialist disability services. The Commonwealth State/Territory Disability Agreement (CSTDA) is now in its third iteration with the fourth agreement due to commence in July 2007. A history of the CSTDAs is provided in Chapter 2.

1.7 A reference of the CSTDA to the Committee was initially moved in March 2006. It was noted in the debate that there had been criticism of the CSTDA on many fronts: by people with disabilities; by advocacy groups; by State and Territory Governments; and by the Australian National Audit Office (ANAO). The ANAO's report pointed to the lack of a system of monitoring expenditure; lack of systems to collect data; lack of analysis of unmet need; and a lack of coordination within Commonwealth departments about policy for people with a disability.¹

1.8 A number of issues were raised in debate to support an inquiry. People with a disability had pointed to a lack of clarity in the intent of the Agreement and changes to the Agreement over time. As a result, people with disabilities and their advocacy organisations and services commented that they were unsure and unclear about what the detail of the Agreement actually entailed. People with disabilities reported a lack of consistency in the application of the Agreement, not only State to State but also within States and Territories. They also stated that there is no portability of funding and support for those moving between States and Territories. It was also noted that people with a disability are ageing and that there was therefore a need to understand nationally the interface between the ageing portfolio and the disability portfolio.

1.9 Senator McLucas, the mover of the proposed reference, argued that an inquiry into the CSTDA would 'give clarity to the way the Commonwealth and the States negotiate about people with disabilities and their services...[and] give clarity to people with disability about what the intent is of both parties so that they can understand what will be delivered'.²

1.10 The referral of the CSTDA was negated by the Senate in March but in a reworded form was subsequently referred to the Committee on 11 May 2006.

1 ANAO (*Administration of the Commonwealth State Territory Disability Agreement*) Audit Report No.14 2005-2006.

2 *Senate Hansard*, 2.3.06, p.29, Senator Jan McLucas.