

**Families*Disability*Support
ACD NSW**

4 August 2006

The Secretary
Senate Community Affairs References Committee
PO Box 6100
Parliament House
Canberra ACT 2600

Dear Sir/Madam,

**SENATE INQUIRY INTO THE FUNDING AND OPERATION OF THE
COMMONWEALTH STATE/TERRITORY DISABILITY AGREEMENT**

The Association for Children with a Disability NSW (“ACDNSW”) commends the Commonwealth for establishing this Inquiry.

The need for this Inquiry was heralded back in 2005 by the Committee established by the NSW Legislative Council for the purposes of the Inquiry into Changes to Post-School Options Programs. After many months of hearing evidence from parents and service providers during that Inquiry, the Committee concluded in its Report (dated 20 August 2005) that “there is a lack of communication [between the Commonwealth and NSW Governments] in relation to the provision of disability services, which often leaves people with a disability, their families and service providers caught in the middle”.

The Committee stated that improvements to services for people with disabilities could only be made “by improved Commonwealth-State co-operation”.

The Committee acknowledged comments that had been made at the COAG Meeting in June 2005 concerning the need to improve “areas where governments’ responsibilities intersect”. The Committee stated that it welcomed the particular reference made by COAG at that time to people with disabilities. The Report states “The Committee welcomes such high-level recognition of the need to improve co-ordination between the Commonwealth and state/territory disability systems”.

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We trust that this current Inquiry into the CSTDA must take up the challenge offered to it back in 2005.

ACDNSW is a non-profit organisation run by parents of children with a disability seeking to help other parents of children with a disability. In May this year, the situation for people with a disability and for their families in NSW looked dire.

This led ACDNSW to prepare a Discussion Paper on the one topic that parents consider would make a profound difference to their ability to cope in the future, namely, the availability of long term supported accommodation for their child once their child became an adult. A copy of that Discussion Paper is attached.

Currently it is impossible to obtain a place in long term supported accommodation in NSW, even for an adult with a disability, without practically abandoning your rights over your child to the State. No parent wants to do that. Even then, the likelihood is that your child will end up simply blocking a bed in a respite cottage or being placed in a nursing home.

This situation is inhumane and has to be remedied.

At the end of May the NSW Government announced budget increases which acknowledged the unmet need for long term supported accommodation and other important disability services in NSW and it even took fairly generous steps to address those unmet needs.

It is clear, however, that the NSW Government and, indeed, no State or territory Government, will ever have the wherewithal to fund this unmet need to the extent necessary.

The attached Discussion Paper sets out exactly what the unmet need is for long term supported accommodation in NSW. The figures can easily be extrapolated to take account of the unmet need in other States and territories.

The Discussion Paper outlines a suggested means of funding the unmet need for long term supported accommodation – a 10 Point Plan. This too can be extrapolated across the country. The Plan relies on increased state funding and on the payment of fees by families with a family member with a disability but it **primarily** relies on funding from the Commonwealth akin to the funding available under the Commonwealth Department of Health and Ageing for aged persons in nursing homes.

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The analogy we have drawn between aged people in nursing homes and people with a disability in a long term accommodation facility is not limited to the funding model. Although we are not fully conversant with the ACAT assessment tools, we are sufficiently aware of their detail to suggest that the same tools be used to determine eligibility for funding for people with a disability.

This proposal would do away with the current uncertainty surrounding the breadth of definitions such as “profound disability”. As the Discussion Paper shows, the use of broad definitions has in the past been a deterrent to funding those with even the most acute needs since it opens up the pool of recipients to such an extent that the whole scheme is considered unviable.

ACDNSW asks that the Committee reviews the attached Discussion Paper and recommends the funding of long term supported accommodation along the lines there outlined. To affect this, ACDNSW proposes that the Commonwealth either:

- (a) claims full responsibility under the CSTDA for accommodation for people with disabilities who qualify under the ACAT assessment tools, just as it is currently fully responsible for “employment services” under CSTDA; or
- (b) moves the entire departmental responsibility for accommodation for people with disabilities who qualify under the ACAT assessment tools to the Department of Health and Ageing.

To fail to implement these recommendations will only perpetuate the current injustice that exists for people with disabilities. If it can be shown that a person with a disability has the same needs as an ageing person who is entitled to funding in a nursing home, it is discriminatory for the Commonwealth to provide funding to the aged person and not to the other. The time is ripe for this inequity to be addressed.

For further information about ACDNSW or the attached Discussion Paper, please contact Katrina Clark on 02 9416 1725.

Yours sincerely,

Katrina Clark