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## PARLIAMENTARY JOINT STANDING COMMITTEE ON THE NATIONAL DISABILITY INSURANCE SCHEME

Disability Advocacy NSW. Statement to Inquiry 27 March 2015. Canberra

The key concern we wish to highlight today is the uncertain future of advocacy funding with the coming of the NDIS and the fact that advocacy deals with many matters outside the NDIS.

It appears well accepted that advocacy is needed for people with a disability inside and outside the NDIS yet the funding future is uncertain. In particular there are strong indications that the NSW Government is moving away from contributing towards disability advocacy funding due to its contribution to the NDIS.

Disability Advocacy NSW is the main disability advocacy provider covering the Hunter NDIS trial site. Disability Advocacy NSW is not a peak group but focuses on day to day individual advocacy. Our head office is in Newcastle. We receive a combination of funding from the NSW and the Federal Governments. Our service also covers other large rural and remote regions of NSW including the Mid North Coast and New England. We have advocates in local offices in Tamworth, Armidale, Coffs Harbour, Taree and Port Macquarie and have also diversified by operating a community legal centre on the Mid North Coast.

The NDIS has increased our advocacy workload. Overall we have coped relatively well with this increase in workload for three reasons.

**Firstly**, we have ensured we provide a modern and professional service to our clients. Our service was the first advocacy service in Australia to achieve both National and NSW independent accreditation.

**Secondly**, we have prepared, diversified and cost-effectively amalgamated with other services and combined the funding support of the NSW and Federal Governments to provide quality individual advocacy. We use a modular regional model where financial and administrative tasks are done centrally but advocacy support is provided locally in rural areas by well-supported professional advocates.

**Thirdly**, we have received extra funding from the Federal Government to provide External Merits Review Support for clients wishing to appeal National Disability Insurance Agency decisions at the Administrative Appeals Tribunal.

Since the beginning of the NDIS we have dealt with over 1000 advocacy issues in the trial site. Of these issues, 13.5% relate directly to the NDIS. Currently, the NDIS is one of our top three advocacy issues. As the NDIS grows this proportion will increase, yet it is still only part of the work we do. Many clients seek individual advocacy to support them with problems they have with education, health, discrimination, abuse, transport, accommodation and legal areas. Most of these areas will remain outside the NDIS.

We understand and support the NDIS funding approach. However, we caution that a blanket approach to funding is not the best way to fund advocacy services that are aimed at *independently* safeguarding rights and choices of people with a disability. People with a disability most often come to us after they have encountered a problem with the system, whether it is inside or outside the NDIS. The work we do often has the effect of stopping small issues becoming significant problems, preventing substantial damage to individuals and saving the Government time and money in the long run.

The 2011 Productivity Commission Inquiry Report into Disability Care and Support took many submissions that addressed the issue of advocacy support and made a number of statements



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in support of the role and value of advocacy in the context of the proposed NDIS. The Commission noted the important role that both independent advocacy and systemic advocacy would continue to play under the NDIS and how independence of services like ours would allow representation of the interests of the most vulnerable people in the disability system.

The Productivity Commission also noted that:

1. neither systemic, nor individual advocacy are well suited to a user pays system so independent advocacy should continue to be block funded<sup>1</sup>
2. organisations funded to provide advocacy, in order to avoid any conflict of interest, should not also be funded through the NDIS, as with Disability Support Organisation's or service providers, or directly by the NDIA at all<sup>2</sup>
3. that NDIA should not directly fund advocacy support however there may be merit in the NDIA contributing additional untied funds to the existing advocacy programs.<sup>3</sup>

We agree with these recommendations but also reiterate the extra point that many advocacy issues are not NDIS related and this fact needs to be accounted for.

Both State and Federal Governments' spend a relatively small amount on advocacy for people with a disability. This has meant in some cases unreliable advocacy provision and a pool of unmet need for advocacy support across the country, particularly in rural and regional areas. NDIS Quality and Safeguarding Framework Consultation Paper appears to categorise advocacy as a universally available service. Our "coal face" experience says this is not so. Yes funding is at issue, however this can also be partly addressed if more advocacy services join forces and work together with the support of the funding bodies.

Good quality, professional and independent advocacy remains an important part of developing a well functioning and sustainable NDIS.

Local advocacy services need resources to assist participants through the complaints and appeals processes and to negotiate continuous improvement of the NDIS, as well as assisting them with the myriad of other issues that arise that are not related to the NDIS.

Our view is that the States should cooperate with the Commonwealth to establish a single source of funding and planning for disability advocacy services through the Department of Social Services, building upon the existing National Disability Advocacy Program.

Mark Grierson – CEO  
Ms Darcy Burgess - Executive Officer – Social Advocacy  
Ms Ndinawe Mtonga - Advocacy Coordinator

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<sup>1</sup> Productivity Commission 2011, p. 524

<sup>2</sup> Productivity Commission 2011, p. 525

<sup>3</sup> Productivity Commission 2011, p. 525