SUBMISSION TO THE JOINT STANDING COMMITTEE ON THE NATIONAL DISABILITY INSURANCE SCHEME

Annual Report Number Two of the 48th Parliament

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OVERVIEW

My submission is about the NDIA's New Framework Planning (NFP) and the Support Needs Assessment test (I-CAN). The NDIS must be a vibrant and evolving department. Regular reform is necessary for it to develop, improve and remain sustainable but change needs to happen from the base up. The current ad hoc and piecemeal fashion fails to consider the well-being of people with disability. The principles of the NFP are light years from the NDIS's original intentions but indicative of a hardening attitude towards participants as if supporting their needs is solely to blame for NDIS costs. The NFP will unfairly impact participants like me who have **invisible** disability and complex and changing conditions. I have no idea if, when or how I will be impacted by the NFP but knowing it's coming, has already destabilised my life. A SNA may benefit me but as most participants report cuts to their support, I am worried.

Many government departments seem intent on using AI-based decision-making. Lessons were not learnt from Robodebt because the focus remains on saving money instead of improving the quality of life for vulnerable Australians. Combining the portfolios of Health and Ageing with Disability and the NDIS is probably politically and economically convenient. Although there are overlaps, I believe these portfolios are better served separate. Changes in one department will influence the other even when problems are obvious. Since the Integrated Assessment Tool began devising aged care packages in November 2025, Department figures state there has been 800 review requests. Before IAT there were only 178 review requests for the whole financial year. The main concern raised by assessors is they are unable to override the frequent errors in support and funding decisions made by IAT. Automating the aged care assessment process has led to more review requests, less support and longer wait lists so IAT is **not** benefitting our elderly yet. These alarm bells are being ignored by the NDIS who is heading determinably down the same destructive path with automated decision-making underpinning the NFP.

I can't waste my life reading what the Department or the NDIS are planning but I read about changes to NDIS assessments in an ABC article in late 2025 and have been researching since. The NDIS website is a useless rabbit warren full of what is essentially **disinformation** because what is written is **not** how the NDIS operate in the real world for participants. Information from the Department is written in government/public service speak and is unclear with hazy detail and spin. The NPF will **not** be fairer, more consistent and easier for participants because the changes are **purely** for the operational convenience of the NDIS and to reduce cost. Despite the NDIS and the Department stating that the NFP will begin mid-2026, it has been operational and negatively impacting assessment, plans, budgets and appeal processes for more than a year. The Department and the NDIA may be tweaking things to make it appear there is consultation before they "finalise" the NFP but no-one is fooled – It's **already** here!

BACKGROUND

I have been a participant since 2018. I have psychosocial disability and autism which often coexist but are distinct disabilities. Interactions with the NDIS are always distressing. It took me a year to recover from my last plan review. For the last two years, despite life-changing support, I have **never** felt safe or confident it would continue. Despite attempting to get on with life, I have been on edge, often overwhelmed with anxiety and fear about what policy makers will do next to shatter the stability and quality of my life, health and well-being. Now I realise my fears are warranted.

Inertia by the previous government, the destruction of all other support structures and a lack of foresight about the inevitable growth of the NDIS has now led to policies and practices designed to seemingly punish people for having a disability that isn't deemed serious enough. Changes to legislation to limit NDIS growth and costs have flowed into changes to quality of life for those with disability. Applying to the NDIS is more difficult. People needing support are sent away even when nothing else exists. Reasonable and necessary supports are routinely refused and the NDIS argue about everything even when they know they are wrong. Rules change so frequently I no longer have the energy or capacity to keep up and it's sad that my government seem unconcerned that people do not understand what's being done to their lives. Like living on quicksand**, nothing** about the NDIS is safe, reliable or secure. Constant changes make the NDIS feel dangerous and untrustworthy.

WHY I NEED THE NDIS TO WORK

It is common for females who have survived undiagnosed and unsupported for decades in a neurotypically-biased society to have significant mental health conditions from accumulated trauma. Workplace bullying and employer negligence in my fifties resulted in significant psychological injury, incapacity to work and serious and permanent impairment impacting all aspects of my life. I no longer have the capacity or inclination to mask (consciously suppressing or hiding autistic traits) to fit in or be accepted. Due to interpersonal trauma, it is difficult to leave home and interact with people resulting in social isolation and loneliness. Like many people with disability, I also have chronic physical conditions that impact the quality of my life and will require more support as I age. I am ten times more likely to die by suicide than a neurotypical woman my age. I live alone without family support, have no friends where I live and no social life. My NDIS-funded workers and my health professionals are the only people I see regularly.

I have already satisfied the strict eligibility requirements for the NDIS but feel they are constantly changing the rules in order to get me off it. The NDIS's ill-informed fixation on recovery-oriented support will **never** apply to me. I am as good as I'll get and my mental health conditions will **not** vanish with medication or treatment. I will **never** grow out of my autism and **no** amount of occupational therapy will "fix" me. I can only manage my disability and I **cannot** do that alone. My practitioners are fundamental to my care but I rely on NDIS funded workers for the basic day-to-day support that keeps me alive and functioning. My workers meet my needs and enrich my life immeasurably by providing the companionship, practical assistance and emotional support I need to live a meaningful life. Because of them, I can live alone, go out in the community, volunteer and manage my own affairs. I do **not** want the protection they provide removed or decreased by the NFP. The common-sense, long-sighted view and economics of my situation is clear. I actively contribute and add value to the Australian economy by employing four companies and five individuals with my NDIS funding. I contribute to society by volunteering with the government's Aged Care Volunteer Visitors Scheme. If my support is cut or removed, I will cost the health system hundreds of thousands of dollars more than I currently cost the NDIS. Investment in supporting me to stay well is the most cost-effective solution and also what's best for my well-being. An assessor who meets me for three hours and an algorithm designed to save money is **incapable** of considering **any** of this information yet it **must** be understood if I am to live the life I deserve.

LACK OF GENUINE CONSULTATION

The NDIS's predilection for making significant changes without genuine consultation continues to cause devastation. It's not possible for every government department to consult its stakeholders but it is essential for the NDIS to do that. For years people have described experiences with the NDIS, highlighted what does/doesn't work and recommended how to improve policy, processes, communication and the participant experience in a vast array of reviews but nothing seems to resonate with the NDIS. They pay little attention to what knowledgeable and experienced people tell them and only take on advice if it suits the narrative they've already decided on.

The NDIS and the Department over rely on digital interaction to "consult". This **excludes** anyone who cannot or chooses not to use this form of communication. People have to apply to contribute to consultation processes, handing over all their personal details to the NDIS and the Department. These privacy restraints limit feedback. Consultation processes focus on educated, digitally experienced people who have the time and energy to spare, excluding many participants. Many people describe the NDIS consultation and co-design processes they've participated in as tokenistic anyway. The opinions of experts in disability are not given the merit they deserve. I believe the NDIS's consultation process is largely a box ticker conducted after decisions have been made. Their consultation process is ultra controlled and lacking in transparency and integrity.

MISLEADING AND INEFFECTIVE COMMUNICATION

Rumours of changes to planning appeared in early 2025. I hoped to remain inconspicuous by asking for nothing new in the hope that my plan would be simply rolled over. In November 2025 a hand grenade was thrown into my life when I found out I will be forced to be reassessed on a new test. Information was scant, vague and full of meaningless statements about the new process being simpler, fairer and more accessible without any explanation how exactly that would be achieved. The NDIS's love of secrecy and making up rules as they bulldoze through lives causes instability, confusion, mistrust and fear in participants and those who care. Even though the NDIS has been told that hidden agendas and a lack of information and transparency impact negatively on the disability community, obviously they don't care because they continue with the same behaviour.

Needing to understand what the NDIS were planning for **my** life, I began searching the internet. I've been forced to do that because although some participants and carers have received emails from the NDIS outlining the changes, I haven't received anything. Why aren't the NDIS **obligated** to communicate **directly** with me about changes they are making to **my** life. Why is it up to me to trawl the internet finding information they **should** be providing. Long before the NFP was truly initiated, the NDIS could have emailed fully explaining their plans, giving me time to think before providing feedback. Instead, the NFP has been decided behind closed doors then parachuted into my life as a done deal. Even now, the NDIS could treat me with the respect and courtesy I deserve by explaining the SNA and clarifying what qualifications my assessor will have. I could be sent a copy of the I-CAN test and a sample report so I can see what is involved and how it will work. I feel I am imprisoned powerless in the dark about significant changes being made to my life by a callous government agency who expect me to find out everything for myself. Deliberately drip-feeding information over months has a damaging impact on those waiting to gain a comprehensive understanding of the whole picture. I want to know exactly what is involved in a reassessment and how it will impact my level of support **now**. I don't want to be told in dribs and drabs as stories are released into the media. I want one clear and comprehensive document. It is **my** life that is being impacted yet I feel defenceless and helpless in the information vacuum created by the NDIS.

Reputable media sources and disability groups have been an honest and useful source of information. The NDIS website is convoluted with sketchy, often implausible information that lacks coherent detail raising more questions than answers. Government departments seem to have no awareness of the level of digital competency and literacy of everyday Australians. Information about the NFP is all in government speak and mainly on-line effectively excluding many people. A government agency with vital information to disseminate to clients **should** be **obligated** to present it in ways that are compatible with the communication needs of their audience. E.g. The NDIS offered webinars about SNA. Many people have never even heard the word "webinar" let alone know how to participate in one. The Department opened public consultation (23 January 2026) on the NFP/SNA but if people cannot access their website, there appears to be no other way to participate. The Department's summary report of disability sector feedback (13 January 2016) was precise and clearly written in plain language so it is possible to achieve this standard of communication. Maybe its authors could instruct the NDIS in how to communicate with participants. If I went to the NDIS head office in Geelong seeking information and help there are only reception staff to talk to. They email the people hiding in the offices upstairs who "work" for the NDIS. It is a farce! Many National Call Centre staff aren't public servants, know nothing and should **not** be answering participant questions.

I'd love to believe Minister McAllister's general public press release (13 February 2026) about the NFP because it sounds absolutely fabulous. At least it is misleading and at worst disingenuous. The Department and the NDIS constantly state the SNA will be "introduced" mid 2026. The Cambridge dictionary's definition of introduced is - brought something into use for the **first** time. Clearly NFP is **not** being introduced. It's **already** operating.

Every workplace uses unique and specific language and it is arrogant or naive to assume everyone knows this "secret" language. This media release is supposed to be written for the general public but it is written in public service specific language that the everyday general public do not use and would not necessarily understand. For example - live testing, simulated support needs assessment, desktop exercises, assessor accreditation process, informing best practice principles and assessment conversation flow to name a few. Depending on life experience and education, people may be able to **guess** what some mean but if you communicate in a way that is not easily comprehended by your audience, you are **not** communicating effectively. Providing an "easy" read version or a "dumbed down" version is not the solution. It's about respecting the communication needs of your audience, using everyday language and not excluding others from your "language club.

According to the release, participants are playing a lead role in helping design and test the NFP. Sounds great until you realise only thirty (30) participants are involved. Testing 30 people out of a possible 750,000 (0.004%) is **not** a robust or accurate test sample. The TGA would never be allowed to test a new drug on such a limited number of people yet the NDIS are allowed to survey a microscopic drop of people for a new program that will impact hundreds of thousands of vulnerable Australians. Shameful! Does anyone know anything about THE 30? Gender, age, type of disability? Are we supposed to be reassured that conducting 10,000 desktop exercises is superior to testing more of the **actual** human beings who will be impacted. In March testing included more complex scenarios with a broader range of participants but it's not hard to be broader than 30 people! NDIS planners are undertaking the required training and accreditation to administer I-CAN confirming that they're learners who will practise on participants with limited experience except for lots of desktop exercises and maybe "live" test one of the 30 participants. It's ludicrous. I don't want an assessor practising on me. If I must have this assessment, I want to be sure it's done correctly. The NDIS are conducting live assessments (as opposed to dead assessments?) with AI and face-to-face sessions with real people (as opposed to fake people?) There are glowingly positive quotes "attributable" to participant LJ Atkinson. The word "attributable" suggests LJ Atkinson may not be a "real" person. The quotes sound like words written by a public servant or AI. This press release made me feel betrayed and despondent.

DISTRESS CAUSED BY HOW THE NFP HAS BEEN INTRODUCED

When I found out through the media that changes to planning mean I will be reassessed sometime within the next five years, I am **not** at all reassured by the Department telling me I'll be notified prior and the NDIS will provide support. The expectation that I sit back, relax and wait quietly for up to five years for "the call" demonstrates how out of touch and disconnected from participants the NDIS is. Having this reassessment hanging over my life for five years is cruel. The NDIS have **no** comprehension that what they do and say has **immediate, significant impact on real people and their lives**.

I was once an autistic child so I imagine that parents of young children with autism feel very stressed. They find out through a press conference that their child is costing too much so will be excluded or diverted from the NDIS into state run systems that don't exist. Parents have to endure government and media discussing back and forth and around and around that ASD diagnoses are increasing somewhat suspiciously, implying parents are trying to have an autistic child just to get NDIS support they're not really entitled to. A political deal between the state and federal governments to fund hospitals means the alternate support system will now be postponed for another two years and it's become clear that Australia does not have the workforce to operate the system even if it does get established. Decision makers are ethically deficient if they are unable to comprehend that politicising and encouraging free for all discussions about people's lives causes great distress and chaos with devastating and sometimes deadly consequences. Don't they understand that changing rules and timeframes and expecting people to muddle along with uncertainty for years has a detrimental impact. The ABC article by Nas Campanella and Evan Young (12 April 2026) explains clearly how this impacts a parent of autistic children. I'm old enough to remember that Victoria's education system used to have excellent dedicated support service centres with OT's, speech pathologists and psychologists available to help children. During the 1990's Jeff Kennett stopped that and there's been nothing since except for the NDIS. It is not appropriate to make parents public scapegoats simply for trying to find support for their children in the NDIS because there's nothing else.

INDEPENDENT ASSESSMENTS MARK 2

The SNA **is** Independent Assessments 2021. Doubling down on an idea that was overwhelmingly rejected four years ago mocks the many Australians who committed time and energy to stop the NDIA knowingly causing catastrophic harm to participants. It was clear the NDIA was always going to use some form of independent assessments because it's easier and cheaper for them. Resurrecting a ramped-up version with a new name and thinking we won't notice demonstrates a lack of integrity.

SIMILARITIES TO ROBODEBT

It is deeply alarming that Robodebt and RoboNDIS were created by the same people. The NDIS may have forgotten Robodebt but many Australians haven't. Robodebt demonstrated how unethical government policy design that values money over the lives of vulnerable people causes terrible, long-lasting damage. The Royal Commission highlighted the harm caused by inhumane policy accompanied by governmental lying and coverups. The perpetrators may have squirmed from the grilling they received in the hearings and brief negative public scrutiny but no-one has been held accountable for the harm caused to Australians and as a consequence, no lessons have been learned. After the commissioner's findings, decision makers said Robodebt was cruel, unfair, a costly failure in public administration in both human and economic terms and that nothing like this can ever happen again yet RoboNDIS is scarily similar. The NDIS is knowingly and recklessly exposing participants to a largely untested single assessment tool with learner assessors with unknown capabilities. Automated decision making will create plans and budgets that will critically impact the quality of life, health, safety and happiness of vulnerable human beings. I am in no doubt the NDIS are making the same error in thinking as Robodebt and the results will be just as devastating.

A systemic lack of consideration for the safety and wellbeing of participants can be attributed to the absence of functional independent oversight. The Quality and Safeguards Commission is supposed to regulate providers but **no-one** regulates NDIS decision-making or holds them accountable for their actions. A decade of freedom has enabled and emboldened the NDIS to think of new ways to push the limits with people with disability. Like Robodebt, RoboNDIS is a human rights abuse. Australia is going horribly wrong using algorithms to make decisions instead of listening to human beings. Government agencies like the NDIS must behave more ethically. No-one deserves this mistreatment.

NEGATIVE MEDIA TARGETING CERTAIN DISABILITIES

Having psychosocial disability and autism I score a double whammy on the government, societal and media waste of NDIS money hit list! Despite passing the stringent eligibility requirements, the constant messaging I get is **my** disability is not as serious or as worthy of NDIS support as others. I should stop wasting NDIS funds and seek alternative magical support that exists only in fairyland. This **targeted** messaging **is** discrimination because it singles out two particular disabilities over **all** others. We are being scapegoated and viewed by increasing numbers of people as the main cause of NDIS overspend. The Australian Financial Review article by Michael Smith and Joshua Peach (February 26 2026) discusses the cost of participants with autism and psychosocial disability **only**. Labour MP and paediatrician Mike Freelander is quoted as saying that the bar to getting a diagnosis of autism is incredibly low. The diagnostic criteria are clear. Practitioners are bound by professional ethics to only diagnose autism if the criteria are satisfied. The rise in diagnoses world-wide is explained by greater awareness especially around how females present differently to males. Comments that neurodivergent participants and participants with some mental health conditions should be assisted by other programs so "the NDIS can be used by the people it was originally designed to help," begs the question who exactly are these people? Is it neurotypical people, those without mental illness or those who **look** disabled? Just because signs of disability aren't visible it does **not** mean the disability doesn't exist or is not severe. The "other programs" referred to don't exist. "We can't be cutting back on support for people with severe disabilities for people who really do not have much wrong with them at all." Wrong with them? Wow! Now that's an attitude going back a century! Great harm is caused by outdated, ill-informed dialogue that singles out particular disabilities as a topic for political conversation as if there's no human beings involved.

SPECIFIC DISADVANTAGES AND RISKS FOR ME

It is my understanding that the NDIS is not supposed to focus only on what they perceive to be the primary diagnosis when determining support needs but they do. Incredibly my autism and my chronic physical conditions do not count with the NDIS as contributing to my overall disability. As it impossible to isolate life impacts into separate disabilities, I do not understand how they are allowed to get away with this. Perhaps the SNA will consider the whole person impacts more fairly but I am concerned it may just as easily deem me ineligible or significantly cut my support. I know I am lucky to receive NDIS support. The majority of Australians with psychosocial disability are locked out even though there are **no** equivalent or parallel supports outside of the NDIS. Victoria's mental health system does not work effectively and I would never qualify for psychosocial community support. There is **no** support for autistic adults without intellectual disability where I live. All my NDIS support people are either qualified in or have lived experience of my particular disabilities. My Aged Care workers do **not** have this specific knowledge and experience. I need support that is consistent and on-going for the rest of my life so if the NDIS cut or withdraw my support, my life will be at risk.

Being autistic with psychosocial disability, expert opinions report that the I-CAN test poses particular problems for me. In the Guardian article by Kate Lyons (21 January 2026), Dr Marjorie Collins (President of the Institute of Clinical Psychologists) states I-CAN is **not** validated for a wide variety of disabilities, most results relating **only** to intellectual disability. Dr Kelly Gough (President of the Australian Psychological Society) states the I-CAN test is **not** particularly good for participants with psychosocial disability or autism. Jenny Karavolos (Co-chair of the Australian Autism Alliance) states that **no** studies demonstrate that I-CAN reliably captures the diverse support needs of autistic people. The Conversation article by Georgia Van Toorn and Helen Dickinson (October 1 2025), states a self-reporting tool like I-CAN poses particular **risks** for autistic people and **won't** accurately capture their support needs. Being an expert on myself I know these opinions to be true.

I have specific communication needs. My written and my aural and oral skill sets are vastly different. I find neurotypical communication indirect and confusing. Unless my assessor is neurodiverse (100% unlikely) I will struggle to understand them and the communication barrier will impact the accuracy of the test. Because I listen intensely to every single word, I experience a considerable delay in processing what I hear. I will be unable to provide accurate answers to questions because I cannot process the implications of the question fast enough. Knowing I didn't realise what the assessor was "really" asking at the time will later cause me distress. I will feel disempowered because I will know I failed to convey what I wanted to say.

I will automatically mask to survive the experience, trying to please the assessor to get rid of them as quickly as possible. The high level of masking required will cause exhaustion, stress and autistic burnout lasting days, weeks or months. Physically I will not cope with a three-hour test due to chronic pain and fatigue resulting from fibromyalgia, osteoporosis and extensive osteoarthritis. Even with breaks it will be an impossible cognitive and emotional load that will cause chronic exhaustion. Being assessed by a stranger will cause intense anxiety because of the similarity to WorkSafe Victoria's independent medical assessments. For days/weeks/months after the assessment, my PTSD will be activated causing ill-health. Being forced to be assessed by a stranger on a test simply because the NDIS want to treat all participants the same is stupid and will cause me harm. If I must be reassessed, alternatives to a stranger assessor **must** be allowed.

I-CAN TEST

I understand the value of support needs assessments but I will **never** believe a single, one size fits all assessment tool has sufficient capacity and nuance to capture the unique circumstances or needs of human beings. Using the same rigid test for every participant regardless of their age, circumstances and disability **decreases** flexibility of thought and **ignores** individual differences. I've already met the stringent eligibility requirements for serious and permanent disability for WorkSafe Victoria, the NDIS and Services Australia. I should **not** have to keep proving this fact to satisfy a public service box ticker. The NDIS need to comprehend that any assessment at my age should work **for** me to **increase** my supports as I age but I feel that's unlikely with this test.

My specific concerns/questions about the SNA:

- The NDIS know I have PTSD so forcing me to interact with a stranger assessor is negligent. What security checks are made to ensure the assessor is safe to interact with me?
- Who are these assessors? I've read nothing definitive enough yet. I can't see why I should agree to be tested by someone unless I know their qualifications beforehand.
- Will assessors be trauma informed, have lived experience or knowledge of disability and are any of them neurodiverse?
- There is **no** public evidence available that I-CAN is an effective or valid tool unless it is conducted by an allied health professional. If the assessors are **not** allied health professionals, how do I know they have sufficient experience, qualifications and training to administer, score and analyse a lengthy and complex test like I-CAN before they interact with me. The minister telling me so is **not** proof!
- Will I be warned well in advance of the assessment about what to expect and how to prepare for this traumatic experience?
- If I am permitted to provide extra information, it will need to be up-to-date. Practitioners do not write reports for free so the NDIA's assertion that this process will save me money on reports is misleading.
- Will my physical, cognitive and emotional needs be catered for by breaking the assessment into shorter periods?
- Will the test focus on my daily support needs at the expense of goals and capacity building?
- I've seen examples of the "I can …" statements on a sample I-CAN report. I find this simplistic clap trap infantilising, condescending, humiliating and degrading. In my supplement to Submission 53 (24/5/24) I detailed my objections to the "About Me" section in my NDIS plan. The I-CAN report will be infinitely worse. An AI program will compose statements about me without my knowledge or consent and I won't know what is said until it is final and can't be changed. Despite endless recommendations, the NDIS still refuse to provide drafts before finalisation. This moronic bureaucracy causes endless issues for participants yet it's allowed to continue unabated. I could not bear to read statements about myself like, "X can toilet herself and wash her hands afterwards without prompting." It is intolerable!
- Are all the assessment questions closed? If I don't fit **any** box the assessor will have to tick what **they** think meaning responses are open to interpretation and subject to the assessor's bias.
- Has there been **any** independent assessment of how the points scored on an I-CAN assessment can be **accurately** recalibrated to indicate the level of support and budget needed? I'd say no according to the ART statistics!
- What happens if the assessor asks me deeply personal, invasive or distressing questions and I refuse to answer?
- What happens if the process causes an autistic meltdown or a psychological crisis? Is it the assessor's responsibility to ensure I am safe and supported or will they do the usual and simply provide Lifeline's number?
- What information is kept about my assessment and who has access to it?

If nothing else, surely these questions demonstrate that I am being forced into a government process that I clearly do not understand and have many questions and deep concerns about. This is not right.

ROBONDIS

The NDIS has probably never been staffed to cope with the volume or content of work required. This dilemma has been solved by stealthily moving into automating as much of the work as possible. Over time, because the NDIS love the efficiency and convenience of sorting participants (aka human beings) into boxes, we have been reduced to merchandise arranged in different aisles in the NDIS store. The NDIS long held but false belief is this makes their job easier and saves money. NEWS FLASH … none of us are remotely the same and will not, however forcibly we are squished, fit into the neatly labelled boxes the NDIS desires. Treating a disparate section of Australians **exactly the same way** based purely on an algorithm **is discrimination.**

AI is **incapable** of innovative or creative thought and has **no** humanity, compassion or common sense. RoboNDIS **cannot** make the nuanced decisions necessary because AI is incapable of considering the extensive breadth, complexity and diversity of disability. RoboNDIS lacks the intelligence and wisdom that comes from being human and experiencing life. Participants are so much more than just a score and RoboNDIS is **incapable** of understanding any of us as individual human beings. Looking around the world, it's easy to see the harm caused by giving technology too much power at the expense of human beings. Utilising AI to assist NDIS processes makes sense but excluding human beings from decision making and safeguarding does **not** and **never** will. Remember Australia is a signatory to the UN Charter on the Rights of Persons with Disabilities. The NFP uses a level of automated decision-making that does **not** respect the rights of people with disability. We are **not** appropriate subjects to be used by government agencies to trial new systems. AI and algorithms are **not** neutral tools. All automated systems reflect the creator's world perspective and carry their bias. The NDIS are reckless in assuming their program is good, sound, reliable, consistent and safe and are risking participants' lives by adjusting the process as they go.

REPORTS

The NDIS has stated reports have been dispensed with due to the cost for participants and the time taken. This is deceitful. The NDIS created and perpetuated this monolithic problem by demanding lengthy and costly reports. The former NDIA CEO Rebecca Falkingham admitted in 2025 that most reports are dismissed by the NDIS **unread,** finally confirming what everyone had known for years. At least she was honest. What is completely dishonest is the NDIS insisting for years that participants provide reports knowing full well they'll never be read. Having confirmation that participant support and eligibility has been routinely and arbitrarily dismissed by public servants who haven't bothered to read any supplied reports is a bitter pill to swallow. It's clear now why the NDIS could never explain why reports were rejected. It was because they hadn't read them! Report gathering **is** time, effort and cost absorbent but that **cannot** be blamed on practitioners or participants. Reports have been removed from the NFP because the NDIS want to exclude expert health practitioners from their processes and because employees can't cope with the security, volume or content of reading required.

A fundamental principal of being diagnosed with disability is that it is diagnosed by a qualified practitioner who continues to support you thereafter yet the NDIS has been determined to undermine and exclude practitioners except for their favourites – the OTs. Despite university qualifications, extensive experience, mandated registration and a code of ethics, the NDIS views practitioners as unreliable, biased and overpriced. My clinicians are highly trained experts who know me well and understand what I need to survive yet the NFP will dismiss their expert opinions and exclude them from the decision-making related to my care. Reports from practitioners must be considered with I-CAN assessments especially if there is a discrepancy in identified support needs. I believe My Aged Care assessments consider practitioners' reports so why can't the NDIS.

APPEAL PROCESSES

The NFP reflects a totalitarianism attitude towards participants that needs immediate rectifying. With NFP, the NDIS controls what information is gathered, how it is interpreted, the level of support funded and what participants can do if they are unsatisfied. **Total control of the entire process** gives the NDIS **all** the advantage and that flows through to increased power and control over participants' lives. The NFP is a closed system that denies participants procedural fairness because participants have **no genuine** opportunity to review, dispute or appeal decisions made by the NDIS. A government body should **never** be allowed to have so much power over so many vulnerable people. The NFP erases my right to an internal appeal process and has hamstrung the external appeal process. I was under the impression that whatever government department Australians interact with, they have a right to appeal decisions made in relation to that interaction. As an NDIS participant, why has my right evaporated.

Just as with the IAT process in My Aged Care, even when an SNA assessor disagrees with an I-CAN outcome, knows the plan is unsatisfactory and the budget will not meet the needs of the participant, they are **unable** to override the algorithm and are forced to sign off on decisions they know are wrong. This is putting assessors into the same position as the few brave public servants who questioned the validity of Robodebt and the harm it was causing to clients. It was clear from the Robodebt Royal Commission that knowing a decision was wrong but being completely powerless to intervene or change anything had a detrimental impact on the health of assessors. The NDIS is setting up SNA assessors to experience similar trauma.

In the past, participants have been able to appeal NDIS decisions in the ART. There is no disputing the process was difficult to navigate, took too long and placed an unacceptable burden on participants who had no spare energy or resources to fight. Advocacy was deliberately underfunded and therefore largely unavailable. The adversarial attitude of the NDIS caused excessive and unnecessary distress for participants and their supporters. It is outrageous that for years the NDIS have uniquely been allowed to ignore their obligations as a model litigant. Despite how difficult the ART process was for participants, it ruled in favour of them in the overwhelming majority of cases. The NFP removes all that protection. The ABC article by Evan Young and Nas Campanella (4 March 2026) quoted the NDIA stating, "Participants have a right to seek a review of agency decision and the NDIA respects that right." However, the reality is that changes made to the ART have effectively **obstructed** anyone from exercising that right. It's a right that exists in name only. This is not how things should work in Australia.

The NFP cancels my right to an internal review with the NDIS handballing the entire appeal process to an already overwhelmed ART. This will undoubtedly render it unworkable and the recent addition of staff will not help. Since RoboNDIS began in 2025, the ART reports a 95% increase in appeals compared to 2024. In 73% of cases the ART overturned the NDIS's decision. The number of appeals against NDIS decisions is higher than for any other government agency the ART has jurisdiction over. These figures are an unmissable red flag indicating seriously worsening issues with NDIS decision making but who is paying attention? Not content with giving all appeal responsibility away, the NDIS has efficiently hamstrung the ART by stripping away its power. The ART can no longer order changes to a plan or budget and right wrongs by overriding bad NDIS decisions and making better ones. The NFP constrains the ART to sending the plan and participant back to the NDIS for another assessment. Potentially this process could go on and on infinitum wasting enormous amounts of time and money and causing catastrophic harm to participants. The ART process was never perfect but now it will be toothless and useless. How has this been allowed to happen? Is it even legal to deliberately deny Australians a right to a genuine appeal process.

RECOMMENDATIONS

No offence to the committee but unfortunately recommendations have become a useless tool in influencing change in government policy. Australia is always keen to have enquiries, reviews and royal commissions and usually accept all recommendations but that's where it stops. Australia is renowned for not following through and acting on recommendations even when they agree with them. I feel recommendations are obvious based on what people are describing is currently wrong with how the NDIS treat participants.

1) The NDIS has a complete renovation from the top down as it is a failure of public administration and cannot be shored up. The constant changes involving band-aid, quick fix solutions applied so far are making the lives of many participants worse causing distress and harm. The NDIS is losing the support of those in the community who luckily have no experience of disability. It's very easy to remain ignorant and be judgemental about NDIS costs when no-one in your life needs support.

2) An independent cost reduction expert be appointed to examine how the NDIS can cut back on **their own** internal costs. The NDIS have proven they are happy to consider absolutely anything to save money spent on participants but they do not apply the same frugality to their own wastefulness. E.g. Requesting endless reports, paying $60 million (2024-2025) for external legal firms to fight cases in the ART they knew they'll lose and hiring nearly 2000 new employees in 2025 with no guarantee the extra staff will benefit participants.

3) The Department and the NDIA must learn to communicate significant changes to participants directly, honestly and clearly using more diverse methods and using language that accurately reflects their audience.

4) Reinstate and **increase** the power of the ART because it's the **only** agency in Australia that protects the rights of people with disability who are harmed by incorrect and harmful NDIS/A decisions and policy.

5) Establish a new and dedicated ombudsman whose **sole** responsibility is to oversee the actions, policies, decisions etc. of the NDIS. He/she will have plenty of work!

6) Increase funding to advocacy and legal groups to assist participants to appeal NDIS decisions because it is unfair and inhumane that people with disability or exhausted family members are expected to fight alone against the power of NDIS-funded barristers.

7) That I-CAN and the RoboNDIS process of determining plans and support budgets be **independently** assessed to ensure it is safe for use **before** the NDIS start experimenting on vulnerable Australians.

8) Participants with disabilities disadvantaged by a self-reporting test like I-CAN should have the option of being assessed differently. If being assessed by a stranger poses a significant risk to safety and well-being, participants must be given the option of being assessed by an equally qualified but known assessor.

9) The NDIS should work collaboratively with practitioners to devise a simple report format/ template that says what is necessary, in words the NDIS **will** read and **can** understand.

10) Into the foreseeable future, the NDIS should be permitted to use AI/algorithms **only** as tools and **not** for decision making ensuring that human beings oversee everything.

11) Participants should be provided with a copy of their assessment report to review **before** it becomes set in concrete, including the right to approve and edit the statements written about them if they cause offense or are incorrect.