

I write further to my Submission, accepted by the Committee for the Annual Report. I provide a brief update on three developments since the submission was prepared, each illustrating the systemic patterns identified in the submission.

1. Privacy Act Breaches - Formal Complaint to the OAIC

I have lodged a formal complaint with the Office of the Australian Information Commissioner today against the NDIA for three breaches of the Australian Privacy Principles. The NDIA's Privacy Team has failed to respond to a correction request for a demonstrably false record on my file (45 days without substantive response, exceeding the OAIC's 30-day guidance). The same team refused to process an access request under APP 12 for the audit trail of unauthorised changes to my communication preference record, confirming in writing that deflecting Privacy Act requests to the FOI regime is "standard procedure within the Agency." If this is standard procedure, it affects every NDIS participant who exercises their right to access personal information under the Privacy Act.

2. Respondent's Default on Tribunal Directions

The Respondent's interlocutory submissions in the Administrative Review Tribunal were due 16 March 2026. The Respondent defaulted on this deadline and subsequently sought a one-week extension, the latest instance in a pattern of non-engagement across eight months of proceedings in which the NDIA has filed no clinical evidence.

3. Treating Music Therapist's Formal Rebuttal

My treating Registered Music Therapist has provided a formal clinical report dated 17 March 2026 directly rebutting the NDIA's characterisation of music therapy as a "hobby" and its assertion that no functional outcomes were achieved. The report documents measurable, quantified therapeutic outcomes that were contained in the clinical report the NDIA's delegate cited in the decision under review. The Respondent continues to hold no clinical evidence in response.

These developments are provided for the Committee's information.

I remain available to appear at a public hearing should the Committee determine that it would assist the inquiry, and I am happy to provide any supporting documentation upon request.

Kind regards,

Bassam Alkhalaf

Submission 5 - Annual Report No. 2 Inquiry