



Notice of Concern – Breach of the UNCRPD

Attn To:

Hon. Mark Butler MP
Minister for Health and Aged Care
Minister for Disability and Ageing

Hon. Dr Jim Chalmers MP
Treasurer

Prime Minister Anthony Albanese

From:

Australian Neurodivergent Parents Association (ANPA)
A recognised Disabled People's Representative Organisation (DPRO)

Date: August 26, 2025.

Subject: Amended Notice of Concern – Breach of the UN Convention on the Rights of Persons with Disabilities

Dear Prime Minister Anthony Albanese,

Minister Mark Butler MP,

Treasurer The Hon. Dr Jim Chalmers MP -

As a DPRO representing Neurodivergent parents and families, we issue this amended formal Notice of Concern regarding recent government conduct that we believe places Australia in breach of its obligations under the UN Convention on the Rights of Persons with Disabilities (UNCRPD) and its Optional Protocol (OP-CRPD).

This Notice has been amended effective 26 August, 2025 to include multiple respondents to the complaint.

1. Specific Concerns

1. Failure to Consult (Art. 4(3))

Significant reforms affecting Autistic children have been announced without consultation with ANPA or other DPROs, contrary to the requirement for close consultation and active involvement.

Pressure has been applied to States and Territories to implement unlawful changes by making hospital funding arrangements conditional on implementation.

This pressure on the States and Territories has occurred subsequent to a number of Australia's DPROs making it clear to your government that these changes are inappropriate and harmful to the Australian Disability community; in particular, Autistic children.

Therefore this complaint has been amended to name those parties involved in applying pressure to States and Territories to implement changes in contravention of International Law and the UNCRPD.

2. Discriminatory Segregation (Arts. 5 & 19)

Autistic people have been singled out for differential treatment pathways solely due to population size. This constitutes disability-based discrimination and segregation, prohibited under the UNCRPD.

3. Use of Non-Clinical and Rejected Terminology

The repeated use of terms such as “mild/moderate autism” has no clinical basis, is rejected by Autistic people and their representative organisations, and reflects discredited frameworks linked to harmful ideologies.

4. Unsafe Program Implementation (Arts. 7, 24, 25 & 26)

The proposed national rollout of the Inklings program lacks independent safety data, long-term adverse event monitoring, or transparency in protocols.

Publicly available materials indicate the program may promote masking of Autistic traits — a practice associated with long-term harms including anxiety, depression, and suicidality.

Despite repeated requests, DPROs have been denied access to full therapy manuals and protocols for independent review.

5. Documented Widespread Harm

Evidence gathered through the Harm Tracker, an independent grassroots monitoring project led by Disabled people and allied health workers, shows systemic harm already occurring as a result of recent NDIS pricing and policy changes:

- Scale of impact: over 6,300 individuals (participants, carers, and providers) have reported harm across every state and territory.
- Mental health decline: more than 80% reported anxiety and/or depression following NDIS cuts or changes.
- Service access collapse: nearly 70% lost access to essential supports, with providers withdrawing due to pricing freezes and travel cuts.
- Regional inequity: rural and regional participants disproportionately affected by travel funding cuts, leaving many with no viable service options.
- Market distortion: small and medium providers are withdrawing from the market, forcing participants to rely on larger providers — often with less personalised, less safe, and less responsive practices.

This evidence demonstrates that reforms are causing widespread, measurable, and escalating harm.

2. Required Action

We formally advise that the Government must:

- Cease the use of non-clinical and offensive terminology such as “mild/moderate autism.”
- Separate hospital funding arrangements from any agreements with respect to NDIS reforms, Foundational Supports, or Disability related funding, programs and services. Cease any and all pressure on the States and Territories to implement reforms which breach International Law and have excluded explicit, active and direct co-design and engagement with Australia’s DPROs.
- Immediately halt plans to implement the Inklings program pending independent safety review and full consultation with DPROs.
- Reverse harmful pricing freezes and travel cuts that have destabilised service provision and directly harmed participants.
- Reinstate essential supports lost to NDIS participants as a result of recent pricing and policy changes.
- Establish an independent, transparent harm-monitoring mechanism (such as integration of the Harm Tracker into NDIA quarterly reporting).
- Commit to genuine co-design with Disabled people and their representative organisations before implementing any further reforms.

3. Notice of Escalation

If corrective steps are not taken within 30 days of issuing of this amended notice, The ANPA reserves the right to:

1. Submit a communication under Article 1 of the Optional Protocol to the UNCRPD;
2. Provide evidence to the UN Committee on the Rights of Persons with Disabilities;
and
3. Raise this matter with the UN Special Rapporteur on the Rights of Persons with Disabilities and request advocacy to escalate the matter to the International Court of Justice (ICJ) to seek intervention on behalf of the Disabled community of Australia.

This Notice serves to place the Australian Federal Government, Prime Minister Anthony Albanese, Minister Mark Butler MP and Treasurer, Dr. The Hon. Jim Chalmers MP on record that Australia has been formally advised of these breaches by a recognised DPRO.

Yours sincerely,

Sarah Langston (she/her)
President

Australian Neurodivergent Parents Association
“Nothing About Us Without Us”

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