

My name is . I am a participant on the NDIS and am a recipient of the Disability Support Pension. To put it bluntly, quite a few of the proposed changes in this bill are patently absurd and absolutely unjustifiable.

Let me refer to specific issues:

"You will no longer pay for support coordination services with funding from your NDIS plan. Instead, you will choose from a list of providers funded directly to deliver these services. You will be supported to transition to the new service."

This is, on the face of it, not a dreadful change. However, in my last reassessment, I was left with an appalling **2 hours** of support coordination funding to last a period of 3 months, which I obviously needed to spend to fight a grotesquely unjust funding allocation that completely ignored several expert recommendations and instead chose to vastly underfund below their recommendations, as well as cutting funding for specific support with a frankly baffling decision.

Realistically, if one wanted the NDIS to function in a way that actually fulfilled its stated goals, it would have already been legislated that plans get a minimum of ten times that amount of support coordination funding.

The **only** reason I am able to challenge this patently absurd funding decision with an internal review is because my support coordination team is working pro-bono, because they are good people who genuinely care, and are committed to justice in the face of blatantly unethical behaviour.

So when I see funding decisions that are obviously intended to eliminate a participant's ability to have any advocacy or support in standing up for themselves and fighting an unacceptable result, I worry about this change. I can't imagine any of these hand-picked support coordinators would go the extra mile like mine have. I wonder, even, how motivated they would be to actually stand up against the NDIA, to push back against abuse, if there is a lingering threat that they would be delisted in their ability to provide services. This presents a very dangerous possibility of kneecapping the primary mechanism participants have to defend themselves against the frequently absurd planning decisions we experience.

"The criteria for unscheduled plan reassessments will be tighter."

This change looks to me to be a Trojan Horse. Play up the non-issue of frivolous reassessments to destroy the ability of participants to request genuine reassessments. It's a baffling decision. People aren't getting reassessments done because they're fun. They're a grave risk every time. You run a gauntlet of getting a decision-maker who simply just, refuses to read your expert evidence and pulls some god-awful result out of the aether. You run the risk of a support that you worked hard to get approved being snatched away from you. Reassessments are already not entered into lightly, there is *always* a reason to subject yourself to such a treacherous path.

So what would this *tangibly achieve*? I don't see it solving any *problems*, but I do see it once again attempting to muzzle and suppress participants' abilities to challenge unfair decisions – and let's be honest with ourselves, it is profoundly common that plans are funded below the levels advised by a participants' specialists and allied health staff, among other things. If inadequate and unacceptable plans are a common outcome, it stands to reason that pushing for another reassessment so that you may challenge the outcome is an expected occurrence – internal reviews only offer you so much time, after all. If you need to gather evidence from a specialist of some description, the waiting list for a single appointment alone might be longer than the window for an internal review. Your only

option may be to request a reassessment *after* the window for an internal review as it simply takes that long to gather whatever specialist evidence was required to set the record straight.

There is no real, justifiable reason to allow this change. It's theatre. Performance. Make grand claims about how unscheduled reassessments are this grand evil, and ignore the fact that a great many of them occur because the NDIA has a rather distasteful track record in how it makes its decisions. This is not a fair and reasonable cost-saving measure, this is an attack on the very fabric of the NDIS, on the concept of justice and accountability, and it is unjustifiable.

"Additionally, new rules will limit how a person's needs are funded to clarify that where multiple impairments or comorbidities exist, only the support needs from impairments that qualify for NDIS support will receive funding, and not those that indirectly add to a person's impairment"

This particular is utterly and completely baffling. It is a simple, undeniable fact that many disabled people are disabled because of a confluence of disabilities. Further, we've already litigated this. The Tribunal has been here before.

[ABC News: NDIS ordered to fund mobility scooter in 'extremely significant' Federal Court ruling - Justice and Equity Centre](#)

This is just absolutely appalling. The Tribunal ruled that the NDIA must consider a participant's entire circumstances, because it is simply the most common of common sense to do so – akin to acknowledging that if you throw a tennis ball into the air, it's going to come down. Many people have multiple disabilities, and they work together to create a picture of severe disability.

This was a significant victory for disabled rights, and in response this government is trying to say "no, we don't like that, we want to plug our ears and pretend the concept of having more than one disability isn't a thing, we want to ignore the tribunal and arbitrarily deny funding even though your disabilities are real" – tell me, what possible justification can be made for that? I would love to hear it, certainly.

It represents a blatant disregard for the reasoning of the Tribunal and an undeniably ableist, downright delusional attack on disabled rights. There are no words to emphasise how completely and utterly morally bankrupt this proposed change is. There is no way of justifying it, and the fact that it's even been suggested after the Tribunal already danced this danced is bizarrely incomprehensible to me.

"Finally, the bill includes a 12-month "Henry VIII" clause to give the minister sweeping powers to directly change NDIS laws without needing the support of states and territories."

This, too, is bizarre. On what grounds can this government justify bypassing the legislative process? They haven't provided any, they've simply declared "I feel like being an autocrat" and carried on with it, to a surprising silence in the media. See, I thought there was this whole Democracy business going on about the place, with parliamentary assemblies deciding the laws, not a single office with unchecked power doing whatever they please with no oversight, consultation, debate, or opposition.

This proposed bill is riddled with a great many baffling proposals and this too, frankly, I can't wrap my head around it. How is this acceptable? Think of the *precedent* it sets. What's stopping any other ministry from deciding they need unchecked autocratic power in their little fiefdom? How long until every ministry has had their own Enabling Act and parliament is merely ceremonial? Do we really want to tread down this road for the meagre benefits of ... what, exactly? What do we stand to gain with this? It can't be the accelerated acceptance of *good policy*, because by this point

in my document you've already seen several examples of profoundly terrible ideas that make me question what exactly the disabled community did to this government to inspire such profound hatred.

Why would we pass this? There are no benefits, and it is incredibly dangerous, if not for the precedent alone it is dangerous for the possibilities of what the minister might do with this power if the checks and balances were demolished. In my opinion, this government is quite possibly the single most ableist and hostile to the disabled community since the establishment of the NDIS and potentially in living memory. They are the absolute last people this country needs to see having unchecked power over the NDIS.

"The bill will also clarify the meaning of permanence and only grant participants access to the NDIS if they can first show they have exhausted "all appropriate" treatment options."

I question whether the people who wrote this bill have read the NDIS access requirements. Presented here:

[What are the NDIS disability requirements | NDIS](#)

"We usually consider whether your impairment is likely to be permanent after all available and appropriate treatment options have been considered."

This is a hat on a hat. I can only assume that this is intended for some sinister edge case where there is a woefully expensive, experimental treatment that *may* help somewhat but for one reason or another the applicant has been advised not to proceed with it, presumably because it'll do much more harm than good or they have some other reason to not go ahead in pursuing it.

The NDIS access criteria *already* requires applicants to have exhausted all appropriate and available treatment options. So. Why is this proposal here?

"And a controversial move to allow the NDIA's chief executive to automate some decision-making will enable some processes to be sped up, possibly including some administrative decisions as part of the new "functional capacity" tests."

And my final point of contention – not the *last terrible thing*, to be honest more or less the entire bill is composed solely of bad ideas – but this one is profoundly bad. We've seen the impact of robo-planning in the Aged Care Sector. If you, dear reader, are unaware of its impact and unable to take a moment to peruse the news articles on the topic, I will paint a picture.

Imagine, if you will, a skyscraper. This skyscraper is full of apartments in which elderly people reside. There is a swarm of anonymous, unaccountable, faceless robots marching towards it. First, they bar the doors, ensuring nobody in the building can escape them. Then, they go floor by floor, room by room, pouring petrol everywhere and tossing incendiary grenades. The residents watch as their lives and homes burn and crumble around them, and they cry out, "what have we done to deserve this?"

It's an unmitigated disaster of colossal proportions. The robo-planning tool has butchered the Aged Care Sector. The Ombudsman is investigating. Countless people are requesting reviews of their Support At Home assessments. Proceeding with implementing this weapon of mass destruction into the NDIS at this juncture, knowing how damaging it is, is tantamount to a declaration of war against the disabled community.

How convenient then, that our ability to request reassessments is also being handicapped at the same time? Surely, surely, these two data points are not linked. One wouldn't happen to notice that teeming throngs of aged care residents are requesting reassessments after being brutalised by these robo-planning regimes, and they wouldn't happen to draw the conclusion that the problem in need of solving is the victims' ability to request those reassessments? No, surely not. That'd be cold, calculating, cruel, and ... well, a bit obvious.

Is the hatred towards the disability community really so infernally, searingly hot that parliament will allow this to happen? It's not like this particular change is hypothetical, one need only look towards the elderly crushed under the eldritch and abominable mechanisms of this bloodthirsty monstrosity to see that it must be stopped as soon as possible, and definitely not expanded and aimed at another demographic to reap more carnage and take more scalps.

I don't think I need much of a summary. My opinions are clear. This bill is riddled with horrors and if it passes it will be a clear, loud, undeniable note ringing across the country and the world letting all who hear it know that Australia hates its disabled population beyond fathom.