



Australian
Human Rights
Commission

everyone, everywhere, everyday

Disability Care and Support

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Australian Human Rights Commission Submission
to the Productivity Commission

23 April 2011

1 Introduction

1. The Australian Human Rights Commission makes this submission to the Productivity Commission in response to its Draft Report in its Inquiry into Disability Care and Support.

2 Summary

2. The Australian Human Rights Commission welcomes the Productivity Commission's Draft Report, and in particular the central recommendations of the report for:
 - establishment of a National Disability Insurance Scheme (NDIS) (to commence in 2014) with funding of \$6 billion annually above existing disability expenditures, and to be administered by a National Disability Insurance Authority
 - establishment of a smaller parallel National Injury Insurance Scheme, building on existing schemes for workers compensation, motor accidents and other sources of catastrophic injury (with a review in 2020 to consider combining the two Schemes at that point).
3. As indicated in its initial submission the Australian Human Rights Commission views an insurance approach, rather than other possible responses (such as expanded welfare schemes), as a key factor in moving disability issues from a welfare or charity model to one based on rights and entitlements, and in achieving a model which supports social change rather than only providing improved support to individuals.
4. As indicated in the Australian Human Rights Commission's initial submission, implementation of the recommended insurance schemes would have a massive positive impact on human rights in practice for people with disability and their families.
5. The Productivity Commission has drawn very welcome attention to the human rights imperatives involved, including by reference to a number of human stories provided in public submissions.
6. The Australian Human Rights Commission welcomes the recognition by the Productivity Commission of the importance of a social model of disability and of addressing disabling attitudes and environments.
7. The Australian Human Rights Commission welcomes the Productivity Commission's support for the view that the proposed schemes would have overall economic benefits likely to substantially exceed scheme costs, by

facilitating greater economic and social participation by people with disability and families and carers.

8. The Australian Human Rights Commission submits that continued attention to broad human rights implications in addition to specific disability service issues is essential in ensuring that the proposed schemes promote access and participation in all areas of life, and thus that the potential economic and social benefits of the schemes rather than only providing an improved funding model for segregated services and segregated lives.

3 Recommendation

9. The Australian Human Rights Commission recommends accordingly that further and more detailed attention be given by the Productivity Commission, and by government in considering responses to the Productivity Commission's Inquiry, to the implications of the Convention on the Rights of Persons with Disabilities for the administration of the proposed schemes, including:
 - ensuring that the proposed National Disability Insurance Authority has functions and powers which are appropriately broad, including having capacities (as indicated in the Australian Human Rights Commission's initial submission) to apply scheme funds as appropriate to address barriers in any area of life
 - ensuring that scheme administration and decision making is undertaken having regard to the Convention
 - ensuring appropriate availability of individual and systemic advocacy and representation for people with disability.