

31 August 2018

Ms Yvette Goss  
National Disability Agreement Review  
Productivity Commission  
Locked Bag 2, Collins St East  
Melbourne VIC 8003

Our ref: (VK – H&D)

By email: [disability.agreement@pc.gov.au](mailto:disability.agreement@pc.gov.au)

Dear Ms Goss

**Re: National Disability Agreement Review**

Thank you for the opportunity to provide comments on the Issues Paper on the National Disability Agreement Review (the **Issues Paper**). Queensland Law Society (QLS) appreciates being consulted on this important review.

This response has been compiled with the assistance of the Health and Disability Law Committee, whose members have substantial expertise in this area.

Our policy committees and working groups are the engine rooms for the Society's policy and advocacy to government. The Society, in carrying out its central ethos of advocating for good law and good lawyers, endeavours to ensure that its committees and working groups comprise members across a range of professional backgrounds and expertise. In doing so, the Society achieves its objective of proffering views which are truly representative of the legal profession on key issues affecting practitioners in Queensland and the industries in which they practise. This furthers the Society's profile as an honest, independent broker delivering balanced, evidence-based comment on matters which impact not only our members, but also the broader Queensland community.

QLS has reviewed the Issues Paper and supports the stated intent of the review. However, having considered the content of the Issues Paper and with respect to the questions asked, our members have reported some concern in relation to the intersection between health and disability services – specifically, that a greater level of detail and review is required in relation to the nuanced circumstances that are experienced by individuals. This will ensure a more comprehensive review and that people do not 'fall through the gap' which exists when a review seeks to neatly fit people into the category of either health (including mental health) or disability.

## National Disability Agreement Review

An example of the gap is demonstrated by a key group of people with disability who are currently tracking substantially below the target rate of National Disability Insurance Scheme (NDIS) participation – these being people with a psychosocial disability which is related to a mental health condition.

We also note with concern that, even at full implementation, the NDIS will only provide support to approximately 10% of people with disability.

In order to achieve the degree of detailed information which is essential to a fulsome review, we submit that significantly more consultation is required with service providers, combined with clear communication with consumers.

The brevity of this response is due, in part, to the fact that a comprehensive assessment is difficult at this time given the Queensland context. As the rollout in Queensland is incomplete, we are unable to properly make an assessment and give complete feedback as to the gaps and other areas of concern.

QLS intends to continue to monitor this important review and will provide a further response in due course.

If you have any queries regarding the contents of this letter, please do not hesitate to contact our Senior Policy Solicitor, Vanessa Krulin

Yours faithfully

Ken Taylor  
President