

Productivity Commission Inquiry into Long Term Disability Care and Support

Individual Submission

9th August 2010

Submission made by:

Mr. Michael Herdman

Background:

I am a disability rights activist. I also have an intellectual disability, which was officially diagnosed in 1955.

I have been involved in the disability rights sector for about 40 years, alongside my wife, who is also a person with disability. I worked at Access Industries for many years with my wife.

I have been a member of People with Disability Australia (PWD) for 31 years, and received life membership in 2001. Between 1997-2001 I sat on the board of PWD.

I am now currently on the Board of Directors for the Council for Intellectual Disability (CID), who I have been with since 2000.

When I was very young, some well-meaning neighbours suggested to my parents that I be put into an institution as I was demonstrating some challenging behaviours which they weren't able to cope with. I was going to be placed in an institution in Callan Park. Thankfully, my parents decided not to put me there.

I grew out of these behaviours at the age of 12. I have since received counselling and training to help with other aspects of my intellectual disability.

I am making this submission because I believe it is very important to have the voice of people with disability guiding the way in which any new scheme is designed and implemented.

I also intend to make a submission in April.

I am happy to be consulted on any of my suggestions in the future, and am comfortable speaking to the media where appropriate.

Key Points:

- People with disability must be involved in every part of the decision making process and implementation of the scheme. It is their lives that will be most affected by its outcomes and regardless of age, background or disability type, no group should be left out.
- I been disappointed in the past when policy has been made via state or federal bureaucracy, where people with disability have to go along with the decisions that affect their lives, but have had not say in the matter. As this proposed system will affect people with disability, it is they who should have the most say.
- Any proposed scheme should work within international conventions. As a signatory to the UNCRPD, Australia has to work to its high standards and maintain its obligations.
- A high priority of the scheme should be to keep people with disability in meaningful employment, or help them return to meaningful employment after acquiring their disability. People need to be supported and encouraged to be kept in the workplace maintain their skills.
- Advocacy organisations must be funded under the scheme so that people can access information and learn about their rights.

Who should be the focus of the new scheme?

People who have disabilities now should be covered by the scheme, as well as people who acquire disabilities in the future. The scheme should cover all disability groups, including brain injuries, vision or hearing impaired, people with intellectual disability, and people with physical disability. No one with disability should be left out.

There should be no discrimination based on age. When people get older, their disability does not go away, and they will be scared if they have to change systems. If a person acquires a disability later in life, they should also be covered.

Refuges and asylum seekers with disability should be treated in accordance to the 1951 UN Refugee Convention – so the scheme again stays within an international framework. Ideally a national referendum should take place to determine whether or not Australia should adhere to its international obligations. The government always seems to assume Australian's are against human rights for asylum seekers and refugees, though this is unlikely to be the case. A referendum will show that Australians are eager to adhere to our international obligations.

I believe that the scheme should also cover former ADF personnel. I don't see them mentioned in the terms of reference, but many of them also acquire disability – and no people with disability should be left out of this scheme.

How much funding and who decides?

As a suggestion, it should be something like \$200 million/year for the first 5 years, and then changed according to how needs were met. This money should be going first and foremost towards rehabilitation, education, and training of people with disability to keep them in the workforce.

To get this money, I think a levy of tax should be graded according to how much people earn. So for people who can afford it, they would pay 5%, the next level pay 2.5%, and the lowest pay 1%.

I have attached to this document a copy the Federal Budget overview from 1977 – 2010, which clearly indicates the lack of funding available at the end of the day for funding disability services, strategies and programs. It shows the need for more funds to be found somewhere.

How should the scheme be governed?

I believe it should be governed by a voluntary board (a National Advisory Board), made of 75% people with disability from around the country. They will make recommendations to the Department of Health and the Department of Employment, Education and Training, depending on the issue being discussed.

I recommend members of the National Advisory Board should be paid for the costs of travel, food and other expenses when they meet.

The National Advisory Board would be created through consultations with various disability peaks around the country, and seeking expressions of interest from the membership. It would be members within these groups who would then also vote for the board.

How should the new scheme be implemented?

The National Advisory Board could either meet monthly, bi-monthly or quarterly, in the lead up to implementation. When they have a final proposal, I think it should go to the country as a referendum, so everyone gets the chance to vote for it.

Concluding Points

I sincerely believe as far as the figures and funding is concerned, Australia has just been trying to straddle a barbed wire fence, with foot in both camps – it just doesn't work. It has tried to comply with international law, while keeping faulty standards. Either we comply with international law or we don't- and if we don't, the conventions become meaningless.

I feel that avoiding international conflict can only be achieved through adhering to international rules and regulations. We have worked so hard to create an international law that puts aside small differences for the common good. Therefore all new systems and strategies need to focus on maintaining human rights. It is essential!

We need to be consistent. No one wants a world without human rights. Therefore, this scheme needs to have its focus on human rights, above all else, and that will ensure the dignity of people with disability is maintained.

Signed

Michael Herdman

Historical budget and net financial worth data

The table below provides historical data and forward estimates for Australian Government general government sector cash receipts, cash payments, the underlying cash balance and net financial worth. More comprehensive information is provided in Budget Paper No. 1, *Budget Strategy and Outlook 2010-11*, Statement 10.

	Receipts		Payments		Underlying cash balance(a)		Net Financial worth	
	\$m	Per cent of GDP	\$m	Per cent of GDP	\$m	Per cent of GDP	\$m	Per cent of GDP
1977-78	24,019	22.8	26,057	24.8	-2,037	-1.9	na	na
1978-79	26,129	22.0	28,272	23.8	-2,142	-1.8	na	na
1979-80	30,321	22.5	31,642	23.5	-1,322	-1.0	na	na
1980-81	35,993	23.6	36,176	23.7	-184	-0.1	na	na
1981-82	41,499	23.6	41,151	23.4	348	0.2	na	na
1982-83	45,463	24.0	48,810	25.7	-3,348	-1.8	na	na
1983-84	49,981	23.4	56,990	26.6	-7,008	-3.3	na	na
1984-85	58,817	24.9	64,853	27.5	-6,037	-2.6	na	na
1985-86	66,206	25.4	71,328	27.3	-5,122	-2.0	na	na
1986-87	74,724	26.1	77,158	26.9	-2,434	-0.8	na	na
1987-88	83,491	25.5	82,039	25.1	1,452	0.4	na	na
1988-89	90,748	24.5	85,326	23.1	5,421	1.5	na	na
1989-90	98,625	24.2	92,684	22.7	5,942	1.5	na	na
1990-91	100,227	23.9	100,665	24.0	-438	-0.1	na	na
1991-92	95,840	22.4	108,472	25.4	-12,631	-3.0	na	na
1992-93	97,633	21.7	115,751	25.8	-18,118	-4.0	na	na
1993-94	103,824	22.0	122,009	25.8	-18,185	-3.9	na	na
1994-95	113,458	22.7	127,619	25.5	-14,160	-2.8	na	na
1995-96	124,429	23.4	135,538	25.5	-11,109	-2.1	na	na
1996-97	133,592	23.9	139,689	25.0	-6,099	-1.1	na	na
1997-98	140,736	23.8	140,587	23.8	149	0.0	na	na
1998-99	152,063	24.4	148,175	23.8	3,889	0.6	na	na
1999-00	166,199	25.0	153,192	23.1	13,007	2.0	-67,956	-10.2
2000-01	182,996	25.8	177,123	25.0	5,872	0.8	-72,808	-10.3
2001-02	187,588	24.7	188,655	24.8	-1,067	-0.1	-78,642	-10.4
2002-03	204,613	25.4	197,243	24.5	7,370	0.9	-84,314	-10.5
2003-04	217,775	25.2	209,785	24.3	7,990	0.9	-73,845	-8.5
2004-05	235,984	25.5	222,407	24.0	13,577	1.5	-59,941	-6.5
2005-06	255,943	25.6	240,136	24.0	15,756	1.6	-63,129	-6.3
2006-07	272,637	25.0	253,321	23.2	17,182	1.6	-39,668	-3.6
2007-08	294,917	25.0	271,843	23.0	19,704	1.7	-17,765	-1.5
2008-09	292,600	23.2	316,046	25.1	-27,079	-2.2	-73,800	-5.9
2009-10(e)	285,201	22.0	339,478	26.2	-57,079	-4.4	-118,509	-9.2
2010-11(e)	314,417	22.4	352,253	25.1	-40,756	-2.9	-160,624	-11.4
2011-12(e)	348,834	23.5	358,987	24.2	-13,045	-0.9	-174,312	-11.7
2012-13(p)	378,014	24.1	374,074	23.8	1,016	0.1	-173,767	-11.1
2013-14(p)	398,983	24.1	390,529	23.6	5,432	0.3	-168,480	-10.2

(a) Excludes expected Future Fund earnings from 2005-06 onwards.

(e) Estimates.

(p) Projections.

na Data not available.