



19 April 2011

Commissioner Patricia Scott  
Productivity Commission  
GPO Box 1428  
Canberra City ACT. 2601

RE: Inquiry into Disability Care and Support

Dear Patricia,

The Office of the Public Advocate (OPA) thanks the Productivity Commission for the opportunity to comment on the draft report into Disability Care and Support.

OPA is strongly supportive of the introduction of a scheme that acts as a no-fault social insurance scheme to provide long-term care and support to people with disabilities. The scheme is a major and necessary reform to the current system which results in people with disabilities being some of the most marginalised and disadvantaged members of the community. Funding and support for people with disabilities in Australia lags behind international standards and change is overdue.

The scope of OPA's work is defined by the *Guardianship and Administration Act 1986*. OPA provides advocacy, guardianship and investigation services to people with a decision-making disability. OPA guardians see a stark contrast between the services and supports able to be accessed by compensable clients as compared to non-compensable clients, the latter who include people with an intellectual disability, a mental illness, an acquired brain injury (ABI), dementia, people with Huntington's disease and autism. Access to accommodation and support for non-compensable clients is tenuous compared to clients covered by TAC, work cover or medical indemnity insurance.

OPA is a strong advocate for rights-based funding, delivered as an entitlement rather than determined by supply issues as is currently the case. Embedded in the current system are extensive funding delays, long waiting lists for assessments and services and people remaining in inappropriate settings for extensive periods of time without support, with costs falling on the individual, carers and communities. The proposed scheme should cover primary care, therapy, aids, home modifications, access to community, education, training and housing. Housing is a critical issue as the inability to access secure, safe and affordable housing results in poor health and quality of life outcomes, including homelessness for many people with disabilities.

Should the Commission's recommendations be approved by Parliament, OPA proposes that the following details are discussed: how to manage shortages of skilled disability support workers, the need to develop a range of accommodation options to meet individual needs and preferences, how to buffer current disability support systems against potential funding shortfalls, how to ensure mechanisms are in place for the provision of substitute-decision makers where a person's cognitive impairment impacts on their ability to manage their own funding, mechanisms for independently monitoring the scheme and the provision of advocacy.

Thank you for the opportunity to comment on your work.

Colleen Pearce  
**Public Advocate**