

7th July 2022

The Chair
National Disability Advocacy Framework Committee

Delivered online at DSS Engage

Dear Committee Chair,

this submission goes to the current need for advocacy, particularly in the context of the NDIS, based on recent personal experience. I particularly wish to address the 4th dot point in the outcomes section of the draft National Disability Advocacy Framework:

“Regardless of where they live, people with disability can access quality and independent advocacy support.”

It is my submission the word **“timely”** needs to be included in this outcome along with a **reporting requirement**. The Framework needs to publicly report on data provided by the funded advocacy providers re requests received, requests accepted and timeframes for service commencement. This way there is some measurement and transparency in relation to how many people applying for advocacy services, receive them when needed.

This request arises from my recent experience trying to obtain a disability advocate to assist with my son’s appeal at the NSW Administrative Appeals Tribunal. Prior to the first case conference in November 2021, I commenced a search for a disability advocate in September 2021. As Guardian and Plan Nominee for my son, it falls to me to assist him in all areas of daily living due to complex and severe disabilities including a moderate intellectual disability.

Using the Disability Advocacy Provider list supplied by the Tribunal and cross referencing it with the provider list on the Department of Social Services website, I proceeded to make my way through all providers in the greater Sydney region. Provider after provider explained they were not taking on new clients because there was no capacity.

The appeal process commenced without advocacy and I experienced a distinct disadvantage, being unfamiliar with the process and, disappointingly, a failure by the solicitor for the NDIA to act as a **“model litigant.”** There are currently long delays at the AAT due to the volume of appeals against the NDIA. This factor has worked in my son’s favour. Repeated applications for advocacy finally yielded a result in March 2022, after 6 months of trying.

The time spent trying to advocate for my son by myself significantly increased workload and stress. Most of all I am aware that my son did not receive the support he needed, when he needed it, despite my best efforts. I can only imagine the situation is worse in regional Australia.

Whilst the objective, principals and outcomes of the draft framework are admirable they mean little if advocacy is not accessible when needed. I respectfully submit the Framework includes a reporting regime responsible for identifying any gap between advocacy need and service delivery. Data can inform a case for additional resources, if needed.

I welcome any questions in relation to the matters raised in this submission.

Yours Sincerely,



Helen Mabbutt