



Council for
Intellectual Disability



Submission to the NDIA about their Support for Decision Making Policy.

September 2021



www.cid.org.au

Contents

What this is about **1**

What CID thinks is good **3**

How to get the plan right **4**

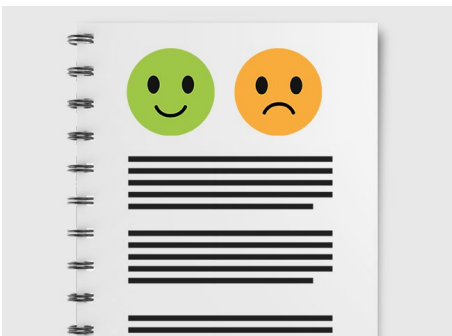
For more information on this submission contact CID's CEO Justine O'Neill
justine@cid.org.au

CID is also part of Inclusion Australia's submission.

What this is about



This submission is about supported decision making.



A **submission** is a document that says what we think about a topic.

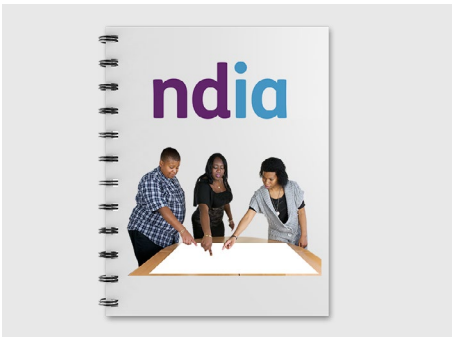


Supported decision making means the right to get help to make decisions about your life.

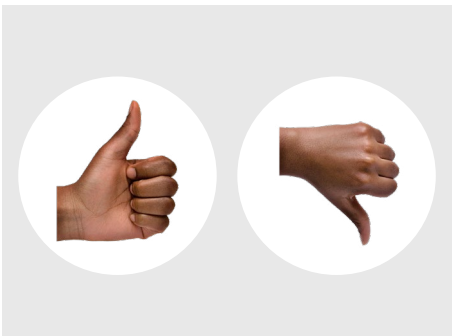


The National Disability Insurance Agency wants to get better at supported decision making.

They are called **NDIA** for short.



The NDIA wrote a plan for supported decision making.



The NDIA has asked people to say what they think about its plan.



This submission says what the CID thinks.



CID is a disability rights organisation led by people with intellectual disability.

What CID thinks is good



CID thinks it is good the NDIA supports the rights of people with disability to make their own decisions.



It is good the NDIA tries to work out how more people can make their own decisions.

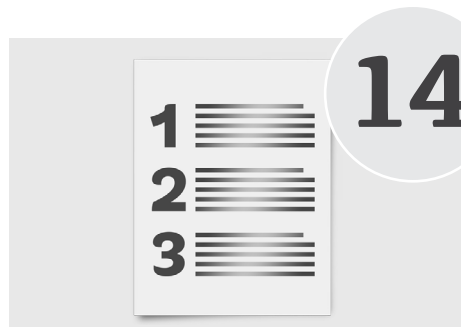


Everyone has the right to make decisions about their life.



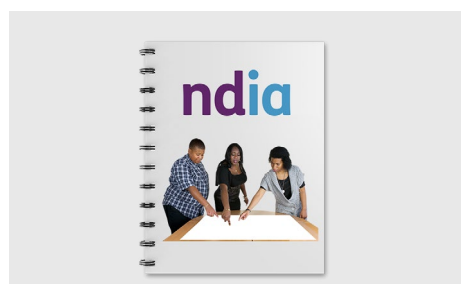
CID thinks the NDIA must do more to get the plan right.

How to get the plan right



We have made a list of 14 things that will make the plan better.

1 Principles for decision making



The plan talks about the NDIA's principles for decision making.



Principles are rules that all people should follow.

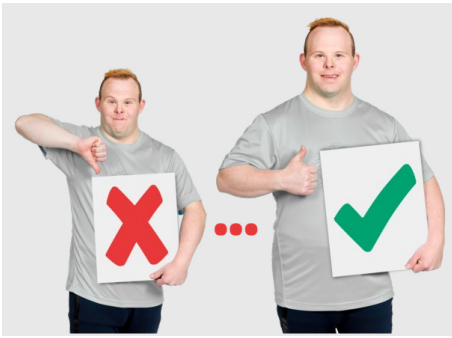


There are already principles for decision making.

They are from the Australian Law Reform Commission or ALRC for short.



The NDIA should use the ALRC principles.



The ALRC principles are

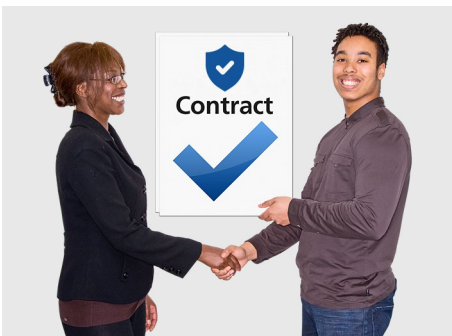
You have an equal right to make your own decisions.



If you want help to make decisions you should be able to get it.



If you need someone to make decisions for you the decisions must reflect what you want and your rights.



There should be safeguards to make sure your rights are not abused.

Safeguards are things that protect you.

2 Everyone can be involved in decisions



Everyone can be involved in decisions about their life.



The plan says some people cannot make decisions.

This is wrong.



Most people can make decisions with the right support.



All decisions must be based on what a person wants.

3 People can make any decision they like



People can make any decision they like.



As long as the decision does not break the law.



The plan talks about

- Good decisions
- The best decisions

This is wrong.

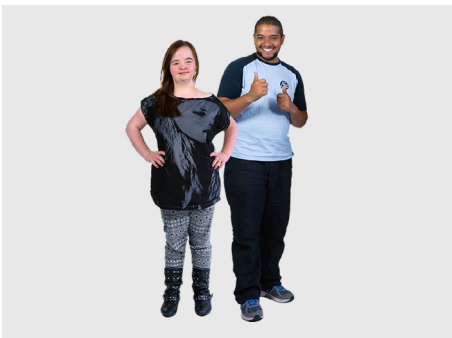


Everyone should get support to make the decisions they want.



People have the right to

- Take risks
- Make bad decisions



Support for decision making should help people to

- Take risks
- Stay safe



We can learn from our decisions.

Even if they are bad decisions.



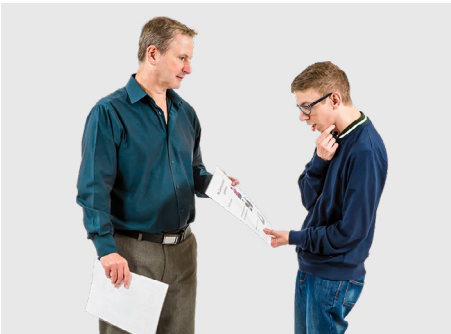
We still have the right to make our own decisions.

The plan should say this.

4 Good support



The plan should show supporters how they can help people make decisions.



Supporters should give you information but not tell you what to do.



Supporters need to know how they can help people to take risks.



Supporters need to know how they can help people stay safe.

The plan must talk about this.

5 People with disability should be leaders



People with disability should be leaders.



They should decide what good decision making is.



The plan does not say this.



The plan mentions peer groups once.

Peer groups help people with disability say what good support is.



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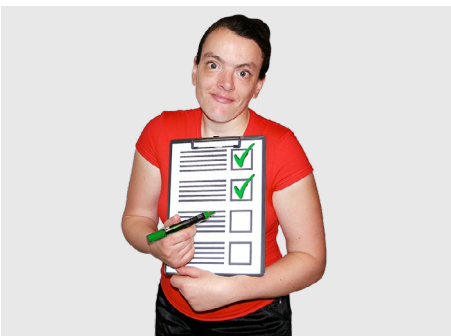
CID has a project about good support.



The CID project is led by people with disability.



It looks at what good support means to people.



It looks at what is important to people when they make decisions.

The plan should include projects like this.

6 Start early



Children should learn to make decisions when they are very young.

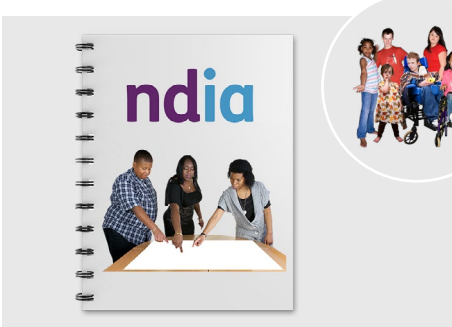


We have to practice to get good at making decisions.



The plan says supported decision making should start at age 16.

This is too late.



The plan should say how it will help people learn and practice making decisions when they are young.



The plan should say how it will support families and carers to practice decision making with kids.

7 Different communities



People make decisions differently in different communities.



There are different communities in Australia.



Like Aboriginal and Torres Strait Islander communities.



Or diverse cultural communities.

CALD for short.

CALD communities are people

- from different cultures
- born in different countries
- who speak a different language



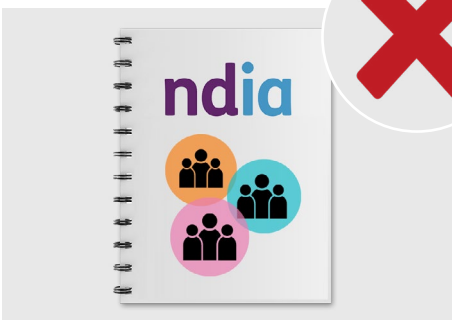
The plan does not say enough about different communities.



It does not say how different communities can have their own ways to make decisions.



The plan does not say how culture can be included in decision making.



It does not say how to work out what is right for different communities.



We need to learn all of this.

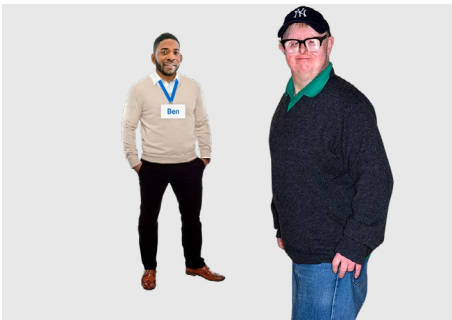
8 People who need supporters



Some people need supporters to help work out what they want.



This could be because the person has their own way of showing what they like and do not like.



They may need supporters to know what they like and what they do not like.



Everyone has the right to show what they like and do not like.



Decisions must always be about what a person likes and does not like.



Some people need supporters who know them really well.



Some people need time to show others what they want.



Supporters need to work out what people want.



The plan must talk about everyone's right to make decisions.



The plan must talk about how to work out what people want.

9 Guardians



A **guardian** is someone who makes important decisions for people.



The NDIA does not decide how guardians work.



State governments decide how guardians work.



The plan must say how the NDIA will work with guardians.



The plan must say how the NDIA will let them do their job.

10 Change laws about guardians



The NDIA should work with state governments to change laws about guardians.



In 2018 the NSW Law Reform Commission looked at laws about guardians.

The **NSW Law Reform Commission** is an organisation that wants better laws in NSW.



It said that people should get support to make their own decisions.



The laws have not changed.



The plan should say how the NDIA will work with states on laws.

11 Nominees



A **nominee** is someone who makes decisions about a person's NDIS plan.



The plan does not talk about changes to how nominees work.



There should be limits on what nominees can do.



The NDIA should tell nominees to use the ALRC principles to make decisions.



This will make sure people with disability can make their own decisions about their NDIS plan.



People should get to choose

- If they want a nominee
- Who the nominee is
- How long the nominee makes decisions



The plan talks about formal decision supporters.

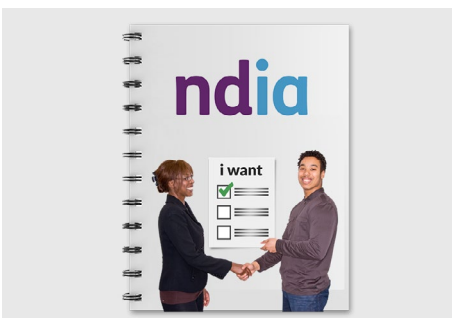
Formal decision supporters are people whose job it is to support decision making.



Formal decision supporters should only do what people with disability want.



Formal decision supporters could do the work of nominees.

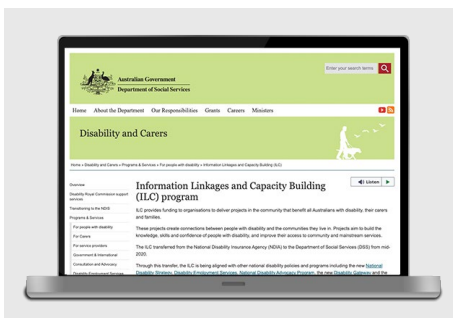


The plan should say how this could happen

12 Money for projects



The plan should talk about money for supported decision making projects.



It should say how to use Information, Linkages and Capacity Building money for projects.

ILC for short.



The **ILC** helps

- The community to include all people
- People to get information and training



Projects should support advocates to do supported decision making.



The plan should say how ILC money can be used for projects about supported decision making.

13 Money for supported decision making



The plan says that state governments pay for supported decision making.

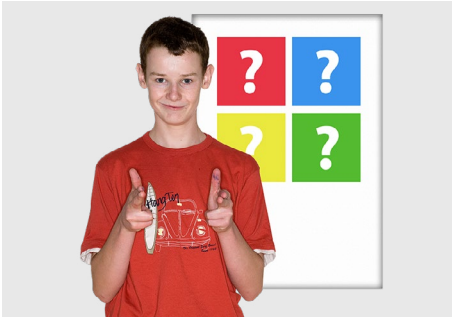


It is not true that states pay for supported decision making.

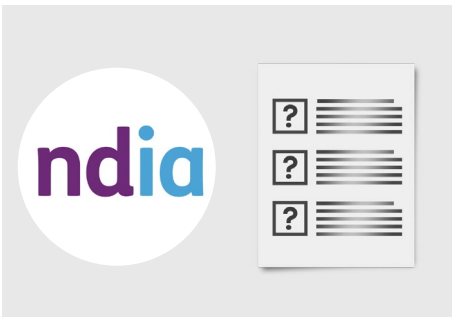


The plan should be clear about who pays for supported decision making.

14 Make supported decision making happen



The plan should be clear about how to make supported decision making happen.



The plan says the NDIA will explore actions.



It should say the NDIA will do actions now.



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