6 March 2023

New figures reveal National Disability Insurance Scheme (NDIS) participants are now getting faster, fairer access to the disability supports they need, Minister for the NDIS, the Hon. Bill Shorten MP said today.

Minister Shorten said the Australian Government had established alternate dispute resolution processes to address NDIS appeals, resulting in a drastic reduction in the number of cases before the Administrative Appeals Tribunal (AAT).

New data reveals that:

- 4,401 NDIS cases have been resolved at the AAT since 1 June 2022
- A 27% reduction in overall caseload since May 2022 (to 3,280)
- 70% of the 4501 legacy cases active in May 2022 have now been resolved.

“These numbers are just the start in ensuring people with disability are able to get on with living their lives without having to go to court to argue over the level of support they receive,” Minister Shorten said.

“What we were previously seeing was far too many NDIS participants being stuck waiting for supports as their case at the AAT dragged on, which came as a huge stress to them and their families.

“The National Disability Insurance Agency (NDIA) has implemented measures which have not only helped blitz the number of those legacy cases, but also reduce the number of new cases heading to the AAT.”

The NDIA has adopted an early resolution approach which ensures the Agency works more closely with participants sooner in the appeal process – reducing the likelihood of the matter progressing through the AAT.

An Independent Expert Review (IER) trial, where a disability expert independent of the NDIA reviews individual cases and gives a recommendation to the Agency, has also been established.

An Oversight Committee, led by Graeme Innes AM and comprising a range of disability and advocacy sectors who bring their own lived experience, is monitoring the IER trial.

“These measures are part of the Government’s approach which puts participants back at the centre of the NDIS, in this instance giving them greater control in the appeal process,” Minister Shorten said.

“Having people with disability feeling as though they are being forced to fight for a moderate support package makes no sense, is a waste of taxpayer dollars and goes against why the

Scheme was established.

“We’ve got more to do in this area, but these numbers give me confidence that we’re on the right track. We look forward to seeing these new measures continuing to result in faster, better processes for people living with disability.”

For further information, please see: An improved approach to dispute resolution

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