

10 September 2024

MHLEPQ Member Statement: *National Disability Insurance Scheme – ‘Getting the NDIS Back on Track No.1’ Bill 2024.*

The [National Disability Insurance Scheme Amendment \(Getting the NDIS Back on Track No. 1\) Bill 2024](#), was passed by the Commonwealth Government of Australia on 24 August 2024. The Bill outlines changes to the National Disability Insurance Scheme (NDIS) eligibility assessment process, what supports are funded under the NDIS, and how the NDIS plans are managed.

Serious concerns have been raised by the Mental Health Lived Experience Peak Queensland (MHLEPQ) membership, including Queenslanders with lived experience of psychosocial disability, co-occurring disability and mental health challenges, and experiences of accessing the NDIS.

The lack of consideration to the unique experiences of people living with psychosocial disability, and the experiences of people who access the NDIS, and co-occurring mental health challenges in the drafting of the National Disability Insurance Scheme Amendment (Getting the NDIS Back on Track No. 1) Bill 2024 is of great concerns to the MHLEPQ membership.



*I feel sad for those who don't have the ability to speak up or get the wraparound supports needed for the person to **just live a life worth living.***

- MHLEPQ MEMBER



The failure to include lived experience expertise in the drafting of this legislation has resulted in a [draft list of NDIS funded supports](#) that excludes essential mental

health and wellbeing supports that will impact the lives of over 660,000 Australians who currently receive NDIS supports.

The lived experience community in Queensland described feelings of anger, fear, anxiousness, and hurt, due to these changes to the NDIS and worry about the everyday impact on the lives of many.

Key issues raised by MHLEPQ Members include:

1. Consultation process

The engagement with the lived experience community as part of the development of the [draft list of supports](#) was poorly executed in a tokenistic consultation process that restricted any opportunity for full participation of the lived experience community.

Members identified some key issues with the government's consultation process:

- The period for feedback was too short, allowing only two weeks of public consultation
- Consultation materials were not available in accessible/adaptable formats, resulting in the exclusion of people with additional accessibility requirements.
- An overall lack of transparency, justifications, or evidence to explain how feedback would be incorporated, or how the draft list of supports had been developed.

A lack of appropriate, thorough, respectful, and authentic co-design, that elevates the experiences and needs of people with psychosocial disability poses devastating risks to the lives of Australians, who don't have access to appropriate support.



*I fear that many **lives will be lost** due to lack of support*

- MHLEPQ MEMBER



2. Draft list of supports

Concerns have been raised about a number of issues with the [draft list of supports](#), including:

- No mention of lived experience/peer workforces or peer specialist services.

- Exclusion of almost all forms of mental health support currently available for psychosocial participants, including psychology, allied health and other targeted supports such as occupational therapy.
- Exclusion of alternative supports that are culturally safe and community-specific, such as spiritual healing and wilderness therapy.
- Exclusion of supports to find and retain employment and education, including tailored supports in workplaces and educational settings.
- Exclusion of attendance fees to participate in social and community engagement activities.
- No targeted transitional supports or specialised psychosocial support programs or respite/short-term accommodation, and no targeted support for carers.



*These exclusions are supports essential for our wellbeing. The exclusion of these supports puts us in a situation whereby **only the wealthy can afford wellbeing.***

- MHLEPQ MEMBER



3. Safeguarding and support

The change in approach to defining a specific 'in and out' list of NDIS supports from the previous 'reasonable and necessary' criteria is an alarming sign for the lived experience community. Hundreds of thousands of people with psychosocial disability do not currently have the support they need, as seen in the recently released [analysis of unmet need](#) for psychosocial supports outside the NDIS, and this legislation will reduce support even further.

The government has not proposed safeguards against retrospective debt collection for services that will no longer be funded, and no clear appeals process for people who will have necessary support removed. Leaving our community seriously concerned of the dangerous and permanent consequences for people currently on the Scheme.

In summary:

The [National Disability Insurance Scheme Amendment \(Getting the NDIS Back on Track No. 1\) Bill 2024](#) was passed without the participation, consultation, or consent of the lived experience community, and this could have been avoided by working alongside those of us living with psychosocial disability/ies

The MHLEPQ is calling for the government to work in partnership with our community to prevent further exclusion from decisions that affect our community.



*The change does not seem to be in anyway focused on or developed in conjunction with the disability community. It feels like **a massive leap backwards that will result in a governmental failure of our most vulnerable people***

- MHLEPQ MEMBER



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Background: Visit the MHLEPQ website for more information: www.mhlepq.org.au.

Media Contact: Elloise Waite, Engagement Lead, Mental Health Lived Experience Peak Queensland. Phone 0400 872 412 & email: elloisew@mhlepq.org.au.