



## **MEDIA STATEMENT: Advocates urge Senators to vote no on the government’s proposed NDIS Amendment Bill 2024**

**Tuesday, 20 August 2024**

First Peoples Disability Network (FPDN) joins other disability representative organisations calling on members of the Senate to VOTE NO on the government’s proposed *National Disability Insurance Scheme Amendment (Getting the NDIS Back on Track No. 1) Bill 2024*.

“Ultimately, FPDN is a human rights-based disability representative organisation. We have a moral obligation to let our community know when their rights are being compromised, the disproportionate impacts on our communities are being ignored, and when proposed government legislation will almost certainly lead to increased institutionalisation and decreased access to services” says Worimi man and FPDN CEO, Mr Damian Griffis.

As the peak body for First Nations people with disability, FPDN believes that if the bill passes in its current form, and especially with the current amendments proposed by both the Albanese Government and the Liberal National Party (LNP), the Scheme will be untenable for First Nations peoples.

“The NDIS has overwhelmingly failed First Nations people, especially those in regional and remote areas. To endorse the bill in its current state is even worse than to accept the status quo, and will see to the introduction of wide sweeping, paternalistic and punitive powers that evidence and history tells us will disproportionately impact the lives of First Nations communities” says Mr Griffis.

FPDN and the wider disability community have a number of concerns surrounding the proposed NDIS Amendment Bill. These concerns include:

- Poorly drafted nature of the legislation that leaves critical rules and design elements out of the democratic process such as what is or is not considered an NDIS support
- A lack of consultation and consideration for the disproportionate impacts the current approach will have on First Nations communities including what types of NDIS supports or how they need to be delivered to meet communities need
- A lack of any confirmation regarding who is footing the bill for the assessments that are required to gain access to the NDIS, in addition to not providing any clarity around what form those assessments will take, and whether there is any intention to ensure that the revised assessment tool will be culturally sensitive and enable First Nations people with disability to access the NDIS at rates comparable to non-Indigenous participants.
- Drastic expansion of power for the Minister for the NDIS, including the ability to alter crucial aspects of the NDIS at any time, such as the requirements for submitting and proving payment claims

- The granting of extraordinary additional powers to the NDIA's CEO, which go far beyond what is required and which if enacted will have a disproportionate impact on First Nations people, such as through demanding information and medical reports, and removing the participant scheme if the CEO considers that those demands have not been sufficiently met within 90 days.
- Amendments that will unduly criminalise people with disability and will effectively force any participant (or their nominee) who has any prior conviction to have the NDIA manage their plan, which will prevent them from using any unregistered supports. This is cruel, unnecessary, and likely have a devastating impact for First Nations communities.
- Failure to implement recommendations from the Disability Royal Commission which are relevant to this bill, including amending to NDIS Act to provide that the National Disability Insurance Agency (NDIA) Board must include at least one First Nations person at all times, and inclusion of supports to ensure participation in cultural life.
- Poor structure, timeliness and inadequate consultation that provides the foundation of a poorly structured, untimely and inadequately consulted set of draft NDIS support lists, which will not only drastically reduce the kinds of supports that are available to participants (including appliances, batteries, menstrual products and travel-based supports), but also force First Nations persons with disability into institutional settings, and generally require First Nations participants to fight even harder just to receive the basic level of support to which they are entitled.

“The community is terrified at the implications of the current bill if passed in its current state or with the proposed amendments. People will be worse off if this passes, our communities will be worse off” says Woppaburra women and Head of Policy, Tahlia-Rose Vanissum.

FPDN calls on Senators to Vote No and stop the progression of this dangerous and unduly punitive bill.

The concerns above build on those raised in an FPDN Media Statement made on Friday, 16 August 2024 concerning proposed amendments by the LNP that if agreed by the Albanese Government will, unduly institutionalise, criminalise, restrict choice, agency and control of people with disability, their carers, family members and children. [Read the detail here.](#)

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