



Submission 010

11.1.6

Received 4-10-12

Health and Community Services Committee

Dear Mr Dowling,

Thank you for the opportunity to provide a submission in response to the proposed *Disability Services (Your Life Your Choice) Amendment Bill 2012* (the Bill).

The Queensland Aboriginal & Torres Strait Islander Human Services Coalition (the Coalition) is a State-wide network of over 100 Aboriginal & Torres Strait Islander Services that exists to support service delivery reform and improve the quality and efficiency of services being delivered to Aboriginal and Torres Strait Islander people.

The Coalition strongly supports the introduction of this piece of legislation that not only reduces red tape, but also gives people with a disability the power to choose their service provider. The principle of individual choice aligns with the principle of self determination as stated in the United Nations Declaration on the Rights of Indigenous Peoples.

Three key areas may need further consideration in the implementation of this Bill.

1. There will be a need for disability services to be transparent
2. There will be a need for consumer training and support
3. A need for clarity in implementation of cl 7, proposed new s 43B: definition of *parent* for Aboriginal and Torres Strait Islander children with a disability in out of home care.

Need for transparency

Families will need access to robust information on unit prices, quality and quantity of services. This is particularly the case if unit costs are not consistent across all service providers.

For Aboriginal and Torres Strait Islander families, the potential for exploitation by services is quite high. In addition, families may be reluctant to discuss the price and unit cost of the service and experience shame in doing so. It is therefore important for this information to be easily accessible and transparently produced.

We emphasise that the cost of the service should not be the only information provided. Families should be provided with a range of information to support decisions about value for money for their individual circumstance and based on

their individual priorities, such as flexibility, availability, customer service or cost.

Need for consumer training and support in decision making

Following on from the need for information is the need for broader support and training in decision making about service provision. The purchasing decisions for Aboriginal and Torres Strait Islander families may become quite complex. Many clients would have not made many decisions of this scope or complexity before. In addition, there could be less scrupulous providers seeking to maximise their profits by taking advantage of families making these decisions. All of these factors increase the possibility of exploitation, contract failure and poor service provision to vulnerable clients.

Aboriginal and Torres Strait Islander children with a disability in out-of-home care

In 2009-10, Aboriginal and Torres Strait Islander children represented about 38 per cent of the 8090 children subject to protective orders in Queensland. According to the Commission for Children and Young People and Child Guardian, 4.5% or 376 children under protective orders had a disability. The Coalition was unable to access definitive data, but assuming consistency with the rate of representation in the broader child protection system, we estimate there are around 142 Aboriginal and Torres Strait Islander children with a disability in out of home care.

We support the definition of *parent* in the Bill and its recognition of Aboriginal tradition and *ailan kastom* parenting roles. We highlight a potential implementation issue in decision making about service provision when the *parent* of the Aboriginal and Torres Strait Islander child is:

- the chief executive of the Department responsible for the *Child Protection Act 1999*, or
- a foster/kinship carer.

In both scenarios, we recommend consideration of a system of support to child safety officers and to foster and kinship carers to ensure the child is assisted in decision making about the services they are to receive. The risk is that it could be unclear who is responsible for making decisions about which disability services to purchase services from, or the above issues around access to information and the need for support in decision making could be compounded.

Kind Regards,



Garth Morgan
Executive Director