




Speech By
Leanne Linard

MEMBER FOR NUDGE

Record of Proceedings, 15 March 2016

DISABILITY SERVICES AND OTHER LEGISLATION AMENDMENT BILL

 **Ms LINARD** (Nudgee—ALP) (4.51 pm): I rise to speak in support of the Disability Services and Other Legislation Amendment Bill 2015. From the outset I would like to acknowledge the work of the previous Communities, Disability Services and Domestic and Family Violence Prevention Committee, which included the members for Pine Rivers, Caloundra, Sunnybank, Redlands, Warrego and Cairns, for their time and consideration of this bill. The former committee was dissolved and responsibility for tabling the report transferred to my committee just over one week prior to the required tabling of the committee's report. The report tabled in the parliament under my name as chair of the former Health and Ambulance Services Committee—now the Health, Communities, Disability Services and Domestic and Family Violence Prevention Committee—and the recommendations contained therein were certainly the result of the former committee's deliberations and efforts.

Having said that, it is a pleasure to speak in support of this bill, which will assist in Queensland's transition to the National Disability Insurance Scheme. The bill before the House will ensure that Queenslanders who receive disability supports under the National Disability Insurance Scheme have the same level of safeguards as Queenslanders in receipt of disability supports funded by the Department of Communities, Child Safety and Disability Services. In doing so, it will prevent the creation of a two-tier system where people with disability have divergent safeguards in place as a result of the source of funding for their supports.

The bill represents stage 1 of a review of legislation to facilitate commencement of an early launch and transition to the NDIS. As part of stage 1, all relevant agencies across the Queensland government were required to identify the amendments to their portfolio legislation that are critical and essential to enable and support early launch and transition. Through this process, it was identified that most of the critical and essential amendments relate to the operation of Queensland's quality and safeguard system. As the NDIS rolls out, the department's existing funding contracts with disability service providers will be phased out and NDIS participants will purchase supports directly from providers. As a result of a phasing out of these existing contracts and the resulting loss of the contractual link between the department and providers of disability services, many of the existing legislative and contractual safeguards will be lost. This bill is vital to ensure that Queenslanders who are receiving disability supports under the NDIS have the same level of safeguards as Queenslanders who are in receipt of disability supports provided by the department.

In requiring NDIS service providers to comply with the existing quality and safeguard system, Queensland is ensuring a level playing field. The result is that NDIS non-government service providers will be required to meet the same levels and standards, including criminal history screening, as providers that are funded by the Queensland government. These standards and safeguards are vital to ensure consistent and transparent processes are in place to support and protect the fundamental rights of people with disability. This safeguarding of the fundamental rights of people with disability is the key objective of the bill. Amendments are required to redefine the scope and extend the application of the

Disability Services Act 2006 to include organisations that provide disability services prescribed by regulation to an NDIS participant under that participant's plan. These changes will not impact on government providers of NDIS supports.

The new threshold definitions contained in the bill will ensure the NDIS non-government providers are subject to the complaints management system. The bill introduces a new definition to ensure individuals engaged by NDIS non-government service providers are subject to criminal history screening requirements to ensure they are deemed a suitable person to support people with disability. The bill also introduces a new power for the department to monitor the compliance of NDIS non-government service providers with the provisions under the Disability Services Act 2006, including the power to require relevant information and documents and the power of entry pursuant to a warrant. These powers can be invoked to investigate issues concerning abuse, neglect or exploitation of people with disability, service delivery failures and compliance with the act. The national disability agency will have the option to deregister providers for noncompliance issues. The next stage of reforms will address the necessary amendments to enable full scheme rollout and maximise the opportunities that the NDIS will offer to thousands of Queenslanders.

The difference that this scheme will make to the estimated 97,000 Queenslanders who will be supported when it is fully rolled out is truly significant. It is a Labor initiative that represents a transformational approach to the provision of disability services in this country. It will deliver benefits to people with disabilities, to their carers, to their families and to the wider community including in the form of an additional 700 jobs predicted in Brisbane north alone over the three-year rollout of the NDIS.

While my aunt and uncle, both living with intellectual disability, are now outside the scope of the scheme due to their age, I cannot help but reflect on what a difference such a scheme could have made to their lives and those of my grandparents, father and siblings, who have cared for them throughout their life. The move away from a crisis model where families only receive support if they are unable to continue in their caring role and there are no other options to one that responds to each individual's goals and aspirations for their lifetime, where people have real choice and control over their supports, will make a meaningful difference. It will make a meaningful difference to those living with disability and to their carers and families. I am so pleased that other families across Queensland and the country will have the benefit of such a scheme, even if mine were unable to.

I would like to again thank the former committee for their stewardship of the bill. I would like to thank all submitters to the inquiry. I would like to thank the department for their expertise and support. I would like to thank the minister for her leadership at this exciting time of transition to the NDIS. I commend the bill to the House.