

16 August 2024

Department of Social Services (DSS)

GPO Box 9820
Canberra ACT 2601

Sent via email: NDISConsultations@dss.gov.au

To Whom It May Concern,

Subject: Concerns Regarding the Proposed NDIS Support List and its Impact on Autistic Tasmanians

I am writing on behalf of the Regional Autistic Engagement Network (RAEN) to express our serious concerns about the proposed NDIS support list and its potential impact on autistic individuals in Tasmania. RAEN is dedicated to ensuring that the voices of Autistic people are heard and that their needs are met through equitable and effective support. The proposed changes to the NDIS support list, however, threaten to undermine the rights and well-being of Autistic Tasmanians by excluding essential supports and failing to recognise the unique challenges faced by our community.

Tasmania is home to a diverse Autistic community, many of whom rely on the NDIS for critical supports that enable them to live independently, engage in meaningful work, and participate in their communities. The proposed support list, however, fails to reflect the needs of Autistic individuals, particularly those who require specialised supports that may not fit neatly into the categories outlined in the list.

The support list does not align with the UNCRPD or the Social Model of Disability

What is of most concern is the misalignment of the proposed support list with the rights of Autistic and disabled people under the United Nations Convention on the Rights of Persons with Disabilities (UNCRPD) and fails to see disability through the Social Model of Disability¹ lens, which defines disability as being the result of societal barriers rather than deficits within individuals. Under the UNCRPD, people with disability, including Autistic people, have a right to receive the support they need to participate in social, economic and political life, on an equal basis with non-disabled people. Through the lens of the Social Model, it is easy to see that Autistic and neurodivergent individuals are disabled by a society which is built for people that are neurotypical and therefore need support to fully participate, which may differ between individuals based on environmental conditions.

Question 1: Do you think the draft list of NDIS Supports covers the kinds of disability supports you think should be included? If not, what changes would you suggest?

¹ People With Disability Australia (2023) 'Social Model of Disability,' Viewed 14 August 2024
<<https://pwd.org.au/resources/models-of-disability/>>.

Due to the very fact that people with disability are largely disabled by the environment that they are in, it is not possible for a list of specific supports to ever comprehensively cover all of the supports each individual might need in their unique circumstance. In order to do so, the list should be based on the original principle of what is 'reasonable and necessary' for the individual and be aligned with the rights of people with disability under the UNCRPD.

While it is assumed that the underlying logic of this list is that, in part, mainstream services will fill the gaps left by reduced NDIS funding, we are concerned that removing supports on this basis will leave Autistic people with disabilities completely stranded in the desert, where the NDIS was previously, the 'Oasis.'² From extensive community experience, we know that mainstream services are not currently equipped to meet the needs of people with disability.

Question 2: Are there goods or services on the draft exclusion list that you think shouldn't be there? If yes, please list in order of importance.

There are several goods and services on the draft exclusion list that should not be excluded.

a. Supports for homeschooling and 'School Can't' programs

For Autistic individuals and their families in Tasmania and broadly, one significant omission in the list is the listing of resources for homeschooling and 'School Can't' programs as excluded from the NDIS. Due to the inaccessibility of mainstream schools, parents of Autistic children in Tasmania are often forced to work through 'School Can't (otherwise known as school refusal) or to otherwise homeschool, or risk their children not receiving an education.

b. Parenting Supports

Another significant omission is the exclusion of parenting related supports for participants. While parenting supports may be considered a support not related to disability for many, Autistic and neurodivergent parents often need supports with parenting that are specific to their disability. For example, studies have shown that Autistic mothers often experience increased sensitivities to touch, light, sounds and interaction, and difficulties with noise and physical contact as parents; which are often only more exacerbated by, rather than relieved by mainstream parenting supports through parent groups and child and family health centres.

Supports to deal with these difficulties might include things like noise cancelling headphones or small periods of respite from parenting; which would both be excluded from the proposed list.

c. Costs related to assistance animals.

While some costs related to 'Assistance Animals' are in the inclusion list, other supports related to Assistance Animals, such as 'veterinary costs, pet boarding, and grooming,' are listed as exclusions. This is not only illogical, but also concerning for

² Campanella, N et. al, (2023) 'NDIS treated as a 'Magic Pudding' by governments and disability service providers, review co-chair says,' ABC News Online, Published 22 Aug 2023
<<https://www.abc.net.au/news/2023-08-22/concerns-about-ndis-raised-by-co-chair-of-review/102758296>>.

many NDIS participants, including Autistic and neurodivergent individuals who commonly rely on assistance animals to support interaction in the community.³

d. Somatic Therapy

Among other exclusions, Somatic Therapy is another support on the list of exclusions that raises concern for Autistic individuals. For many, Somatic therapy is an important support which assists with the process of healing from trauma through body awareness and movement. For Autistic people who are non-speaking or struggle with talk therapies in general, Somatic Therapy may be a suitable alternative that aligns with their communication style and emotional needs. Excluding somatic therapy from the NDIS support list fails to recognise the diverse therapeutic approaches necessary to support the well-being of Autistic individuals, especially those who have endured trauma, such as child sexual abuse, which is more common among the Autistic compared to the non-Autistic community.

Question 3: Do you have any further feedback or concerns with the draft NDIS support lists?

The draft support list appears to deviate from the original NDIS principle of providing supports that are 'reasonable and necessary' for individual needs. By excluding certain supports and assuming mainstream services will cover the shortfall, the list could undermine the fundamental NDIS goal of ensuring tailored support based on individual circumstances. This shift risks leaving many individuals without essential services and support, impacting their ability to live independently and participate fully in society, inline with the UNCRPD.

Thank you for taking the time to consider our submission.

Yours sincerely

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³ See e.g. Ang CS, MacDougall FA. An Evaluation of Animal-Assisted Therapy for Autism Spectrum Disorders: Therapist and Parent Perspectives. *Psychol Stud (Mysore)*. 2022;67(1):72-81. doi: 10.1007/s12646-022-00647-w. Epub 2022 Mar 10. PMID: 35287312; PMCID: PMC8907032.