The SIGN report also warns against getting parents to deliver services that were developed and research using trained and supervised therapists or moving techniques into "naturalistic settings". It says:

> Where evidence-based interventions are available, they should be delivered by personnel with the appropriate skills and training, according to the protocols used in the original research.

The IAC's Advice that this document does not advise that autistic children need ASD-specific services is a complete misrepresentation. It is dishonest.

Previously, we have shown that "optimal outcomes" have been reported in the research literature in the USA. Some research observes "best outcomes" in Scandinavian studies and elsewhere. Research reviews of EI for ASD from Australian and USA have reported repeatedly the evidence for intensive individualised ASD-specific EI for autistic children is best practice: The IAC's Advice is inaccurate in saying "no evidence" was found; it is more accurate to say that the IAC's Advice is based on the one anomalous review that avoided relevant evidence relating to best outcomes for autistic children.

The IAC's Advice reference The National Autism Centre's (NAC) report. The NAC's report reaffirms advice[8] from the National Research Council (2001):

> The committee recommends that educational services begin as soon as a child is suspected of having an autistic spectrum disorder. Those services should include a minimum of 25 hours a week, 12 months a year, in which the child is engaged in systematically planned, and developmentally appropriate educational activity toward identified objectives. What constitutes these hours, however, will vary according to a child's chronological age, developmental level, specific strengths and weaknesses, and family needs. Each child must receive sufficient individualized attention on a daily basis so that adequate implementation of objectives can be carried out effectively. The priorities of focus include functional spontaneous communication, social instruction delivered throughout the day in various settings, cognitive development and play skills, and proactive approaches to behavior problems. To the extent that it leads to the acquisition of children's educational goals, young children with an autistic spectrum disorder should receive specialized instruction in a setting in which ongoing interactions occur with typically developing children.

Regrettably, the Government's reviews of early intervention for autistic children[9] chose to ignore the NRC's comprehensive review of education, including early intervention, for autistic children and to ignore its findings.

The IAC's Advice does not have explicit authorship. Apparently, a social worker, an occupation with little relevance[10] to autism, prepared this document for the IAC. Her CV does not mention autism.

In conclusion, the IAC's Advice to the NDIA Board on early intervention for children with disability rejects and dismisses the substantial research that shows clearly the

[8] National Research Council (2001). Educating children with autism. Committee on Educational Interventions for Children With Autism, Division of Behavioral and Social Sciences and Education. Washington, DC: National Academy Press.

[9] The three government reviews mentioned previously.

[10] The limited data available suggests autism diagnosis rates are higher in higher socio-economic groups because poorer people are less likely to afford the relatively expensive diagnosis process. There is little or no evidence showing social workers have improved access to ASD diagnosis or ASD-specific disability supports that improve outcomes for their autistic clients.

distinct and mostly unmet needs of autistic children. It aims to solve misconceptions, problems that do not actually exist, being that:

1. the NDIS cannot sustain evidence-based early intervention for autistic children, and
2. most NDIS participants, especially parents of autistic children, want unreasonable and unnecessary supports.

It attacks and undermines the needs of autistic children. It promotes small short-term savings that result in substantially higher long-term costs; it is contrary to "insurance principles".

The IAC members simply lack the expertise to develop or endorse this report. Their endorsement discredits the IAC.

Please also note that I have no training, qualification or experience in this field. I encourage the reader to check the content with people who have relevant expertise.

9/10/2020

DOCUMENT 4.2

FOI 21/22-0100

Subject: Re: Improving the National Disability Insurance Scheme (NDIS)
From: "Bob Buckley (A4 Convenor)" <convenor@a4.org.au>
Date: 13/10/2020, 5:24 pm
To: National Disability Insurance Agency <kqntycfwhoqflndda64ryelisyc@communications.ndis.gov.au>, martin.hoffman@ndis.gov.au
CC: "DE NATRIS, Peter" <Peter.denatris@ndis.gov.au>, Dr Helen Nugent OA <chair@ndis.gov.au>

Dear Mr Hoffman

I received my copy of your open letter to all NDIS participants at 4.02pm today.

Throughout the letter, you use the term "independent assessments" despite the whole disability sector having advised you that the NDIA's contracted assessments are not "independent". Insisting on calling them "independent" when they are not independent at all is classic "Yes Minister" conduct. Your failure to acknowledge and refusal to respect the views of the disability community shows you are not interested in improving the NDIS for the people who depend on it.

Notably, the Service Charter and Improvement Plan that you released in August also avoid recognition and respect for the views of the disability sector.

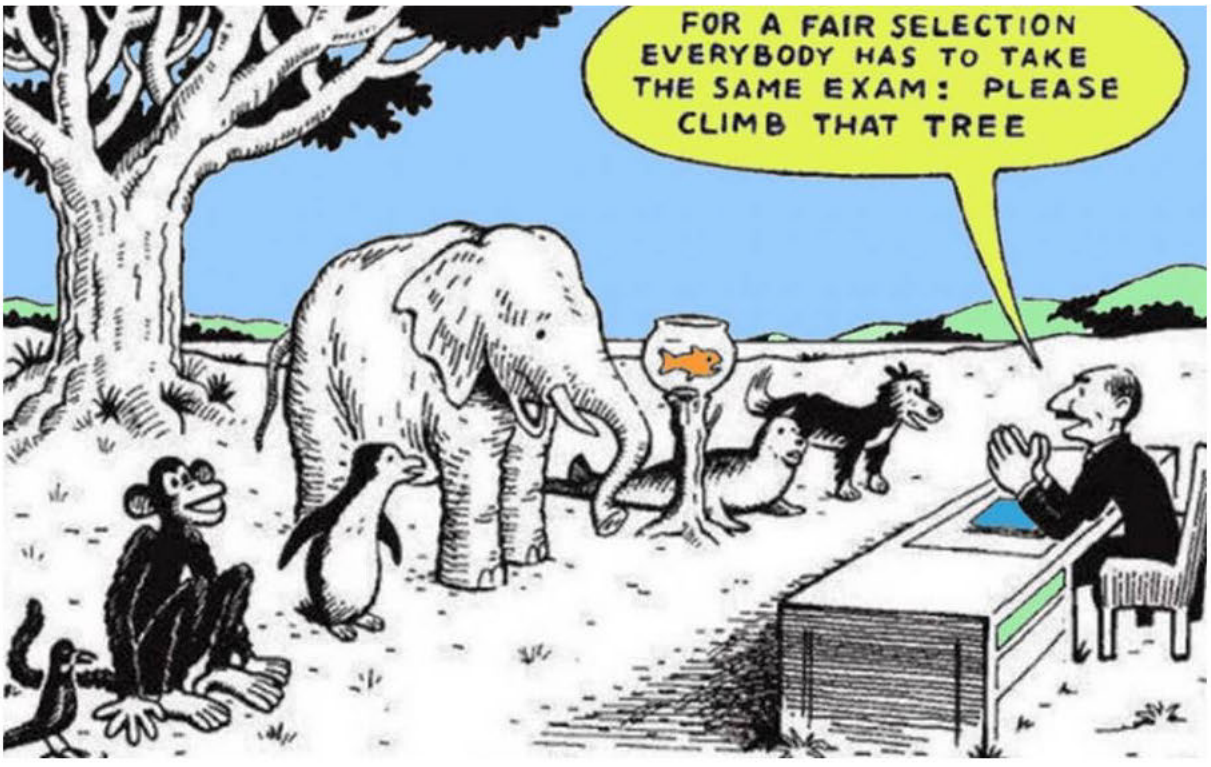
In your letter you say, "We've done this because we've heard from you ...". But clearly you have not heard from us – you listened very selectively, and you are now using our words against us.

Your message sends us a clear message that you are not interested in constructive feedback; that dissenting voice will not be heard.

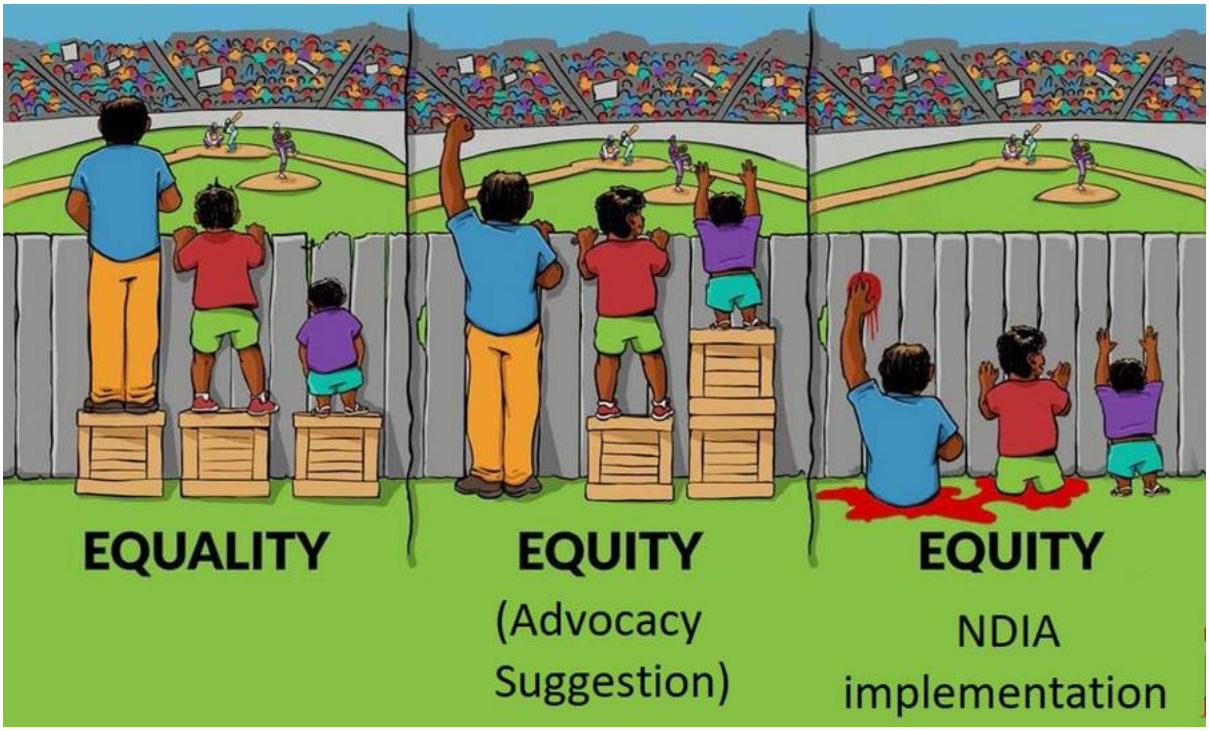
You claim that your changes will make the NDIS "simpler, faster and fairer". That may be the case from your perspective, but not from ours. For many people who currently qualify for the NDIS on the basis of an extensive and often costly diagnosis process(es) for their ASD, the addition of a further cursory functional assessment from an NDIA contracted assessor is further complication and delay: it is not simpler or faster. And when it delivers an outcome against access to the NDIS, it adds the further complication of an AAT appeal, a step that many people are not willing to take. This is very unfair.

The only thing that "free" NDIA contracted assessors will do is sometimes overturn ASD diagnoses (from expert clinicians who spent the time needed to complete an ASD diagnosis) that people have already paid for.

You say, "These assessors will all be trained in using the same set of assessment tools to make sure everyone is treated in a fair and consistent way". In the disability sector we are extremely familiar with this concept, as the following well known figures show.



FOI 21/22-0100



Your letter says, “The tools have been designed to assess the capability of people with disability and used all over the world for many years”. The NDIA has been mis-using the PEDI-CAT to “assess” autistic children for years. New documents suggest you may use the PEDI-CAT ASD in future but the PEDI-CAT ASD is not “used all over the world” because it still hasn’t been verified … and the NDIA is keeping its report from the Autism CRC secret, which shows you already failed your No. 1 commitment in your new “Participant service Charter” to transparency.

Your claim that “If you do not agree with an NDIA decision from an independent assessment you can request a review or appeal” shows you simply do not understand that many vulnerable people are simply unable to appeal NDIS decisions because it puts them in legal conflict with the Government. Many of them are not prepared to go there, so your actions to make this an essential step for more NDIS participants is very unfair for the most vulnerable people who you are meant to be helping.

You claim, “You will still have choice over the providers and types of supports you need to pursue your goals”. Despite the issue having been raised repeatedly, NDIS LACs and planners are still telling autistic participants that “the NDIS does not fund ABA”, in other words they tell families that they do not have choice and they cannot access evidence-based best practice. Of course, that is a lie: the AAT made rulings that require the NDIS to fund ABA at least for those who challenge the NDIS. There are also many secret AAT settlements where the NDIS pays for ABA … but the NDIS keeps them secret. So much for “transparency”.

The NDIA introduced its contracted assessments without proper consultation. Rather than addressing issues, it is creating issues.

You and the NDIA show that you are oblivious to constructive feedback.

The NDIS will not improve unless the NDIA starts to engage with people in the disability sector.

Bob Buckley
Convenor, Autism Aspergers Advocacy Australia (A4)
website: https://a4.org.au/

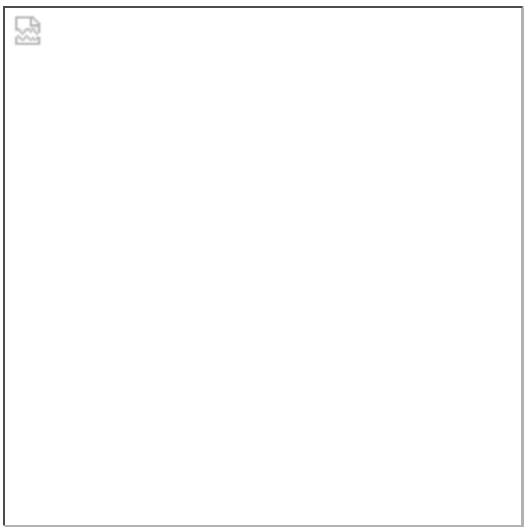
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“The first step in solving any problem is recognising there is one.” Jeff Daniels as Will McEvoy in The Newsroom.

On 13/10/2020 4:02 pm, National Disability Insurance Agency wrote:

Page 27 of 60

FOI 21/22-0100



GPO Box 700
CANBERRA ACT 2601
1800 800 110
ndis.gov.au

12 October 2020

Re: Improving the National Disability Insurance Scheme (NDIS)

Dear participants, families, and carers,

In August, we shared the NDIS Participant Service Charter and Service Improvement Plan with you. These documents set out our commitments and explain how we will make the NDIS better over the next two years. We've done this because we've heard from you that the NDIS needs to be simpler, faster and fairer.

I wanted to write to you today to share some further information about the improvements we are making to the NDIS, and respond to concerns people have raised around independent assessments.

An Easy Read version of this letter is available on the NDIS website.

Facts about introducing independent assessments

Independent assessments give a simpler, faster and fairer basis for making decisions about access to the NDIS and plans.

We will be introducing free independent assessments for people over seven years old who are applying for the Scheme for the first time from early next year, and then at some plan reviews for existing participants from the middle of 2021. Independent assessments for children less than seven will also start in 2021.

Independent assessments will not be needed every year or at every plan review. They'll be needed only when there is a major change in your life or plan.

Assessments will be free because you told us that costs involved in getting assessments and evidence to support your applications and reviews often put you out of pocket.

We are creating a panel of assessors, health professionals like occupational therapists, physiotherapists, speech pathologists, clinical and registered psychologists, rehabilitation counsellors and social workers who will work at arm's length from the NDIA.

These assessors will all be trained in using the same set of assessment tools to make sure everyone is treated in a fair and consistent way. The tools have been designed to assess the capability of people with disability and used all over the world for many years. They also take into account your particular circumstances and environment.

You can do the assessment in one session or many. Where possible, you can choose which assessor you want from the panel and whether you prefer a male or female assessor. You can complete the assessment by video call or in person. You can have someone with you, like a family member, support worker, or your current health professional.

If you do not agree with an NDIA decision from an independent assessment you can request a review or appeal.

Your doctor or other health professionals you know will still be involved in your application to the NDIS, and if further evidence is needed at a plan review. You will be able to submit any extra information you think is important. Your planner or Local Area Coordinator will still talk with you about your life including the impact of multiple disabilities, your goals, family supports and living arrangements to make sure we get a complete picture of your goals and support needs.

You will still have choice over the providers and types of supports you need to pursue your goals.

Sharing information about how independent assessments will work

We made the decision to announce the introduction of independent assessments early. We did this so that there would be time to work through the detail in close consultation with people with disability and representative organisations.

We have released further information about the assessment tools including information in Easy Read. Also on the NDIS website is more information about the independent assessment pilots. The second pilot ended in March 2020, due to the coronavirus (COVID-19) pandemic.

We'll be starting this second pilot again soon, to continue testing how we implement independent assessments. As part of this we'll be offering independent assessments for up to 4,000 existing NDIS participants with all disability types on a voluntary basis from October 2020. If you are invited to join this pilot, I encourage you to get involved and give us your

FOI 21/22-0100

feedback.

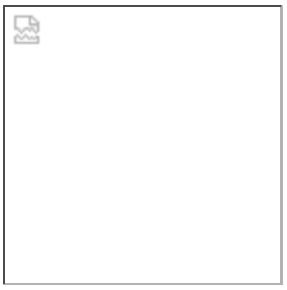
Over the coming months we will keep sharing more information about how the assessments will work. We will be working with participants, families and carers, providers and representative organisations to design the detail of the approach. This will ensure independent assessments are flexible and adapted to meet the needs of people with particular disabilities, and of different groups of people.

The NDIA will shortly release an engagement and consultation schedule to support the implementation of independent assessments. Sessions will be conducted nationwide, aligned to coronavirus (COVID-19) restrictions.

Please keep asking us your questions. You can send your questions to feedback@ndis.gov.au. It is important that we give you all the information you need so you can be comfortable with the changes and feel prepared when they do happen. You are our priority.

Kind regards

Martin Hoffman
CEO NDIA



From: s22(1)(a)(ii) - irrelevant
Sent: Thursday, 15 October 2020 5:48 PM
To: s22(1)(a)(ii) - ; s22(1)(a)(ii) -
Subject: FW: misinformation and untruths [SEC=OFFICIAL]

From: Forster, Renelle <s22(1)(a)(ii) - irrelevant >
Sent: Thursday, 15 October 2020 5:41 PM
To: s22(1)(a)(ii) - <s22(1)(a)(ii) - irrelevant >
Cc: s22(1)(a)(ii) - <s22(1)(a)(ii) - irrelevant >
Subject: FW: misinformation and untruths [SEC=OFFICIAL]

s47C - deliberative content

. Cheers Renelle

Renelle Forster
Branch Manager, Parliamentary, Ministerial and FOI
Government & ILC Programs Division
National Disability Insurance Agency
M s22(1)(a)(ii) - **E** s22(1)(a)(ii) - irrelevant material

Delivered by the National Disability Insurance Agency

The NDIA acknowledges the Traditional Custodians of Country throughout Australia and their continuing connection to land, sea and community. We pay our respects to them and their cultures and to Elders past, present and emerging.

From: Studdert, Lisa <s22(1)(a)(ii) - irrelevant >
Sent: Thursday, 15 October 2020 4:37 PM
To: Hoffman, Martin <s22(1)(a)(ii) - irrelevant >; Forster, Renelle <s22(1)(a)(ii) - irrelevant >
Cc: s22(1)(a)(ii) - <s22(1)(a)(ii) - irrelevant >
Subject: RE: misinformation and untruths [SEC=OFFICIAL]

Martin,

s47C - deliberative content

L

From: Hoffman, Martin <s22(1)(a)(ii) - irrelevant >
Sent: Thursday, 15 October 2020 1:49 PM
To: Forster, Renelle <s22(1)(a)(ii) - irrelevant >; Studdert, Lisa <s22(1)(a)(ii) - irrelevant >
Cc: s22(1)(a)(ii) - irrelevant <s22(1)(a)(ii) - irrelevant >
Subject: Fwd: misinformation and untruths

s47C - deliberative content

Regards
Martin.

Begin forwarded message:

> **From:** "Bob Buckley (A4 Convenor)" <convenor@a4.org.au>
> **Date:** 15 October 2020 at 1:43:21 pm AEDT
> **To:** "Committee, NDIS (SEN)" <ndis.sen@aph.gov.au>
> **Cc:** Senator the Hon Anne Ruston <minister@dss.gov.au>, "Hoffman, Martin" <Martin.Hoffman@ndis.gov.au>, CHAIRMAN <CHAIRMAN@ndis.gov.au>
> **Subject: misinformation and untruths**
>
> The Members of the Joint Standing Committee on the NDIS
> Parliament House
> Canberra ACT
>
> Dear Members of the Committee
>
> I see from the record that NDIA and DSS officials appeared before you on Monday and spoke about their so-called "independent assessments". They made various claims about their alleged "consultations". Unfortunately, some of the information provided to you may be misleading or incorrect.
>
> The Hansard proof suggests that Mr Hoffmans may have said:
>
> > we have a structured process through what we call the CEO forum, which is a forum of typically the CEOs of the disability representative organisations.
>
> The NDIA's CEO forum does not include a CEO or representative of the recognised disability representative organisation (DRO) for autism ... which has become the biggest primary disability among NDIS participants. The NDIA is not interested in consultation, it wants to be able to claim that it consulted people but it wants to limit consultation to those it expects will accept their position. This is not genuine consultation.
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> There isn't much point in consulting state/territories. The NDIS annihilated their expertise in disability issues. All the funding went to the NDIS.
>
> The NDIA's *Independent Advisory Council* was shown to be relatively dysfunctional back in March 2020 when it advised the NDIA Board on early intervention in the NDIS. See the attached document.

The IAC seems to have also been "captured" by the NDIA over these contracted assessments. I question that the IAC reflects the disability sector in its attitude to the NDIA's unilateral introduction of contracted assessments.

The other issue is Mr Hoffman's continuing use of the term "independent assessments". The disability sector has quite universally objected to this description. These are "contracted assessments", or some other more accurate description. Calling them "independent assessments" is very much "Yes, Minister" conduct - inaccurate and intentionally deceptive. His insisting on the term also shows that he completely disrespects disability representatives and the people he is meant to be helping.

Can I also highlight the false claims that Mr Hoffman made about these contracted assessments in his recent open letter to NDIS participants? See my attached response to his letter.

If the NDIS is to succeed, then the NDIA's culture of non-consultation and opposition to representative organisations from the disability sector needs to be reversed.

--

Bob Buckley
Convenor, Autism Aspergers Advocacy Australia (A4)
website: https://a4.org.au/

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“The first step in solving any problem is recognising there is one.” Jeff Daniels as Will McEvoy in The Newsroom.

Subject: Fw:'FW: misinformation and untruths [SEC=OFFICIAL]'.
Attachments: FW: misinformation and untruths [SEC=OFFICIAL]

The attached message was sent by a member of this shared mailbox. Usually, it would appear in Sent Items, but your service is currently being upgraded. Things will be back to normal after the upgrade.

From: s22(1)(a)(ii) -
Sent: Thursday, 15 October 2020 5:02 PM
To: s22(1)(a)(ii)
Subject: FW: misinformation and untruths [SEC=OFFICIAL]
Attachments: Commentary on IAC advice - final2.pdf; ATT00001.htm; HoffmanResponse.pdf; ATT00002.htm

From: s22(1)(a)(ii) -
Sent: Thursday, 15 October 2020 4:02 PM
To: Forster, Renelle
Cc: s22(1)(a)(ii) -
Subject: FW: misinformation and untruths [SEC=OFFICIAL]

Hi Renelle

s47C - deliberative content .

s22(1)(a)(ii) 's team confirmed that Fiona Sharkie is an attendee of the CEO forum. Fiona is the CEO of Amaze, which is the peak body for autistic people and their supporters in Victoria (not a DRO).

There are also organisations that represent a broad range of disabilities, including Autism.

Mathew s22(1)(a)(ii) - irrelev (in Sam's Division) has already phoned Bob.

Cheers
s22(1)

From: Forster, Renelle <s22(1)(a)(ii) - irrelevant >
Sent: Thursday, 15 October 2020 2:01 PM
To: s22(1)(a)(ii) - <s22(1)(a)(ii) - irrelevant >
Subject: FW: misinformation and untruths [SEC=OFFICIAL]

s22(1) – s47C - deliberative content

Thanks Renelle

Renelle Forster
Branch Manager, Parliamentary, Ministerial and FOI
Government & ILC Programs Division

National Disability Insurance Agency
M s22(1)(a)(ii) - E s22(1)(a)(ii) - irrelevant material

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Sent: Thursday, 15 October 2020 1:49 PM
To: Forster, Renelle <s22(1)(a)(ii) - irrelevant >; Studdert, Lisa <s22(1)(a)(ii) - irrelevant >
Cc: s22(1)(a)(ii) - <s22(1)(a)(ii) - irrelevant >
Subject: Fwd: misinformation and untruths

s47C - deliberative content

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> **Date:** 15 October 2020 at 1:43:21 pm AEDT
> **To:** "Committee, NDIS (SEN)" <ndis.sen@aph.gov.au>
> **Cc:** Senator the Hon Anne Ruston <minister@dss.gov.au>, "Hoffman, Martin" <Martin.Hoffman@ndis.gov.au>, CHAIRMAN <CHAIRMAN@ndis.gov.au>
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Canberra ACT

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To: Hoffman, Martin; Forster, Renelle
Cc: s22(1)(a)(ii) -
Subject: RE: misinformation and untruths [SEC=OFFICIAL]

Martin,
s47C - deliberative content

L

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From: s22(1)(a)(ii) -
Sent: Thursday, 15 October 2020 4:22 PM
To: Nugent, Helen
Cc: Hoffman, Martin
Subject: FW: misinformation and untruths [SEC=UNOFFICIAL]
Attachments: Commentary on IAC advice - final2.pdf; HoffmanResponse.pdf

FYI

From: Bob Buckley (A4 Convenor) <convenor@a4.org.au>
Sent: Thursday, 15 October 2020 1:42 PM
To: Committee, NDIS (SEN) <ndis.sen@aph.gov.au>
Cc: Senator the Hon Anne Ruston <minister@dss.gov.au>; Hoffman, Martin <Martin.Hoffman@ndis.gov.au>; CHAIRMAN <CHAIRMAN@ndis.gov.au>
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Sent: Thursday, 15 October 2020 4:02 PM
To: Forster, Renelle
Cc: s22(1)(a)(ii) - irrelevant
Subject: FW: misinformation and untruths [SEC=OFFICIAL]
Attachments: Commentary on IAC advice - final2.pdf; ATT00001.htm; HoffmanResponse.pdf; ATT00002.htm

Hi Renelle

s47C - deliberative content .

s22(1)(a)(ii) 's team confirmed that Fiona Sharkie is an attendee of the CEO forum. Fiona is the CEO of Amaze, which is the peak body for autistic people and their supporters in Victoria (not a DRO).

There are also organisations that represent a broad range of disabilities, including Autism.

Mathew s22(1)(a)(ii) - irrelevant (in Sam's Division) has already phoned Bob.

Cheers
s22(1)(a)(ii)

From: Forster, Renelle <s22(1)(a)(ii) - irrelevant >
Sent: Thursday, 15 October 2020 2:01 PM
To: s22(1)(a)(ii) - irrelevant <s22(1)(a)(ii) - irrelevant >
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s22(1) – s47C - deliberative content

Thanks Renelle

Renelle Forster
Branch Manager, Parliamentary, Ministerial and FOI
Government & ILC Programs Division
National Disability Insurance Agency
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s47C - deliberative content

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Martin.

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> **To:** "Committee, NDIS (SEN)" <ndis.sen@aph.gov.au>
> **Cc:** Senator the Hon Anne Ruston <minister@dss.gov.au>, "Hoffman, Martin" <Martin.Hoffman@ndis.gov.au>, CHAIRMAN <CHAIRMAN@ndis.gov.au>
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