

24 June 2011

**National Council on Intellectual Disability (NCID) Statement
on the inclusion of intellectual disability as an automatic criteria
for eligibility in the proposed National Disability Insurance Scheme.**

The Draft Productivity Commission Report into Long Term Support for People with Disability states:

“To promote, protect and ensure the full and equal enjoyment of all human rights and fundamental freedoms by all persons with disabilities, and to promote respect for their inherent human dignity.”

UN Convention on the Rights
of Persons with Disabilities

- *Individuals receiving individually tailored, funded supports should be Australian residents, have a permanent disability, (or if not a permanent disability, be expected to require very costly disability supports) and would meet one of the following conditions:*
- *have significant difficulties with mobility, self-care and/or communication*
- ***have an intellectual disability***
- *be in an early intervention group, comprising:*
 - *those for whom there was a reasonable potential for cost-effective early therapeutic interventions (as in autism and acquired brain injury)*
 - *those with newly diagnosed degenerative diseases for whom early preparation would enhance their lives (as in multiple sclerosis)*
- *have large identifiable benefits from support that would otherwise not be realised, and that are not covered by the groups above. Guidelines should be developed to inform the scope of this criterion.*

NCID is strongly supportive of Intellectual Disability being included as a determining criterion and calls upon all people with disability, family members and organisations to support this position.

For over 10 years NCID, our Agency Members and the intellectual disability community have demonstrated through a compelling evidence base that all people with intellectual disability have complex and significant support needs.^{1 2}

The American Association on Intellectual and Developmental Disabilities (AAIDD), an internationally recognised authority states:

“Providing supports to people with intellectual disability enables their functioning in typical life activities in mainstream settings but does not eliminate the possibility that they will

PO Box 771
Mawson ACT 2607
T 61 2 6296 4400
E ncid@ncid.org.au
w ncid.org.au

¹ See, *Intellectual Disability: Definition, Classification, and Systems of Supports* (Eleventh edition), AAIDD.

² The significant support needs of people with intellectual disability is recognised internationally with distinct policy initiatives, eg, Valuing People in the UK and the President’s Council on Developmental Disabilities in USA.

continue to need ongoing supports. Put another way, if supports were removed, people with intellectual disability would not be able to function as successfully in typical activities and settings.”

NCID believes that any failure to acknowledge this evidence will inevitably lead to significant disadvantage and actual hardship for people with intellectual disability.³

NCID is gravely concerned by recent comments that have minimised the disadvantage experienced by people with intellectual disability by;

- inappropriately reducing the complex needs of people with intellectual disability to ‘*social and living skills*’
- inaccurately indicating that people with intellectual disability have ‘*lesser or no support needs*’
- unjustly suggesting that people with intellectual disability should be ‘*removed from the above categories*’ in Productivity Commission Report.

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Such unsubstantiated comments demonstrate a disturbing lack of understanding of intellectual disability and the support needs of people with intellectual disability. For example, intellectual disability, by definition, has objective criteria that is not graduated through a spectrum; the definition has a clear boundary and everyone within that definition requires support.

An assessment for “intellectual disability” requires an individual to meet two rigorous assessments:

- that intellectual function is 2 standard deviations below the mean intelligence for the population. That is an IQ of less than 70.
- That adaptive behaviour is 2 standard deviations below the mean of adaptive behaviour for the population. Adaptive behaviour is the collection of conceptual, social, and practical skills that have been learned and are performed by people in their everyday lives.

In the interests of justice and necessary support for people with intellectual disability, NCID strongly opposes the removal of intellectual disability from the Productivity Commission’s proposed eligibility framework.

Accordingly, NCID calls on people with disability, their families and representative organisations to support the inclusion of intellectual disability in the proposed National Disability Insurance Scheme eligibility criteria.

NCID, our Agency Members and the intellectual disability community have won significant advancements for people with intellectual disability over the years, including improved health treatments via additional Medicare items and better employment support. NCID will continue to advocate strongly for evidence based responses to the support needs for all people with intellectual disability; and for all people with disability.

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w ncid.org.au

³ See, *People with Intellectual Disability in a Whole of Disability Service Framework*, Interaction Vol 23 Issue 3; and *Employment of People with Intellectual Disability*, Interaction Vol 22 Issue 3