

Response Summary:

The NSW Government asked Mr Alan Cameron AO to independently review the Ageing and Disability Commissioner Act 2019 (the Act). Your comments will be submitted to the Department of Communities and Justice. Your information will be stored electronically, consistent with the department's Records Management Policy and you have the right to request access to, and correction of, your personal information held by the department.

Further information is available on [DCJ Privacy Policy](#).

Q1. Are the objects outlined in section 4 of the Act still valid? What changes, if any, should be made?

They seem fine to me, I would like to have a wider group on the advisory council, less skilled articulate people who we always hear from (white privileged academics to be rude) and more people who might live in the hunter and use the services provided including a person who might be a person of concern who might have been at the start of neglect and abuse so we can use that lived experience to see how we can stop it.

Q3. What do you think about the principles? Are they appropriate for older adults and adults with disability?

The dignity of risk is important and the balance between adult and carers/ family is such a fine line. The older adult and adult with disability has also got to have the right to a safe access to accommodation in there is my belief and it could be working with other agencies to ensure that is a key factor as often that is a barrier to reporting

Q4. Are there any changes required to the appointment process or the status of the Commissioner?

I believe only two total terms may be limiting for someone who is magic in the role who might go do something else then come back.

Q5. Are the functions of the Commissioner suitable and appropriate to achieve the objectives of the Act?

I believe so

Q6. Should the Commissioner have discretion in deciding which reports to refer to the bodies in sections 13(8) and 13(9) of the Act?

Yes partially, would be an automatic for children's guardian, with others it would be good if it could be done in conjunction with the person if suitable

Q7. In what circumstances should the Commissioner be able to investigate an allegation without the consent of the relevant adult?

When the same circumstances another body such as police would not ask the person.

Q8. Should an exemption from the requirement to obtain consent, similar to the one in South Australian legislation, be included in the Act?

Probably it would make it easier for the commission

Q9. Are the Commissioner's information sharing powers appropriate and sufficient to achieve the objectives of the Act?

I believe so

Q10. Should the Act enable the Commissioner to share information with the organisations and individuals listed in paragraph 3.28? Are there any others?

I have concerns that some of the people shared with might not hold the information as safely as the commission so I'm concerned about data breaches and also in small communities the gossip that could come from this.

Q11. Are the Commissioner's investigation and public inquiry powers appropriate and sufficient to achieve the objectives of the Act?

I believe so

Q12. Should the Act clarify the scope of the Commissioner's authority to manage the performance of OCVs and the grounds of removal for OCVs?

Yes

Q13. Should OCVs be permitted to provide advice and information to the NDIS Commission and Department of Communities and Justice, to improve regulation of the disability services sector and assisted boarding houses?

Yes

Q14. Should disability service providers be required to give information about new or changes to existing visitable services they operate to the ADC? If so, what information should the providers be required to give?

Yes, the location of the service, the number of residents/ nights per stay if short medium term and any other data the commission asks for including but not limited to building reports such as inspections for black mould or asbestos. Size/ ratio to residents

Q15. Should the ADC Act be amended to provide flexibility for alignment of the NSW OCVs with a nationally consistent CVS which may be subsequently agreed by the Disability Reform Ministers' Council, including the potential for volunteer visitors as per some other state schemes?

As long as we don't lose any power by doing so

Q17. Are the matters the Commissioner is required to include in their annual reports appropriate?

I believe so

Q18. Should the Commissioner be required to continue reporting on the outcome of each referral to other agencies?

Yes

Q19. Is the role and membership of the Ageing and Disability Board appropriate and sufficient to achieve the objectives of the Act?

I believe more lived experience would be good, and less advocates who know it all. Don't talk about us, talk to us.

Q20. Do you have any other comments about the Act that you would like to raise?

I believe that coming up there are two major pieces of work for the commissioner and the commission that being education around coercive control and restrictive practices by parent carers of adults with disabilities and I believe these two areas will take a large and well planned education piece with as many stakeholders and government departments support as possible. It will also take smart use of ambassadors and talking to small intimate groups to explain that what they have always done now isn't ok

Embedded Data:

N/A