

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?

No

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

I believe it covers all cohorts

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

No

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

Yes

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?

No, I think it is important if there is a report to specific department that they are made aware. Commissioner should oversee this.

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

When the individual is either a minor or does not have the cognitive ability.

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

Yes

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

Yes

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

Yes, it's important to be able to share information in a private and sensitive way to support the individual.

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

Yes

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, role clarity is important and ensures they stay within scope of their role.

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, information sharing is vital for continuous improvements

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

No

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?

Yes

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

Yes, I think they meet the needs

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

Only where appropriate, if it is for feedback and improvements and to help other agencies follow up the next steps.

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

Yes

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

No

Embedded Data:

N/A