

Intellectual Disability Rights Service Annual Report 2015-2016

Working to advance the rights of people
with intellectual disability since 1986

Intellectual Disability
Rights Service

Criminal Justice
Support Network





Intellectual Disability Rights Service Inc.

ABN 11 216 371 524

PO Box 3347
Redfern NSW 2016
Suite 2C, 199 Regent Street
Redfern NSW 2016

T +61 2 9318 0144
1800 666 611 from outside Sydney
1300 665 908 after hours

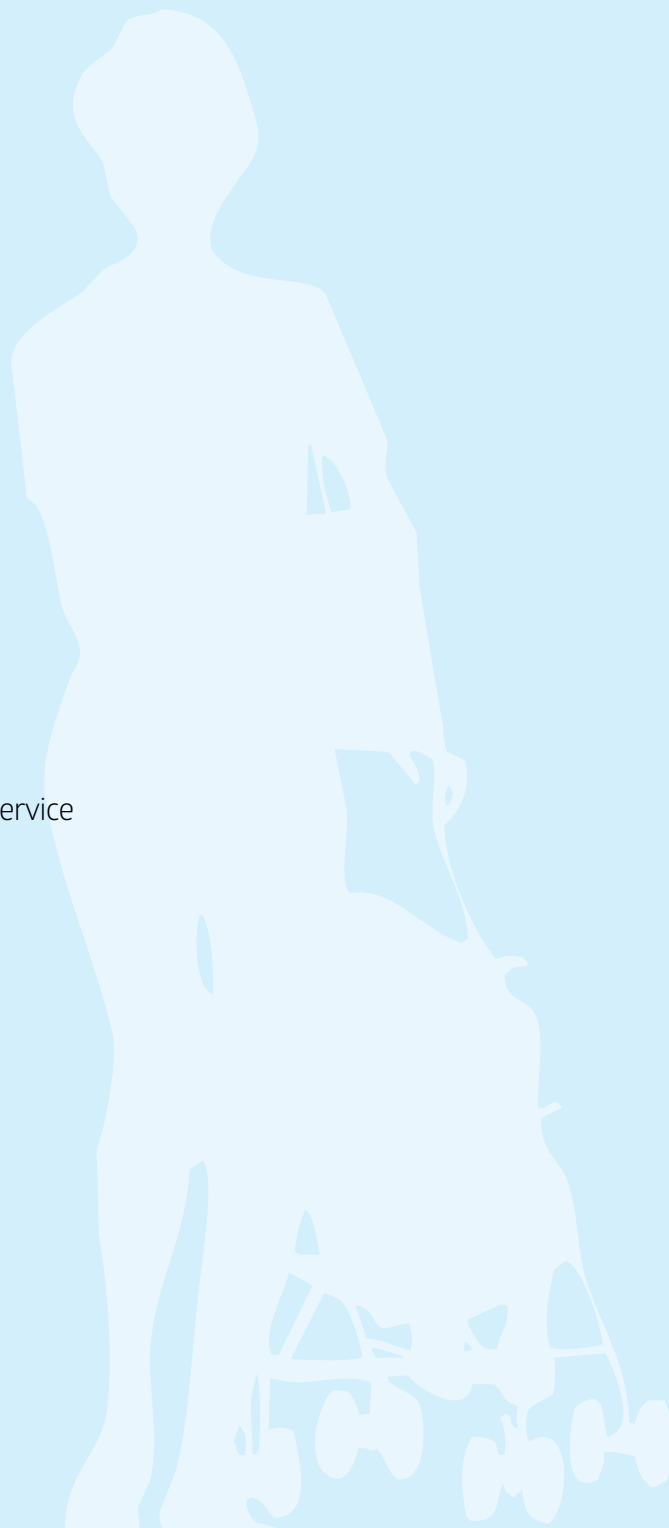
F +61 2 9318 2887

E info@idrs.org.au

W www.idrs.org.au

Facebook: facebook.com/IntellectualDisabilityRightsService

Twitter: [@IDRS_NSW](https://twitter.com/IDRS_NSW)



Contents

A word from the Chair	4
Executive Officer's reflections	5
About IDRS	6
The year in a nutshell	8
What we do	10
A huge thank you to IDRS Volunteers	11
Members of the IDRS Board	13
IDRS Organisational Chart	14
Legal Assistance	15
Criminal Justice Support Network	19
The Parents' Project	24
Education, Capacity Building and Peer Support	29
Acknowledgements	34
Financial Statements	35



A word from the Chair

Once again, I am delighted to introduce this annual report for IDRS for 2015-2016 as the organisation approaches its 30th year working for the rights of people with intellectual disability in NSW.

A challenge for IDRS over the past year and indeed a continuing challenge in the year ahead is to define and establish the organisation's place in responding to the legal and advocacy needs of people with intellectual disability once the National Disability Insurance Scheme (NDIS) is in place.

As the NDIS commences its full roll out, it is instructive to consider some likely, though probably unintended, future impacts.

In NSW instead of funds coming through the Ageing Disability and Home Care, ADHC, individual disability support packages will give people choice and freedom to choose their suppliers, where they live, how and whom they get help from.

Most suppliers of disability services in NSW, will no longer be responsible to ADHC for service provision, but directly to their clients, who will have the right to change providers if they wish. Healthy competition will result from this, from which everyone should benefit.

How does this relate to IDRS? In two key ways:

- Firstly from July 2018, we will no longer receive the large part of our funding which at present comes from ADHC.
- Secondly, most of the services IDRS provides to people with intellectual disability in NSW, cannot be funded through NDIS individual funding packages due to interpretation of NDIS versus 'justice' responsibilities. Further, IDRS assistance is generally provided in response to crises which cannot easily be anticipated.

IDRS is hopeful that the National Disability Advocacy Program (NDAP) will remain a potential source of funding for specialist disability legal services, such as IDRS, in the future. However, so far, there is no identifiable income source to support IDRS' work in providing support persons at police stations and courts and specialist rights advocacy to people with intellectual disability when they become the victim of a crime, are arrested or otherwise become involved with the justice system.

During 2015-2016, 586 people with intellectual disability in NSW have requested and received this assistance through the Criminal Justice Support Network of IDRS. It is vital that this support be available for people with intellectual disability in the future.

In effect ADHC has been paying for insurance to reduce risk when people with intellectual disability in NSW encounter these unpredictable legal, advocacy and support needs by funding IDRS. That ADHC funding will cease by mid-2018.

The NDIS, despite the fact that it is an insurance scheme, will no longer protect perhaps the most vulnerable part of the disability community for circumstances that they cannot predict or foresee. Without support, contact with the criminal justice system may have a profoundly adverse effect on their lives.

In the coming year IDRS will be striving to identify and secure financial support to maintain and improve our capacity to work with people with intellectual disability in pursuing equal rights.

In closing I would like to wholeheartedly support our Executive Officer's comments thanking her staff, team, and the volunteers and thank Janene herself for the outstanding and continuing energy, commitment and direction she gives to IDRS.

Mike Sprange
Chairperson



Executive Officer's reflections

This year has seen continued growth in demand for IDRS services. I am delighted that 1,131 people with disability have benefitted from IDRS services in the past year. This represents a 29% growth in the number of people using IDRS services over the 12 months.

IDRS could not respond to the expanding demand for our services without the vital contribution of a team of 161 dedicated volunteers who are so willing, skilled and reliable in 'turning up' for people with intellectual disability throughout NSW. Thank you so much to all the volunteers who make such a difference to justice for people with intellectual disability every day.

2015-16 has been a year of working with new partners on projects for justice.

IDRS has worked with the Centre for Community Welfare Training (CCWT) and Life Without Barriers as partners in delivering the Disability Justice Project throughout 2015-16. We are also working with University of Melbourne and University of NSW on an important research project to explore legal and practical solutions, including effective justice support, to the problem of people with cognitive disability being found 'unfit to plead' and suffering indefinite detention.

Thanks to a grant from the Law and Justice Foundation of NSW, Self-Advocacy Sydney and IDRS, have partnered to produce a film resource to promote practical understanding of Apprehended Violence Orders (AVOs) amongst people with learning or intellectual disability. The impact of Apprehended Violence Orders against people who are unable to understand or comply with the orders due to disability has been a long standing concern of IDRS. We are excited at the potential to have positive impact on this problem.

One of the great joys of 2015/16 at IDRS has been witnessing the inspiring growth and achievements of 6 peer support networks and their members who IDRS has had the privilege to work alongside – compelling evidence of what people can create together in a supportive environment.

In thanking the outstanding staff at IDRS, I would like to echo the words of an IDRS service user to the consumer technical expert conducting an accreditation audit of IDRS this year. 'The people at IDRS are the best people that I have met. They go well and truly beyond. I learn lots from them and I don't know what I would do without their support.'

Finally, I would like to thank the Board of IDRS, led by Mike Sprange, for giving so generously of their time, wisdom and skills to guide IDRS through 2015-16 and for their commitment in leading IDRS through a time of challenges and change in the year ahead.


Janene Cootes
Executive Officer



One of the great joys of 2015/16 at IDRS has been witnessing the inspiring growth and achievements of 6 peer support networks and their members who IDRS has had the privilege to work alongside...



About IDRS

The Intellectual Disability Rights Service (IDRS) is a disability advocacy service and specialist community legal centre for people with intellectual disability. We work with and for people with intellectual disability to exercise and advance their rights.

We do this by providing legal advice, legal casework, support and advocacy, and by working for improvements to laws and policies affecting people with intellectual disability. We provide information and assistance to family and friends as well as legal and other professionals supporting people with intellectual disability.

IDRS strongly endorses the United Nations Convention on the Rights of Persons with Disabilities. The purpose of the Convention is to promote, protect and ensure the full and equal enjoyment of all human rights by persons with disabilities.

IDRS receives its main funding from the NSW Department of Family and Community Services, Ageing Disability and Home Care (ADHC); the Australian Government Department of Social Services and the Public Purpose Fund (Law Society of NSW) through the Community Legal Centres Funding Program of Legal Aid.

Our vision is of a society that understands, respects, promotes and safeguards the rights of people with intellectual disability. A society where people with intellectual disability are able to fully exercise their rights.

Vision

Our vision is of a society that understands, respects, promotes and safeguards the rights of people with intellectual disability, a society where people with intellectual disability are able to fully exercise their rights as citizens.

Purpose

Our purpose is to work alongside people with intellectual disability to achieve our vision of a society where people with intellectual disability are able to fully exercise their rights as valued and respected citizens.

Values

We believe that people with intellectual disability are people first and are valued members of society entitled to:

- live in and be part of a diverse and inclusive community
- live free from discrimination and prejudice
- be provided with the support needed to exercise their rights
- be afforded social justice and equality
- be included in meaningful and empowering ways in matters that affect them
- be treated fairly as citizens including by the criminal justice system
- use mainstream services that meet their individual needs
- support and adjustments by social agencies to minimise their disadvantage as a right and not as the result of pity, charity or the exercise of social control

We work towards creating a society:

- that is inclusive, supportive and respects individual difference
- that enables the full and effective participation and inclusion of people with intellectual disability
- that respects the inherent dignity and worth of all human beings
- where legislation, services and policies positively support and assist people with intellectual disability

We are an organisation that values:

- active and meaningful participation of people with intellectual disability in all aspects of our work including governance
- feedback about our work
- open communication, accountability, continual learning, innovation and excellence
- working collaboratively with people with intellectual disability and others to achieve our vision
- the integrity, skill and commitment of our staff, volunteers and Board



Your Life Your Rights Graduates from AFFORD Marrickville.

The year in a nutshell

1131

people with intellectual disability received
a service from IDRS in 2015-16

606

Legal advices

84

Legal cases

150

Legal Advices
to people in police
custody

42

Parents with
intellectual disability
received advocacy

66

Court supports
for parents with intellectual
disability by volunteers

586

People received
support and advocacy
in criminal justice
matters

129

Supports for prisoners
in audio-visual court
appearances from
prisons

134

People participated in
IDRS Your Life:
Your Rights Courses

61

People participated
in peer support
networks

51

After hours and weekend legal advices to people in police custody

66

Parents with intellectual disability assisted by IDRS

44

Legal cases for parents with intellectual disability

1236

Court supports for people with intellectual disability

249

Supports for people with intellectual disability in police custody

48

Victims of crime supported to make a statement to the police

171

Disability workers trained by IDRS

324

Police trained by IDRS

46

New volunteers trained

What we do

We provide a state-wide service in the following areas:

- **Direct legal work:** including legal casework, legal representation, providing legal advice and referral to assist people with intellectual disability to get the best possible outcomes when they are involved in the legal system
- **Support:** providing support persons for people with intellectual disability at courts and at police stations
- **Law reform and system change:** advocating for improvements to laws, practices and policies so that the legal rights and dignity of people with intellectual disability are protected and promoted
- **Enhancing the skills of legal and justice professionals:** assisting legal and justice professionals to communicate effectively with and provide quality services to people with intellectual disability
- **Empowering people with intellectual disability:** enabling people to understand and stand up for their rights
- **Fostering peer support networks**
- **Enhancing support networks:** assisting families, services and the community to better understand, promote and respect the rights of people with intellectual disability



Justen Thomas presents his Game Improvement Workshop

A huge thank you to IDRS Volunteers

IDRS salutes and thanks the 161 skilled and dedicated people who have freely given of themselves and their time during 2015-16 to provide legal assistance and justice support to people with intellectual disability throughout NSW.

The contribution of these volunteers is highly valued by the people they assist as well as people in the justice system. We know because they tell us!

Without our volunteers, IDRS could deliver only a fraction of the year's achievements.

Legal Volunteers

IDRS thanks:

Andrew Harrison for his volunteer work as a legal assistant 2 days a week and

Julie Claridge for her work as a volunteer solicitor with IDRS 1 day each week

Volunteer solicitors delivering urgent legal advice in the evening and at weekends for people with intellectual disability under arrest:

Bandyopadhyay, Indrani

Blair, Michael

Boctor, Peter

Bond, Sara

Borg, Joseph

Bourke, Christine

Chau Hua, Michelle

Cleaves, Peter

Comino, Nick

Cosgrove, Steven

Elston, Diane

Elve, Pinar

Fogarty, Ben

Hogan, Kayt

Ibbott, Kimm

Kable, Linda

Kumar, Radhika

Laidler, Mansell

Lee, Ka-ling Karen

Lewis, Samantha

Maranis, Sylvia

McGhee, Peter

Mockler, Denis

Pietrini, Rhonda Lewis

Rice, Maree

Snelgrove, Peter John

Stimpson, Claire

Turnbull, Megan

Wallace, James

Weir, John

Wong, Shine

Justice Support Volunteers

Volunteers providing police station, court and other justice support for victims and defendants with intellectual disability. Eight of these volunteers also support parents with intellectual disability in the Children's Court when they are at risk of losing care of their children.

Sydney

Bargen, Jennifer

Bigalow, Sandra

Bland, Bruce

Bovard, Julia

Cahill, Ken

Corbould, Elizabeth

Costello, Michael

Cowan, Linda

Deschamps, Dianne

Droll, Benjamin

Eldridge, Veronica

Ellis, Peter

Fredericks, Michael

Goninan, Margaret

Hudson, Anne

Jennings, Margaret

Logan, Christine

Lukic, Catherine

Mahon, Jenny

Mawhinney, Malcolm

McInerney, Marita
 McKenzie, Kathryn
 McKinnon, Sue
 Milne, Jeanette
 Moore, Elizabeth
 Nisbet, Alison
 O'Keeffe, Harold
 Pacchiarotta, Jonathan
 Porter, Jan
 Randall, Maureen
 Raymond, Eunice
 Ridha, Muhammad Rasyid
 Salman, Richard
 Sprange, Mike
 Starr, Elizabeth
 Sylwestrzak, Virginia
 Thomas, Julie
 Tsoukalas, Kathy
 Veleski, Ida
 Wood, John

Hunter

Arvidson, Kaitlin
 Beck, Margaret (Maggie)
 Caruana, Anthony
 Dawson, Joanne
 Hinks, Tessa
 Jones, Peter
 Lavender, Chloe
 Mortell, Jacinta
 Newman, Julie
 Paul, Calum
 Phillips, Jan
 Pinchen, Joyce Armstrong
 Purser, Isabel
 Rowe, Leonie May
 Rumley, Lynne
 Smith, Denis
 Weir, James
 Williams, Ruth
 Wilson, Tania

Illawarra, Southern

Arnold, Sandra
 Barnett Michael
 Chung, Elisa
 Combo, Peter
 Connelly, Michael
 Ellis, Elizabeth
 Frost, Terry
 Hall Warwick
 Hancock, Susan
 Hartman June
 Hayes, Rhonda
 Kayla Steele
 Kerr, Margaret
 Lawrence, Rachel
 Leonhardt, Bronwyn
 Liddle, Barbara
 Lloyd Cookie
 Patrick, Dianne
 Phillips, Sharon
 Raymond, John
 Shea, Brenda
 Speers, Kathy
 Timbery, Malcolm
 Upton, Norm
 Watson, Maxine
 Watt, John
 Windsor, Christine

Outreach areas includes Mid-North Coast, Central Coast, Central West, Riverina,

Aldridge, Gayleen
 Beck, Margaret (Maggie)
 Brown, Anne
 Collingridge, Suzanne
 Darcy, Gary
 Davey, Graham
 Dean, Paul
 Fletcher, Leigh
 Girlich, Tiffany
 Halliburton, Pam
 Hastings, Debbie

Hoystead, Jullie Ann
 Hughes, Megan
 Huntley-Tol, Sylvia
 Irons, Christopher
 Linney, Heath
 Lloyd, Sikiki
 Lucas, Val
 Martin, Anne
 Maxwell, Susan
 McLennan, Bob
 Mills, George
 Morton, Jennifer
 Nisbet, Grace
 Oakwood, Meri
 Rooke, Leonie
 Ryan, Elizabeth
 Tanner, Eric
 Thurston, Robyn
 Valentine, Bruce
 Whyatt, Brian
 Zirona, Stephen

Students

Social work students Jonathon Kelleher, Janel Mustfa and Charlotte Miles have made important contributions through individual advocacy and work with rights education and the fledgling peer support networks during their placements with IDRS in 2015-16.

“I was never genuinely thanked as much in my paid working life as I am by IDRS clients who really appreciate the support.”

Court support volunteer Sydney

Members of the IDRS Board

IDRS relies on the time, energy and skills of a voluntary Board of Directors to manage and steer its work.

The IDRS Board of Directors bring a wealth of expertise, lived experience and strong commitment to the rights of people with disability to their role.

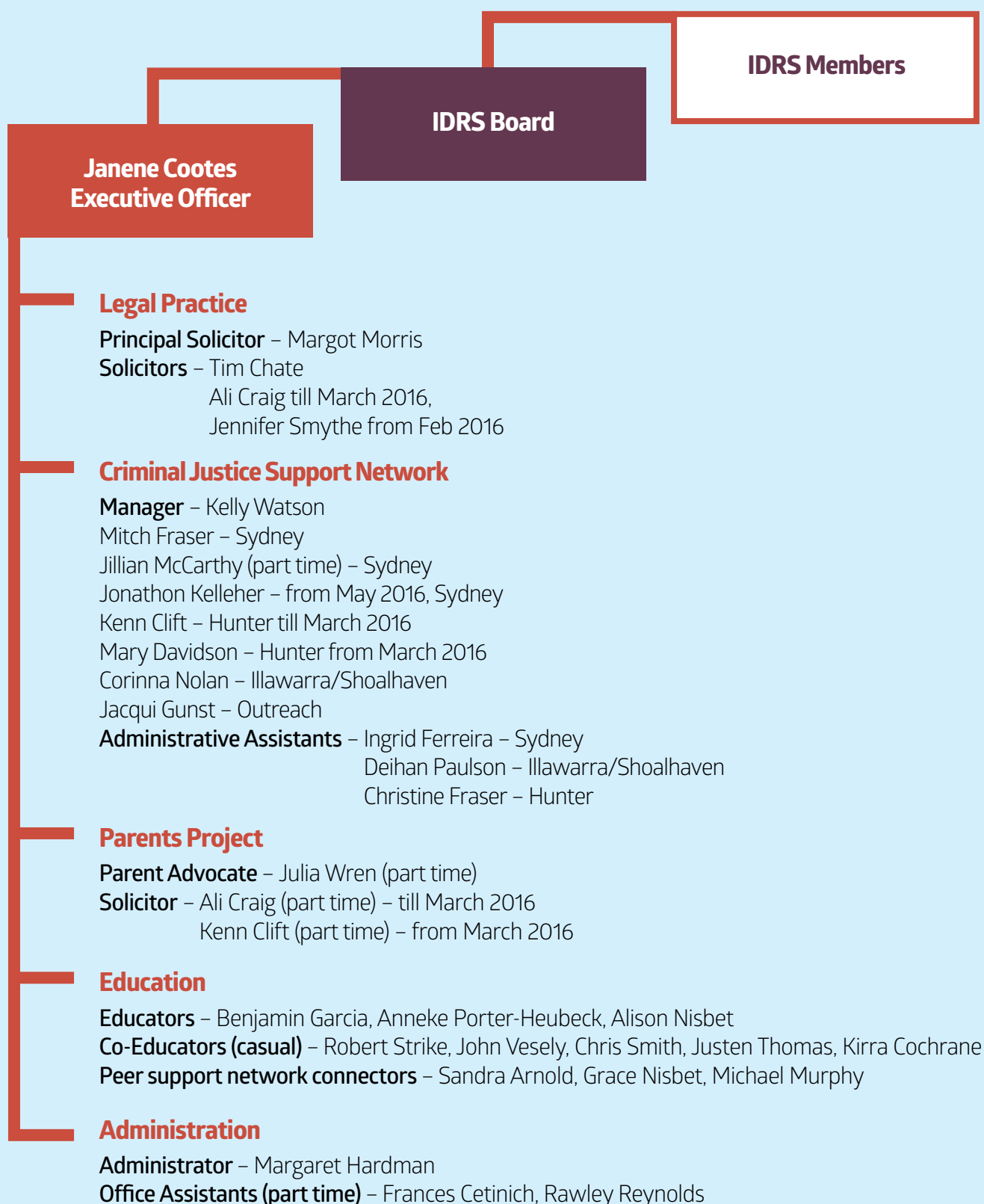
The members of the IDRS Board in 2015-16 were:

- Anne Bolt
- Phillipa Friedrich (Treasurer)
- Therese Griffith (till December 2015)
- Jenny Klause
- Edwina MacDonald
- Haley Mc Ewen
- Edwina Pickering
- Carmelo Raspanti
- Greg Smith (from February 2016)
- Mike Sprange (Chair)
- Pheona Twist (from February 2016)



IDRS staff and Board members – marketing workshop

IDRS Organisational Chart



Legal Assistance

IDRS legal assistance includes:

- Free legal advice by phone or in person to people with intellectual disability or, where it is not possible to advise the person with intellectual disability, directly to others who call on behalf of the person with intellectual disability.
- Referral to legal and disability services
- Information, training and resources to lawyers in NSW who are assisting clients with intellectual disability.
- Legal advice to people with intellectual disability who are in police custody 9am – 10pm, seven days week via staff solicitors and a network of volunteer solicitors.
- Legal casework and representation for people with intellectual disability in some cases.

Legal advice

This year IDRS provided legal advice on 673 occasions to 480 people with intellectual disability about a wide range of legal questions and situations. In about 60% of cases, IDRS is contacted by third parties such as a family member, support worker or an advocate, who is assisting a person with intellectual disability to get legal advice. For IDRS the legal advice client will always be the person with disability wherever possible the IDRS solicitor will want to speak with that person. Conflict of interest is carefully considered whenever a third party is seeking advice on behalf of a person with disability.

IDRS legal advice is available to people with intellectual disability throughout NSW and can be provided in person or over the phone within a few days of the request. If a situation is urgent, advice will be provided as soon as possible.

Growing demand for legal advice for people in police custody

A person who is under arrest is entitled to contact a solicitor to seek legal advice and police should assist a person with disability to make that contact. It is very important that a person with intellectual disability in this situation get legal advice that they can understand.

IDRS legal advice is available to people with intellectual disability who have been arrested 7 days week from 9am–10pm on 1300 665 908.



“I started off learning about my rights and I ended up with IDRS helping me with a legal problem I had”

“There would be a lot more people in a lot of trouble if there was no IDRS”



IDRS solicitors provide this service during business hours and we are grateful to a group of volunteer solicitors who provide legal advice after hours and at week-ends. This legal advice service works in conjunction with Criminal Justice Support Network providing support to the person who is at the police station.

2015-16 saw a 44% increase in demand for legal advice for people with intellectual disability in police custody with advice being provided 150 times. Increasingly it is the police who contact IDRS seeking a support person and legal advice but anyone who is aware that a person with intellectual disability is in police custody, eg family, support worker can contact IDRS to let us know the person is in custody and we will follow up.

Legal advice about the BSWAT Payment Scheme

IDRS has been approved as a provider of legal advice services about the Business Services Wage Assessment Tool (BSWAT) Payment Scheme. We can help people with intellectual disability, or where necessary their family, to make informed decisions about taking part in this scheme.

The BSWAT payment scheme was established by the Australian Government following the Federal Court finding in December 2012 that 2 supported employees, with intellectual disability, were unlawfully discriminated against by their employers because their wages were worked out based on BSWAT assessments.

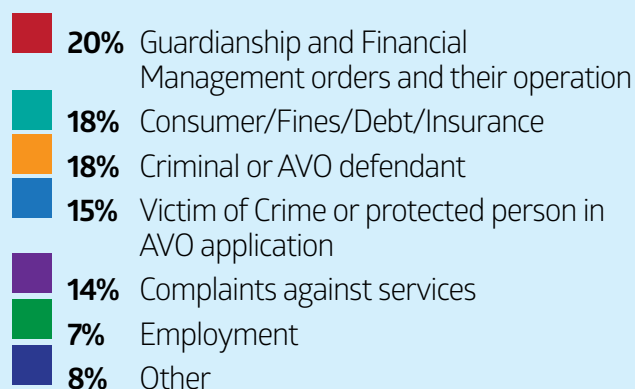
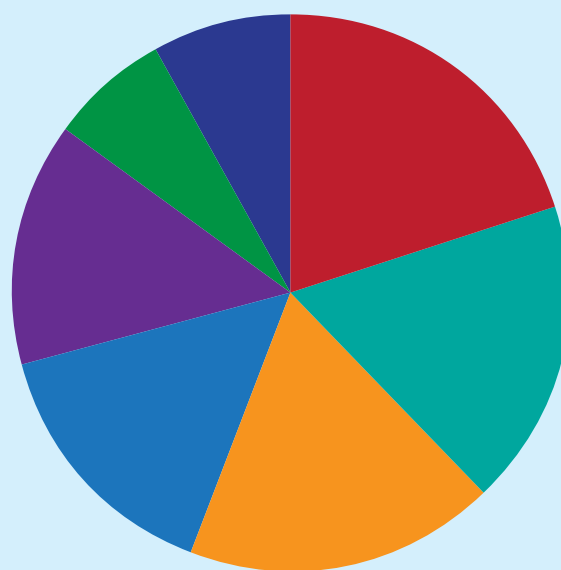
The scheme offers eligible supported employees, who have worked in Australian Disability Enterprises, a one off payment. However, participants who accept the payment cannot take part in any legal proceedings about the BSWAT if they accept a payment from the scheme.

IDRS is still able to be contacted for legal advice on this issue.

Legal Casework

During 2015-16, IDRS solicitors worked on 84 long term legal cases. The cases covered a wide range of legal situations.

Main problem types – legal casework



This year has seen a growth in people seeking assistance in relation to guardianship and financial management orders. These cases included people with intellectual disability seeking assistance at hearings of the Guardianship Division of NCAT, seeking revocation of orders and needing help with complaints particularly about the operation of financial management orders.

Case Studies

Please note that names and details in these case studies have been changed.

Helping Susan to feel safe at home

Susan had lived happily in her Housing NSW unit for over 20 years. She and some of her neighbours were good friends. A new neighbour had moved in three years ago and took a dislike to Susan and her friend Debbie. He would yell abuse at them and sometimes try to obstruct their way or trip them.

Susan became increasingly anxious and reluctant to leave her unit because of the neighbour's unpredictable and threatening behaviour. She did not know what to do. Her advocate helped her contact IDRS.

IDRS assisted Susan to make an application for an Apprehended Personal Violence Order (APVO) to the local court and to get together the evidence to support the application. The IDRS solicitor went to court with Susan. Susan could not have put her own case to the court and Legal Aid is no longer available to applicants in Apprehended Personal Violence Order cases, like neighbourhood threats and violence.

Susan's neighbour agreed to the APVO. Susan has had no significant problems with the neighbour since but if she had she could have approached the police for assistance.

Forced to be apart

James and Deborah are a married couple who have been together for over 6 years and live together in a rented unit. They both have intellectual disability. They receive disability services to support them.

James and Deborah approached IDRS for legal advice when Deborah's aunt said she was going to take Deborah to live with her. It was unclear why the aunt wanted to make this change. IDRS solicitor advised James and Deborah that her aunt had no right to take Deborah away and that Deborah could choose where she lived.

The solicitor also advised about the possibility of applying for an Apprehended Violence Order if Deborah felt threatened by her aunt and that they should contact the police if anyone attempted to take Deborah away against her wishes. The solicitor encouraged the couple to come back if there was any further trouble.

Sometime later, Deborah's aunt did take Deborah to live with her. James complained to the police with help from his support worker but the police said they could do nothing. IDRS advised that an urgent application should be made for a guardian to be appointed for Deborah. IDRS solicitor attended the Guardianship hearing to assist James.

The Tribunal appointed the Public Guardian to make a decision about where Deborah should live. Ultimately the Public Guardian decided that Deborah should return to live with James.

Exploitation and mobile phone contracts

Josh was pressured to purchase two mobile phones for friends. The phone contracts were \$70 each per month. When he purchased them he told the sales person that he couldn't read or write and that he did not understand the contracts. The contracts were not read to him. He was encouraged to sign.

Josh's friend used the phones for a few weeks and then returned them to him. Josh couldn't pay for the two contracts for phones he didn't use. He had tried to talk to Telstra to get the contracts cancelled but was brushed off.

Josh called IDRS for advice. IDRS took on the matter and managed to negotiate a solution with Telstra. IDRS solicitor argued that the shop assistant at Telstra should reasonably have known that the client could not understand the contracts. IDRS succeeded in negotiating for the contracts to be terminated, the termination fees to be waived and all money spent by the Josh to be returned.

Common Private Health Insurance Problem needs a systemic solution

IDRS has assisted a number of families in their dealings with Private Health Insurance Companies. The problem is usually that the companies refuse to provide any information or to communicate with the family of a person with intellectual disability who lacks ability to access or understand information about their health insurance themselves, once the person turns 25. This happens even after evidence of incapacity is provided to the insurer.

Families are often told that they need to have a power of attorney or a financial management order to continue to deal with the health insurance company on behalf of their son or daughter. The young person's disability means they are not capable of making a Power of Attorney. There is a stalemate which significantly disadvantages the person.

IDRS solicitor successfully negotiated with one health insurance company this year to allow the mother of a 25 year old man with intellectual disability to deal with them about her son's private health insurance. This is now working well. However, responses from insurers are inconsistent.

IDRS will take up this general issue with the Private Health Insurance industry to try to identify a solution which will prevent these impassable situations arising in the future.

Criminal Justice Support Network

The Criminal Justice Support Network (CJSN) provides support persons and advocacy for people with intellectual disability when they come into contact with the criminal justice system as defendants, victims or witnesses of crime.

Support is provided at court, police stations, legal interviews, juvenile justice conferencing, community sentencing forums and court ordered mediations. Some court support is provided to people with intellectual disability who are in prison when they participate in court hearings via audio visual link.

CJSN relies on an extensive network of trained and dedicated volunteers to provide most supports to people with intellectual disability at court and at police stations.

CJSN services are available for people with intellectual disability who are arrested from 9am – 10pm seven days a week. The after-hours contact number is 1300 665 908.

CJSN Regional Coordinators are based in Sydney, the Hunter and the Illawarra/Shoalhaven. An Outreach Coordinator based in Sydney coordinates volunteer support persons in our Outreach Service Areas based on the Mid North Coast, Central Coast, the Riverina and the Central West of NSW.

CJSN staff are tireless and persistent advocates for people with disability who are involved with the criminal justice system. Staff find services and link people to services to support diversionary orders, liaise with legal representatives and justice agencies, and problem solve to meet the needs of the person with intellectual disability.



Quote from a Witness Assistance Officer

‘The Crown Prosecutor needed to speak with the complainant (victim) about quite a complicated legal issue. After the Crown explained in as simple terms as she could, the support person took over. She was very impressive with her ability to break the issue down into simple parts. She used a simple diagram, to help the person understand. Both the Crown Prosecutor and solicitor commented on what a difference it made having J at the conference. Many thanks to J and the great work your organisation does.’





Ben Garcia and Justen Thomas training new CJSN Sydney volunteers.

How many people did CJSN support?

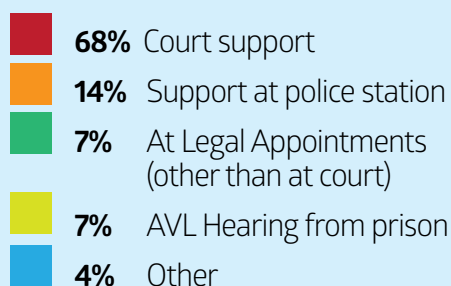
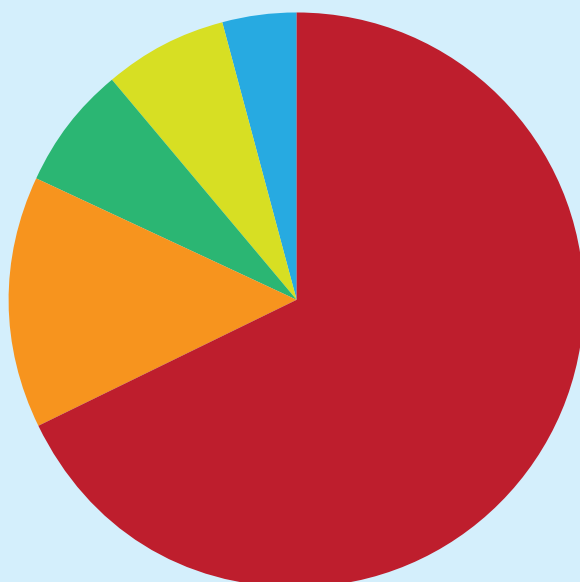
This year CJSN supported 586 people in their contact with the criminal justice system. Support was provided on 1,817 occasions.

Demand for support is primarily for people who have been accused of committing a crime. Support was provided to victims on 160 occasions at police stations and at court.

16% of people supported by CJSN identified as Aboriginal or Torres Strait Islander.

Type of support provided

The greatest demand for CJSN assistance is in relation to court support. However, requests for support at police stations continue to increase each year.



Diversions orders

CJSN supports people with intellectual disability and their solicitors in seeking evidence to support for applications for diversionary orders under Section 32 *Mental Health (Forensic Provisions) Act 1990*. In the experience of CJSN, applications for Section 32 orders are significantly less likely to be successful in regional towns compared with Sydney, Newcastle and Wollongong. It may be that this is due to reduced availability of services in these areas.

IDRS is concerned that during the roll out of the NDIS from July 2016 to June 18, it may become more difficult to secure assessment, services and support plans in a timely fashion for people with intellectual and other cognitive disabilities who are before the court. We are concerned that this may impact negatively on successful applications for diversionary orders, harsher penalties and greater custodial orders for people with intellectual disability.

Why are people pleased that they had a CJSN support person?

"Because I didn't understand."

"They understood what was happening in court and told me so I didn't get frustrated."

"Because of the outcome and the advice I got."

"Just having someone to be there."

"It was very good. It really helped me to get through the day."

"She was there to keep us calm. She was like an angel sent to us."

"It was great what he (support person) did. He understands what different people need."

If not for CJSN – Case Studies

Please note that names and details in these case studies have been changed.

Beyond court support - victim

CJSN supported Antonia in a serious domestic violence matter. She was supported at the police station to make a statement and then later at court, with a successful outcome. We were aware that she was very isolated and vulnerable. CJSN assisted Antonia to apply for a social housing transfer as police had concerns about her safety if she remained in her present accommodation. She participated in a peer support network at IDRS and CJSN staff linked her to Ability Links with the aim of increasing social participation. Although all the court matters are completed Antonia calls the IDRS office when she has a need for support.

Beyond court support - defendant

CJSN supported a young man who was a resident in supported accommodation. He had repeatedly breached bail conditions, resulting in bail being revoked by the court and his being remanded in prison. He could not return to his supported accommodation.

CJSN was asked to pursue a guardianship order for the young man. CJSN staff were involved in several months of work and co-ordination between various support services before the young man had enough services in place to satisfy the court that he could be released. On sentencing, the magistrate commented on the co-operation between prosecution, defence, CJSN and other services to pull everything together to enable the young man to be released from prison.

Making a difference to outcomes

Robyn was charged with multiple offences as a result of an incident which primarily arose from Robyn harming herself in a public place and the resulting interactions with police. Robyn has intellectual disability and mental health issues. She was in her 40s with no previous police charges.

A CJSN staff support person first met Robyn at Court. Robyn was extremely distressed during the court processes and in her contact with her solicitor. She wanted the matter to be finished as soon as possible. The support person played a major role in reassuring and trying to keep her calm. Robyn commented that she wouldn't have come to court if the support person wasn't there.

The solicitor was not able to spend enough time with Robyn and had not really been able to work through all available options with her. Robyn felt that the charges were unfair and was insistent on pleading not guilty.

Having spent some time with Robyn, the support person was able to liaise with the solicitor about other possible options including submissions to the police to ask for some of the more serious charges to be withdrawn by the police in the light of the circumstances and state of Robyn's mental health at the time. The solicitor agreed and the submissions were successful. Several charges were withdrawn

Robyn was increasingly distressed at repeatedly having to attend court and this was clearly impacting on her mental health. She was particularly distressed on the final occasion when a further adjournment was proposed by the solicitor.

The support person explained to the solicitor that it was important to Robyn to have the matter finalised. The support person also knew that any form of conviction was going to be very detrimental to Robyn due to her intense feeling that she was not to blame. The support person assisted Robyn to stress to the solicitor that she wanted to apply for a Section 10 bond where no conviction would be recorded rather than the bond the solicitor had discussed with her.

Somewhat reluctantly, the solicitor put Robyn's request for a Section 10 bond to the court. The magistrate readily agreed that the Section 10 bond was the most appropriate outcome based on the circumstances of the offences and Robyn's lack of any previous criminal history. Robyn was relieved and satisfied with the decision.

Having a support person directly impacted on the outcomes for Robyn in this matter. Solicitors have very little time to explain options to their client at court. The support person in this case was not

only able to spend the time to explain the options so that Robyn understood and could make an informed choice, but also was able to advocate for Robyn to her solicitor so that her instructions could be followed.

“

On sentencing, the magistrate commented on the co-operation between prosecution, defence, CJSN and other services to pull everything together to enable the young man to be released from prison.

”



Staff and volunteers at Volunteer week celebration.



The Parents' Project

The Parents Project is a specialist service offered by IDRS to parents with intellectual disability.

The Project assists parents who have either had their children removed from their care by Family and Community Services, or who are at risk of having their children removed. The Project is funded by the Public Purpose Fund of the Law Society of NSW through Community Legal Centres Funding Program of Legal Aid NSW.

In 2015-16, the Parents' Project also received funding through the Care Partner program of Legal Aid to provide legal assistance and advocacy to parents with intellectual disability who are involved in 'early intervention' processes with Family and Community Services (FACS). These processes include Parent Responsibility Contracts and Parent Capacity Orders. IDRS is also able to advocate when FACS workers are visiting families, assisting clients to understand case planning processes including Case Plans or Safety Plans and Family Group Conferencing. IDRS can advise parents with intellectual disability about contact issues arising after final orders have been made.

The Parents' Project employs a part time solicitor and a part time parent advocate.

Parents' Project strategies

Using a range of legal and non-legal approaches to advocate for individuals and systemic change the Parents Project provides:

- Legal advice, casework and representation to parents with intellectual disability in child protection matters
- Non-legal advocacy and support for parents with intellectual disability and those who support them
- Provide support person for parents at Children's Court in Child Care and Protection Matters
- Capacity building among professionals working with parents with intellectual disability – primarily disability advocates and support workers, child protection workers, lawyers and court staff
- Input into relevant policy debates and law reform processes and lobbies for systemic change that will improve the outcomes for families where at least one parent has intellectual disability

Families where at least one parent has intellectual disability represent approximately 1–2% percent of families in Australia, yet an estimated 10-12% of care proceeding cases before the children's court involve a parent with intellectual disability. It is estimated that one in six children in out of home care has a parent with intellectual disability.

The over-representation of parents with intellectual disability in Children's Court proceedings and out of home care figures can partially be attributed to the widespread pessimism regarding the ability of people with intellectual disability to parent.

Parents assisted by the project

In 2015-16, the Parents' Project has provided assistance to 65 parents with intellectual disability.

Advices

	Number of advices
Legal	39
Non Legal	30
Total	69

Casework

	Number of advices
Legal	45
Non Legal	44
Total	89

Volunteers provided court support to parents with intellectual disability on 69 occasions

Some project highlights in 2015-16

The Parents' Project has taken up a 'hot desk' at the 'One Place' Service Centre in Conniston. We are very pleased to be part of this innovative model of service provision. Having a 'hot desk' at the centre provides IDRS Parents' Project with an Outreach venue in the Illawarra which is frequented by disadvantaged people, including parents with intellectual disability. The location also offers the opportunity to liaise with local services and assist people who attend the centre. This has resulted in an increase in referrals to the Parents' Project from the Illawarra area during 2015-16.

IDRS was interviewed and appeared briefly in a story on 'The Project' which focused on positive achievements of parents with disability as well as some of the problems.

IDRS received a very positive response to our offer to present to FACS staff about the Parents' Project and assistance available to parents through the Care Partner program.

'When Docs Knocks' training workshops were delivered in Newcastle and Sydney. Thirty eight staff from community and disability services attended this training.

Five new volunteers were trained to support parents with intellectual disability in court.

Collaborative Research Project

A highlight of 2015-16 has been the opportunity to commence work with The Intellectual Disability Behaviour Support Unit in the School of Social Science at University of NSW on a collaborative research project focused on the IDRS Parents' Project.

This collaboration has brought together researchers from UNSW and University of Sydney with IDRS Parents' Project.

The research will explore, document and validate against international best practice, the model of engagement and support offered to parents with intellectual disability through the Parents' Project.

The collaboration will develop understanding of parent and staff experience and views of the program and will identify the key elements of successful engagement, from the perspective of parents and the support staff who are employed in the IDRS Parents' Project.

We look forward to the results of this study which should be available in early 2017. The aim is to secure research funds to extend the research to further explore effective options for supporting parents with intellectual disability. This is important research to inform the development of options for disability support through the National Disability Insurance Scheme to benefit parents with intellectual disability.



Photo: Our Neighbours from DSA Transition to Work joined us for a NAIDOC week celebration at IDRS.

Case Studies

Please note that names and details in these case studies have been changed.

Kate:

Kate's baby was removed from her care 4 days after birth. Kate has mild intellectual disability and FACS had concerns about the father's alcohol and drug use and a past history of domestic violence. IDRS advocated for Kate throughout the care proceedings and interactions with FACS and helped her understand what she would need to do to have a chance of her child being restored to her care.

Great pressure was put on Kate to leave her partner due to his domestic violence history. It was assumed that Kate was being abused though she strongly denied this. IDRS worked closely with Kate to help her to identify if she had experienced domestic violence in her current relationship, working with her through examples of domestic violence and Kate's own experience. Kate remained adamant that no abuse had occurred. This was ultimately accepted by FACS.

IDRS assisted Kate to clarify with FACS what she and her partner needed to do for there to be a chance of restoration of her child. Requirements were that both parents undertake a parenting course and a domestic violence course. Both had to agree to urinalysis and abstain from drugs and alcohol and Kate had to accept counselling.

Kate's disability was also a concern to FACS. Throughout the process the IDRS advocate reinforced that Kate had the capacity to learn the skills to successfully parent her child and worked to identify appropriate available supports.

IDRS advocated for restoration of Kate's baby with FACS. Kate and her partner completed the required courses, urinalysis was clean, the house was safe, counselling was going well and reports about contact with the baby were excellent. Kate and her partner had addressed all concerns with the support of IDRS. The final 'test' was a parenting capacity assessment from the court clinician which recommended restoration of the baby to the parents with undertakings that they would abstain from drugs and alcohol and continue counselling. FACS would remain involved for at least 18 months.

At time of writing the baby has been restored to the care of the parents for some time and FACS plan to transfer Parental Responsibility to the parents in a few weeks. IDRS will support Kate to meet with FACS to confirm all concerns have been addressed.

IDRS worked closely with Kate to help her to identify if she had experienced domestic violence in her current relationship, working with her through examples of domestic violence and Kate's own experience. Kate remained adamant that no abuse had occurred.

Adrianna

Adrianna is a young woman from a CALD background who has a mild intellectual disability. She lives with her partner (who does not have a disability) and she is in daily contact with family who are very supportive of her. Adrianna was referred to IDRS during her pregnancy. Adrianna has a child from a previous relationship who was removed from her care due to domestic violence in that relationship. The violence had major impact on Adrianna and affected her mental health and ability to cope with pregnancy and her child's care. Her baby was placed with another family member.

The Children and Young Persons (Care and Protection) Act assumes that where a parent has had a child removed, children born after that will also be in need of statutory care. However the circumstances that prevailed at the time of the removal of Adrianna's older child were completely different from her present situation in a positive relationship. Adrianna was taking all necessary steps to prepare for the birth of the new child.

IDRS advocated strongly for Adrianna to be given a chance to care for her child. FACS agreed that Adrianna could take her baby home so long as Adrianna had support services in place to assist her to care for her child.

IDRS began supporting Adrianna and advocating for her to be allowed to parent her new baby. We assisted Adrianna to apply for Centrelink benefits. We supported her to meet with FACS and establish what FACS expected of her to enable her to keep her baby.

IDRS liaised with FACS and the hospital to maximise opportunities for Adrianna to learn to care for the baby while in hospital. The hospital had no concerns that Adrianna would pose a risk to the new child. FACS still had concerns that the effects of Adrianna's intellectual disability meant she lacked capacity to parent her child. FACS organised a parenting capacity assessment. IDRS advocated that the assessment be carried out in Adrianna's home by an assessor who was familiar with Adrianna's culture. This was accepted and the assessment was favourable.

FACS still had concerns about Adrianna's ability to care for a new born baby. IDRS advocated strongly for Adrianna to be given a chance to care for her child. FACS agreed that Adrianna could take her baby home so long as Adrianna had support services in place to assist her to care for her child. Adrianna agreed to this. All the support services agreed that they could only offer minimal support because Adrianna really was coping very well.

At the time of writing all is going well, Adrianna is still in receipt of the support services and FACS is still monitoring this mother and child. IDRS is optimistic that in the long term this child will not be removed from Adrianna.

Education, Capacity building and Peer Support

IDRS education, capacity building and peer support aims to:

- Build the capacity of people with intellectual disability to understand their rights and responsibilities, feel confident to stand up for their rights and know how to get help with their rights if they need it. Develop resources to support this goal.
- Support the capacity of people with intellectual disability to be educators and spokespersons for themselves and for others with intellectual disability
- Create opportunities for the growth of peer support networks to foster relationships, connections and social inclusion.
- Provide education to those who support people with intellectual disability with legal and rights problems including family, friends, disability support workers, advocates.
- Build the capacity of the community, particularly the justice sector, to respect and respond more effectively to the needs of and rights of people with intellectual disability. To this end we provide training to police, lawyers and other justice personnel

“I like all the things about it, and the laws, rights and obligations.”

“I’ve learnt a lot more about my legal rights wherever in my life I might need it.”

Comments from students, Your Life, Your Rights course

Capacity building for:	Sessions	Participants
People with intellectual disability		
Your Life: Your Rights 4 session per course	26	82
Getting Arrested – What to do?	2	23
My Choice Matters – Get More Skills Workshops – 3 sessions per group	17	73
Total	45	170
Disability and community sector workers	10	171
Justice Agency Staff		
Police	15	324
Legal	2	45
Total	17	369

My Choice Matters – Get more skills workshops

IDRS has appreciated the opportunity provided by funding from My Choice Matters to run some adapted Get More Skills workshops with people who are socially isolated and have little or no family support. The workshops build understanding and exercise of 'Voice, Choice and Control' in life and in preparation for the NDIS. Participants each attended 3 workshops. They each identified a goal that they wished to achieve and worked toward the goal with support, where necessary, from IDRS.

Four major areas emerged from participant feedback about what they learnt:

- The importance of having goals
- The importance of speaking up for yourself and making decisions
- The importance of staying motivated and positive
- How the NDIS might help

Two of the participants in the early Get More Skills Workshops were later employed by IDRS as co-facilitators of the later workshops and continue to work with IDRS in education.

IDRS was also engaged by My Choice Matters to support five people who use IDRS services to develop My Choice Matters project proposals and then to ensure that they had sufficient support to achieve their project goals.

Peer Support Networks

IDRS was thrilled to be successful in achieving Disability Support Organisation funding in a joint application with NSW Council for Intellectual Disability. This funding has enabled IDRS to facilitate development of peer support networks, again focusing on socially isolated people many of whom have particularly disadvantaged backgrounds.

Six peer support networks have been developed. Two of these networks brought together mothers with learning or intellectual disability. The other four networks were in Sydney, Central Coast, Cessnock and Wollongong. Each network developing its own unique flavour.

The network connectors, in fact all of us at IDRS, have been inspired by the growth of individuals within the networks and the changes they have made in their lives, the supportive connections that have developed and the achievements of the networks themselves.

The networks are supporting members to have confidence to pursue their goals.

“One of the members who struggled with confidence when she joined the network set herself 3 goals – get a job, join a choir and learn how to cook – she has achieved all three.”

A few quotes from network participants

“If it wasn’t for the group, I’d live in a hermit shell, staying inside with my doors and windows locked.”

“I’d definitely do things differently now – I was fed up with my services before so I’m going to ask for different things with the NDIS.”

“We can accept each other for who we are.”

Disability Justice Project

IDRS is partner with Centre for Community Welfare Training and Life Without Barriers in designing and delivering the Disability Justice Project.

This 2 year project funded by Family and Community Services aims to build capacity of the disability sector to work more effectively with people with cognitive disability who are involved with the justice system or are at risk of involvement with the justice system.

Disability Justice Project training has commenced during 2015-16. IDRS has delivered training in the Involvement in the Criminal Justice System – Risk Factors course and developed a 2 day training course Navigating the Criminal Justice System. IDRS will co-facilitate this training with Aboriginal educators throughout NSW from August 2016.

Apprehended Violence Orders (AVOs) Film Project

IDRS and Self Advocacy Sydney have been successful through a joint application to the Law and Justice Foundation of NSW in receiving a grant to produce a film resource to promote understanding of AVO's amongst people with intellectual and other cognitive disability. Our aim is to reduce the incidence of people with disability inadvertently doing things that lead to AVOs and of people breaching AVOs due to poor understanding of them.

We hope the film will be available early in 2017.

Speaking of films...

Two other films produced by IDRS this year are:

Advocacy: How Alan got the Best from NDIS!

This film is about how Alan got into NDIS in Newcastle, how he got services, changed services and how his services are working really well now under NDIS. Available on IDRS website: www.idrs.org.au

My Experience in the Criminal Justice System

Three men speak about their experience in the criminal justice system. This film will be shown in Navigating the Criminal Justice System training through the Disability Justice Project.



Kirra and Donnie cooking a roof top barbeque for peer support get together.



Top: Mothers Peer Support group after a visit to the NDIS.

Above: Richard Murray speaking at NSWCID Conference.

Above right: Marg Spencer and Kelly Watson IDRS poster session at IASSID International Congress Melbourne.

Acknowledgements

Thank you

IDRS would like to thank the following legal firms for their support during the year.

- Gilbert and Tobin
- Sparke Helmore (Newcastle)

Support and funding

IDRS operates on a not for profit basis expending all income on the provision of services and the operation of the organisation.

IDRS receives its core funding from

- NSW Department of Family and Community Service
- Commonwealth Department of Social Services
- The Public Purpose Fund of the Law Society of NSW through Community Legal Centres Funding Program of Legal Aid

Project funding

We thank the following for funding support for IDRS specific projects this year

- Law and Justice Foundation of NSW
- My Choice Matters
- Department of Social Services – Disability Support Organisation Funding
- University of Melbourne – Unfitness to Plead Research Project
- Disability Justice Project funded by Family and Community Services



Judith, Richard and Dale cooking class at Newtown Neighbourhood Centre.



Financial Statements

INTELLECTUAL DISABILITY RIGHTS SERVICE INCORPORATED ABN: 11 216 371 524 COMMITTEE'S REPORT

Your committee members submit the financial report of Intellectual Disability Rights Service Incorporated for the financial year ended 30 June 2016.

Committee Members

The names of committee members throughout the year and at the date of this report are:

Anne Bolt
Carmelo Raspanti
Edwina MacDonald
Edwina Pickering
Haley McEwen
Janene Cootes (Ex-Officio)
Jenny Klause
Mike Sprange (Chairman)
Phillipa Friedrich (Treasurer)
Theresa Griffith (Resigned November 2015)
Greg Smith (Appointed February 2016)
Pheona Twist (Appointed February 2016)

Principal Activities

The principal activity of the Association during the financial year was to advance the rights of people with an intellectual disability and to ensure that they have the same rights and the same opportunity to exercise their rights as other people in the community.

Significant Changes

No significant change in the nature of these activities occurred during the year.

Operating Result

The operating loss amounted to \$5,890 (2015 loss \$9,720)

Signed in accordance with a resolution of the Members of the Committee.

Dividend

The entity is an incorporated association and the Board is prohibited from distributing funds to members.

Operations of the Association

A review of the operations of the Association during the financial year and the results of those operations are as follows:

The operations of the Association during the financial year involved the receipt of grant income from various government bodies, which it used to provide legal assistance and advice, conduct education programs for people with intellectual disability and others, produce resources about the rights of people with intellectual disability and to provide support to the people with intellectual disability who are in contact with criminal justice system.

Future Developments

The Association intends to continue its operations as outlined above. The ability of the Association to continue its operations is dependent upon continuing financial support by state and/or Federal Government department and other parties.

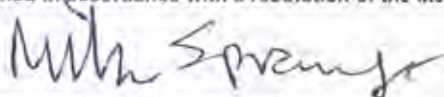
Subsequent Events

No matters or circumstances have arisen since the end of the financial year.

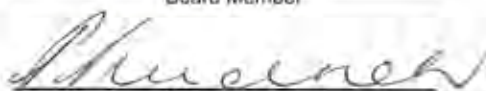
Indemnification of Auditors and Officers

Since March 2003, Intellectual Disability Rights Service Incorporated has held a Directors and Officers Liability Insurance Policy which covers Board members and employees of the Association. The liabilities insured include costs and expenses that may be incurred in defending civil or criminal proceedings that may be brought against the officers in their capacity as officers of the Association.

Signed in accordance with a resolution of the Members of the Committee.



Board Member



Board Member

Dated this 11 November 2016

INTELLECTUAL DISABILITY RIGHTS SERVICE INCORPORATED
ABN: 11 218 371 524
INCOME AND EXPENDITURE STATEMENT FOR THE YEAR ENDED 30 JUNE 2016

	Note	2016 \$	2015 \$
INCOME			
Interest		19,424	17,884
Commonwealth Dept of Family & Community Services		212,543	222,785
Department of Ageing, Disability & Home Care (NSW)		1,022,181	1,031,397
Grant - Miscellaneous		58,181	100,935
Other Income		323,907	173,856
		<u>1,736,236</u>	<u>1,562,857</u>
EXPENDITURE			
Accounting & Bookkeeping		32,095	20,032
Admin Charges		128,183	126,844
Advertising		5,773	1,263
Annual Leave & Maternity Leave		(2,026)	1,374
Audit Fees		8,798	8,285
Bank Charges		1,087	1,059
Cleaning		9,301	8,060
Consultancy Fees & Outsourcing		11,680	-
Depreciation		13,703	14,352
Electricity		3,640	10,953
Hire Agencies		15,486	20,845
Hire Equipment		-	566
Insurance		11,739	11,122
Information Technology Support		20,695	19,327
IT Web Maintenance		710	1,519
Legal Costs and Disbursements		1,808	1,941
Long Service Leave		8,815	(3,940)
Photocopying, Printing & Stationery		20,249	12,544
Postage & Courier		3,426	3,039
Practising Certificates & Professional Supervision		12,002	12,534
Purchase of Minor Fixed Assets & Rebuild Network		9,845	463
Rent		83,859	79,231
Repair & Maintenance		6,218	4,598
Salaries & Wages		1,092,247	982,835
Staff/Volunteer Training & Continuing Education		50,646	33,872
Storage		2,952	2,411
Subscriptions & Library		14,675	14,358
Sundry Expenses		1,326	2,754
Superannuation		108,004	36,875
Telephone		25,574	26,875
Travelling & Accommodation Expenses		22,541	24,928
Website Project - L&J Making Sense		-	1,250
		<u>1,742,095</u>	<u>1,562,587</u>
Current year surplus before income tax		(5,859)	(9,730)
Income tax expense		-	-
Net current year surplus		<u>(5,859)</u>	<u>(9,730)</u>
RETAINED SURPLUS AT THE BEGINNING OF THE FINANCIAL YEAR		240,724	250,444
RETAINED SURPLUS AT THE END OF THE FINANCIAL YEAR		<u>234,864</u>	<u>240,714</u>

The accompanying notes form part of these financial statements.

INTELLECTUAL DISABILITY RIGHTS SERVICE INCORPORATED
ABN: 11 216 371 524
ASSETS AND LIABILITIES STATEMENT AS AT 30 JUNE 2016

	Note	2016 \$	2015 \$
ASSETS			
CURRENT ASSETS			
Cash on hand		812,970	610,661
Accounts receivable and other debtors	2	43,368	106,012
TOTAL CURRENT ASSETS		<u>856,338</u>	<u>716,673</u>
NON-CURRENT ASSETS			
Property, plant and equipment	3	10,418	24,121
TOTAL NON-CURRENT ASSETS		<u>10,418</u>	<u>24,121</u>
TOTAL ASSETS		<u>866,756</u>	<u>740,794</u>
LIABILITIES			
CURRENT LIABILITIES			
Grants received in advance		349,960	245,661
Payables		91,546	70,877
Provisions		77,676	79,701
TOTAL CURRENT LIABILITIES		<u>519,173</u>	<u>396,239</u>
NON-CURRENT LIABILITIES			
Provisions	4	72,749	63,831
TOTAL NON-CURRENT LIABILITIES		<u>72,749</u>	<u>63,831</u>
TOTAL LIABILITIES		<u>591,922</u>	<u>460,070</u>
NET ASSETS		<u>274,834</u>	<u>280,724</u>
MEMBERS' FUNDS			
Capital reserve		40,000	40,000
Retained surplus		234,834	240,724
TOTAL MEMBERS' FUNDS		<u>274,834</u>	<u>280,724</u>

The accompanying notes form part of these financial statements.

INTELLECTUAL DISABILITY RIGHTS SERVICE INCORPORATED
 ABN: 11 216 371 524
 STATEMENT OF MOVEMENT IN EQUITY FOR THE YEAR ENDED 30 JUNE 2016

	Note	Retained Surplus \$	Capital Reserves \$	Total \$
Balance at 1 July 2014		250,444	40,000	290,444
Comprehensive income				
Net loss for the year		(9,720)	-	(9,720)
Total comprehensive income attributable to members of the entity		(9,720)	-	(9,720)
Balance at 30 June 2015		240,724	40,000	280,724
Balance as at 1 July 2015		240,724	40,000	280,724
Comprehensive income				
Net loss for the year		(5,890)	-	(5,890)
Total comprehensive income attributable to members of the entity		(5,890)	-	(5,890)
Balance at 30 June 2016		234,834	40,000	274,834

The accompanying notes form part of these financial statements.

INTELLECTUAL DISABILITY RIGHTS SERVICE INCORPORATED
ABN: 11 216 371 524
NOTES TO THE FINANCIAL STATEMENTS FOR THE YEAR ENDED 30 JUNE 2016

Note 1 Summary of Significant Accounting Policies

The financial statements are special purpose financial statements prepared in order to satisfy the financial reporting requirements of the Associations Incorporation Act New South Wales. The committee has determined that the association is not a reporting entity.

The financial statements have been prepared on an accruals basis and are based on historic costs and do not take into account changing money values or, except where stated specifically, current valuations of non-current assets.

The following significant accounting policies, which are consistent with the previous period unless stated otherwise, have been adopted in the preparation of these financial statements.

(a) Income Tax

The Association is exempt from income tax under section 50-10 of the Income Tax Assessment Act 1997.

(b) Property, Plant and Equipment (PPE)

Leasehold improvements and office equipment are carried at cost less, where applicable, any accumulated depreciation.

The depreciable amount of all PPE is depreciated over the useful lives of the assets to the association commencing from the time the asset is held ready for use.

Leasehold improvements are amortised over the shorter of either the unexpired period of the lease or the estimated useful lives of the improvements.

(c) Employee Provisions

Provision is made for the association's liability for employee benefits arising from services rendered by employees to the end of the reporting period. Employee provisions have been measured at the amounts expected to be paid when the liability is settled.

(d) Provisions

Provisions are recognised when the association has a legal or constructive obligation, as a result of past events, for which it is probable that an outflow of economic benefits will result and that outflow can be reliably measured. Provisions are measured at the best estimate of the amounts required to settle the obligation at the end of the reporting period.

(e) Cash and Cash Equivalents

Cash and cash equivalents includes cash on hand, deposits held at call with banks, and other short-term highly liquid investments with original maturities of three months or less.

(f) Accounts Receivable and Other Debtors

Accounts receivable and other debtors include amounts due from members as well as amounts receivable from donors. Receivables expected to be collected within 12 months of the end of the reporting period are classified as current assets. All other receivables are classified as non-current assets.

(g) Revenue and Other Income

Revenue is measured at the fair value of the consideration received or receivable after taking into account any trade discounts and volume rebates allowed. For this purpose, deferred consideration is not discounted to present values when recognising revenue.

Interest revenue is recognised using the effective interest rate method, which for floating rate financial assets is the rate inherent in the instrument.

The associations activities are supported by grants received from the federal, state and local governments. Grants received on the condition that specified services are delivered, or conditions are fulfilled, are considered reciprocal. Such grants are initially recognised as a liability and revenue is recognised as services are performed or conditions fulfilled. Revenue from nonreciprocal grants is recognised when the company obtains control of the funds.

All revenue is stated net of the amount of goods and services tax (GST).

(h) Goods and Services Tax (GST)

Revenues, expenses and assets are recognised net of the amount of GST, except where the amount of GST incurred is not recoverable from the Australian Taxation Office (ATO). Receivables and payables are stated inclusive of the amount of GST receivable or payable. The net amount of GST recoverable from, or payable to, the ATO is included with other receivables or payables in the assets and liabilities statement.

Note 2	Accounts Receivable and Other Debtors	2016	2015
		\$	\$
		30,141	87,926
		13,227	18,086
		<u>43,368</u>	<u>106,012</u>
Note 3	Property, Plant and Equipment	2016	2015
		\$	\$
		253,164	253,164
		<u>-242,746</u>	<u>-229,043</u>
	Total Property, Plant and Equipment	<u>10,418</u>	<u>24,121</u>
Note 4	Provisions	2016	2015
		\$	\$
CURRENT LIABILITIES			
	Employee Entitlements - Annual Leave	<u>77,876</u>	<u>79,701</u>
		<u>77,876</u>	<u>79,701</u>
NON-CURRENT LIABILITIES			
	Employee Entitlements - Long Service Leave	<u>72,749</u>	<u>63,831</u>

(Note 1)

Note 5**Leasing Commitments**

	2016	2015
	\$	\$
Operating Lease commitments		
Rental Sydney office *		
Payable - minimum lease payments	81,642	83,626
— not later than 12 months	20,409	85,299
— between 12 months and 5 years (expires 26/9/2017)	102,051	168,925
Rental Wollongong office **		
Payable - minimum lease payments	7,080	8,200
— not later than 12 months	7,383	17,012
— between 12 months and 5 years (expires 8/10/2018)	14,443	25,212
Rental Newcastle office ***		
Payable - minimum rental payments	0	5,249
— not later than 12 months (expires 1/1/2016)	-	0
— between 12 months and 5 years	0	5,249

* Sydney: The existing property lease term has been extended for 2 year. The agreed rent is \$83,626.00 per annum. Rent is payable monthly in advance. Contingent rental provisions within the lease agreement require that the minimum lease payments shall be increased by the Consumer Price Index. The amount disclosed are GST exclusive. Security Deposit paid \$20,625.00.

** Wollongong: Previous lease agreement is expiring in October 2015. From 8 October 2015 the service has entered into a sub-lease agreement on a new property with Australian Red Cross. The agreed rent on this property is \$7080 per annum. Contingent rental provisions within the lease agreement require that the minimum lease payments shall be increased by 4% per annum. The amount disclosed are GST exclusive.

*** Newcastle: A new rental agreement commenced in January 2014. The term of the agreement is 2 years. Agreed rent is \$10,293 per annum. The rent will increase annually by Consumer Price Index.

INTELLECTUAL DISABILITY RIGHTS SERVICE INCORPORATED
ABN: 11 216 371 524
ANNUAL STATEMENTS GIVE TRUE AND FAIR VIEW OF FINANCIAL POSITION AND
PERFORMANCE OF INCORPORATED ASSOCIATION

The committee has determined that the association is not a reporting entity and that this special purpose financial report should be prepared in accordance with the accounting policies outlined in Note 1 to the financial statements.

In the opinion of the committee the financial report as set out on pages 3 to 7:

1. Presents a true and fair view of the financial position of Intellectual Disability Rights Service Incorporated as at 30 June 2016 and its performance for the year ended on that date.

2. At the date of this statement, there are reasonable grounds to believe that Intellectual Disability Rights Service Incorporated will be able to pay its debts as and when they fall due.

The statement is made in accordance with a resolution of the Committee and is signed for and on behalf of the Committee by:

Board Member

Mick Sprange

Board Member

Phu Leach

Dated this

11 November 2016

ROBERT MAYBERRY

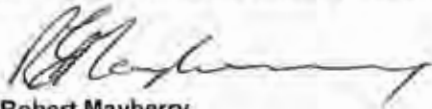
Chartered Accountant

PO Box H195

Australia Square, NSW 1215

AUDITOR'S INDEPENDENCE DECLARATION UNDER SUBDIVISION 60-40 OF THE AUSTRALIAN CHARITIES AND NOT-FOR-PROFITS COMMISSION ACT 2012 TO THE COMMITTEE INTELLECTUAL DISABILITY RIGHTS SERVICE INCORPORATED

I declare that, to the best of my knowledge and belief, during the year ended **30 June 2016** there have been no contraventions of the auditor independence requirements as set out in any applicable code of professional conduct in relation to the audit.



Robert Mayberry

Registered Company Auditor No. 185903

Sydney

Date: **17** November 2016

Sydney Office

Level 16, 1 Market Street, Sydney NSW 2000
PO Box H195, Australia Square NSW 1215
p +61 2 9251 4600, f +61 2 9251 7138
info@nxiacourt.com.au, www.nexia.com.au

Independent member of Nexia International



Nexia Court & Co (ABN 71 502 156 733) is an independent New South Wales firm of chartered accountants using the Nexia International trademark under licence. It is affiliated with, but independent from, Nexia Australia Pty Ltd, which is a member of Nexia International, a worldwide network of independent accounting and consulting firms. Neither Nexia International nor Nexia Australia Pty Ltd provide services to clients. Liability limited by a scheme approved under Professional Standards Legislation other than for the acts or omissions of financial services licensees.

**INDEPENDENT AUDITOR'S REPORT
TO THE MEMBERS OF
INTELLECTUAL DISABILITY RIGHTS SERVICE INCORPORATED**

Report on the Financial Report

We have audited the accompanying financial report, being a special purpose financial report, of Intellectual Disability Rights Service Incorporated, which comprises the committee's report, the balance sheet as at 30 June 2016, the income and expenditure statement for the year ended, notes comprising a summary of significant accounting policies, other explanatory notes and the statement by members of the committee.

Committee's Responsibility for the Financial Report

The committee of Intellectual Disability Rights Service Incorporated is responsible for the preparation of the financial report, and has determined that the basis of preparation described in note 1 is appropriate to meet the requirements of the *Australian Charities and Not-for-profits Commission Act 2012* and is appropriate to meet the needs of the members. The committee's responsibility also includes such internal control as the committee determines is necessary to enable the preparation and of the financial report that is free from material misstatement, whether due to fraud or error.

Auditor's Responsibility

Our responsibility is to express an opinion on the financial report based on our audit. We have conducted our audit in accordance with Australian Auditing Standards. Those standards require that we comply with relevant ethical requirements relating to audit engagements and plan and perform the audit to obtain reasonable assurance whether the financial report is free from material misstatement.

An audit involves performing procedures to obtain audit evidence about the amounts and disclosures in the financial report. The procedures selected depend on the auditor's judgment, including the assessment of the risks of material misstatement of the financial report, whether due to fraud or error. In making those risk assessments, the auditor considers internal control relevant to the association's preparation of the financial report that gives a true and fair view, in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the association's internal control. An audit also includes evaluating the appropriateness of accounting policies used and the reasonableness of accounting estimates made by the committee, as well as evaluating the overall presentation of the financial report.

Sydney Office

Level 16, 1 Market Street, Sydney NSW 2000
PO Box H195, Australia Square NSW 1215
p +61 2 9251 4600, f +61 2 9251 7138
info@nxiacourt.com.au, www.nexia.com.au

Independent member of Nexia International



Nexia Court & Co (ABN 71 502 156 733) is an independent New South Wales firm of chartered accountants using the Nexia International trademark under licence. It is affiliated with, but independent from, Nexia Australia Pty Ltd, which is a member of Nexia International, a worldwide network of independent accounting and consulting firms. Neither Nexia International nor Nexia Australia Pty Ltd provide services to clients. Liability limited by a scheme approved under Professional Standards Legislation other than for the acts or omissions of financial services licensees.

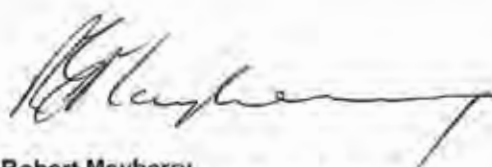
Opinion

In our opinion, the financial report of Intellectual Disability Rights Service Incorporated is prepared in accordance with Division 60 of the Australian Charities and Not-for-profits Commission Act 2012, including:

- i) Giving a true and fair view of Intellectual Disability Rights Service Incorporated's financial position as at 30 June 2016 and of its financial performance for the year then ended;
- ii) Complying with Australian Accounting Standards to the extent described in Note 1 and Division 60 of the Australian Charities and Not-for-profits Commission Regulation 2013.

Basis of Accounting and Restriction on Distribution

Without modifying our opinion, we draw attention to Note 1 to the financial report, which describes the basis of accounting. The financial report has been prepared to assist Intellectual Disability Rights Service Incorporated to meet the requirements of the *Australian Charities and Not-for-profits Commission Act 2012*. As a result, the financial report may not be suitable for another purpose.

A handwritten signature in black ink, appearing to read "Robert Mayberry", written over a horizontal line.

Robert Mayberry
Registered Company Auditor No. 185903

Sydney
Date: 14 November 2016

ROBERT MAYBERRY
Chartered Accountant
PO Box H195
Australia Square, NSW 1215



Intellectual Disability Rights Service Inc.

ABN 11 216 371 524

PO Box 3347

Redfern NSW 2016

Suite 2C, 199 Regent Street

Redfern NSW 2016

T +61 2 9318 0144

F +61 2 9318 2887

E info@idrs.org.au

W www.idrs.org.au

Facebook: facebook.com/IntellectualDisabilityRightsService

Twitter: @IDRS_NSW





Working to advance the rights of people
with intellectual disability since 1986