

## **GENERAL ISSUES FOR IMPLEMENTATION AND PERFORMANCE OF THE NATIONAL DISABILITY INSURANCE SCHEME: STATE MATTERS IN HOUSING AND OTHER ACTION**

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### **TOWARDS BETTER TREATMENT OF ADVOCACY ISSUES AND MENTAL HEALTH IN ANY LEGAL PRACTICE (FOR CHRIST'S SAKE TAKE THE LOT AWAY FROM LAWYERS SO THAT TRUTH IS MUCH BETTER PURSUED MORE BROADLY, REASONABLY AND CHEAPLY)**

I draw your attention to general insurance and fund management matters for the performance of the **National Disability Insurance scheme** in later discussions of **advocacy service providers**, as asked first by the **NSW Disability Advocacy Review**. This discussion of advocacy service providers contrasts with our feudal court practice, the historical opposite of good service.

Because of its particular relevance to the treatment of family or other violence and housing this submission on advocacy service providers was also sent to:

- **The Royal Commission into Violence, Abuse, Neglect and Exploitation of People with Disability;**
- **The Joint Select Committee on Australia's Family Law System; and**
- **The Senate Legal and Constitutional Affairs References Committee on Nationhood, National identity and democracy**

The first attachment, however, addresses the Independent Commission Against Corruption (ICAC) **Discussion Paper** by legal academics, Dr Yee-Fui Ng and Professor Joo-Cheong Tham, entitled **Enhancing the Democratic Role of Direct Lobbying in New South Wales**. Lawyers cannot see a welfare state or more democratic model of service as their legal practice is stuck in feudal relations in which lawyers control key discourses with stupid feudal rules. (I consider Monty Python and Bob Dylan to be our greatest 20<sup>th</sup> century prophets. Why not?)

One's key point now is that anyone may be an advocacy service provider, (advocate) paid or unpaid. Advocacy service providers may be chosen or may choose themselves freely. This advocacy service may be achieved by drawing people from all walks of life to paid advocacy or in settlement recommendations, as long as they have the attributes required in the paid jobs, as distinct from particular professional qualifications such as legal ones. Being able to describe situations clearly in writing in order to come to conclusions and recommendations about them in writing appears the nub of the job. It is description, analysis, and recording, with recommendations thrown in or not. Recommendations test whether the advocate has grasped that others exist in the comparatively complex world besides their supporters.

Information later, attached and on [www.Carolodonnell.com.au](http://www.Carolodonnell.com.au) points out the Australian regional and international leadership in regard to data gathering and fund management already pursued by Australian state and federal governments in health care, work injury, rehabilitation, superannuation, insurance and related fund management. For a good regional planning approach, however, more openness is necessary. This comparatively new, more rationally direct and open regional approach to achieving population, government, industrial and personal aims is undone by partisan lawyers and

their followers, pursuing vested professional interests under commercial in confidence principles as usual. Secrecy is merely ignorance under another name. It is often misplaced in many ways.

Our Australian alternative, embryonic, comparatively stable and data driven direction is ideally related to land and to particular place and personal identity regionally, and in related work or entertainment. This may be better achieved through treatment of mental health more broadly in relation to the circumstances on the particular and surrounding grounds, than is possible in the medical diagnosis based on selling a cure to a sufferer, a patient or government or both can be. In my experience of life, where one lives is often the most important thing making one unhappy, often for reasons which cannot be discussed because they are seen in a certain way by all involved. In this common context, liberation may come from seeing things another way. The World Health Organization (WHO) definition of sexual health according to Nutbeam and Blakey is addressed later for its comparatively effective universal expression of any relationship of love. I write to put children first, as many women would throughout the world if they had the chance or the knowledge. It is to my eternal disgust that rich women have taken the benefits of contraception and elevated marriage.

Housing is crucial for wellbeing and we must all live somewhere. I expect to die fairly soon. Where we live reflects our capacity to support ourselves, or not, as the case may be. I can so far. As disability is positively correlated with ageing and death, one addresses term of reference c. attached, for the **Royal Commission into Aged Care Quality and Safety**. It asks about the future '**challenges and opportunities**' for delivering accessible, affordable and high-quality aged care services. The first and obvious point is that this is hard to assess in secret operations and without reference to term of reference e. It asks *how to ensure that aged care services are 'person-centred', including through allowing people to exercise greater choice, control and independence in relation to their care, and improving engagement with families and carers on care-related matters.* (Open up.)

Matters related to the management of land and housing are later addressed attached to improve the relationships and understanding of three levels of government and their political structures which now operate in isolation from each other. This does not meet the needs of constituents or investors. See the submission on **Regulation of Building Standards, Building Quality and Building Disputes** attached. It refers mainly to the **expected roles of strata and other building managers** in NSW in the light of law and practice for **strata managers, building owners and strata committees**. This is a discussion of the urgent need for better understanding and recording in higher education so that information technology systems may serve people better, rather than sweeping them away.

Australians need more effectively open and reliable service design in the management of buildings and construction, or face increasing instability and cost as international underwriting cycles turn upward and then crash to the detriment of those unable to get out of the market early or wait out the crisis. Press reports suggest the global economy is on an edge like 2008. Lawyers always counsel secrecy as the control of words is their job when numbers let them down. In all financial matters, like divorce, the closed adversarial system is expensive, stupid, fuel for further dispute. Peoples' matters should be open enough for them to be reasonably questioned to be treated better.

A fourth key statement was made to the **Public Hearing into Disability Service Providers by the Royal Commission into Institutional Responses to Child Sexual Abuse**. It deals with terms of reference 7 and 8 to refer particularly to the related state matter of the poor police treatment of disability through the legal corruption of better community management practices. It seems police practice necessarily mirrors the adversarial practice of lawyers. This is addressed later and on [www.Carolodonnell.com.au](http://www.Carolodonnell.com.au) in regard to terror reduction.

**Reference 7** relates to the current systems, policies, procedures and practices for ‘preventing, receiving, investigating and responding to allegations of child sexual abuse within institutions providing services to children with disability’. I point out attached that allegations of child sexual abuse are like many other allegations of criminal behaviour or civil negligence, potentially harmful to many parties. This is a discussion of duties of care and recording to protect everybody better. **Reference 8** relates to the *National Disability Insurance Scheme (NDIS) and to its Quality and Safeguarding Framework*. Critically follow health service provision. The limitations of drugs or surgery as cures for the rest of life are pointed out to promote more sensible attitudes to work (paid or unpaid) and child bearing. The more children one has, the less one and one’s offspring compete well in any market?

The claim made to the **Royal Commission Public Hearing into Disability Service Providers** is that expected police procedures for treating suicide, crime, mental illness and the National Disability Insurance Scheme (NDIS) may encourage more harm and cost in being closed, contradictory and adversarial. It seems police have little voice and must struggle mutely and opaquely to be better against the stupid forms which nobody can understand because that is how lawyers like it. Police apparently have little voice. This is also driven from the top, so if good police are angry, I’m not surprised because I am livid over what I have learned about the lawyers’ twisted theory or logic.

More recently, my case is partly made in an article by three partners from King, Wood and Mallesons, entitled ***Why not litigate? – going down the wrong road***. It gives eight reasons why the Australian Securities and Investment Commission would be wrong to take litigation as its starting point for non-compliance with law, as recommended by the Hayne Royal Commission into Financial Services (Australian Financial Review; AFR 21.10.19, p. 29).

They quote an old saying, that one should never ask a surgeon whether to operate. This is more applicable to lawyers, however, and another old saying is that surgeons may bury their mistakes. Lawyer continue wiping their hands in private and driving their businesses onwards. Anybody who has spent a couple of years in the public service should have picked up differences between feudal and scientific relationships, especially in regard to the shared vocabularies brought about by common dictionaries; which point out the inadequacies of legal approaches. Instead they ape the lawyers’ multiple privileges and fawningly proceed to court claiming their hands are tied behind their backs by law, which they usually are. I hate the silent, lying feudal lot and so strongly support the 4<sup>th</sup> estate, which is far more capable of being reformed by better approaches to any practice and data. The court is never a sensible approach to any public service as it is just the top feudal operation. I would personally like to see government withhold its funding entirely as a result of public debate.

For this reason, I was disappointed in the recent **Four Corners** program on **ABC TV** which seemed to censor the high-profile criminal law defence barrister, Nicola Gobbo, who started giving her clients' information to the Victoria police. Her clients, apparently, were a who's who of the "underbelly" world, including infamous gangsters like Carl Williams and Tony Mokbel. Devotees of movies, such as I am, may also have found it difficult to understand why Nicola Gobbo was not being feted on **Four Corners** as a heroine far greater even than Tom Cruise, who faced similar problems as a US lawyer in the Grisham thriller, '**The Firm**'. He too saw that as a lawyer he might be killed by his criminal clients or partners, but that if he dobb'd them in to police for murders, drug dealing and money laundering, he would never work again as a lawyer. One wonders why Nicola Gobbo should not be our new feminist saint? (She is too old, too brassy, too fat and her dress is too short?) See related suggestions below.

**ADVOCACY SERVICE PROVIDERS: UNPAID, OR PAID AND CREDENTIALED? LET ANYBODY WHO APPEARS TO BE HONESTLY TRYING TO SPEAK OR WRITE, REPORT ON A SITUATION IN THEIR OWN WORDS. (ONE MAINLY ADDRESSES THE CIRCLES OF CONFIDENCE HERE)**

**DON'T LET LAWYERS RUIN IT WITH THEIR DOMINATING LEGAL PRIVILEGES AND RELATED ANCIENT EXPECTATIONS OF SECRETLY DEVELOPED ADVERSARIAL CASE TREATMENT ACCORDING TO THE PARTICULAR WORD OF PARTICULAR LAW. DESPISE THEM. I DO.**

Ah but I was so much older, then, I'm younger than that now. (Dylan)  
Ah yes, I remember it well. (Gigi)

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**LAWYERS ARE CREATURES OF A FEUDAL COURT: CONSIDER BETTER RELATIONSHIPS BETWEEN ADVOCACY, LOBBYING AND CORRUPTION PREVENTION BY BEING MORE OPEN**

My main point is that anyone may be an advocacy service provider, (advocate) paid or unpaid. A mother starts in support of a child, for example, who appears picked on unfairly by the father, or the reverse. Living is advocacy. I am sure Sartre or de Beauvoir could have pointed this out to you years ago. If only you hadn't been so stupidly seduced by status trinkets of the US market and their related diagnoses in the medico-legal professional models of the international welfare states, largely for the rich. (Get it through your fat heads that most Australians are rich by international standards. Get a new fucking attitude.)

We are also condemned to be free in the Existentialist sense that choice is something we can never avoid, whatever it is, or how much we may ignore the question at the back. In this sense we are the victims of lawyers who have denied themselves in order to elevate the self or other appointed victim. Think, for example, of women who set up Save Our Sons, when government dragged more men and money into the US war on Vietnam, as if they could morally drop their bombs on the people of Vietnam, Cambodia and the rest as usual. The Australian women were the advocates and the rest were the victims? The professional view of the world is a partial court. Kill the court and make us better. The court can't do it.

This may be partly done by drawing people from all walks of life to paid advocacy or related settlement recommendations, as long as they have the attributes required in the paid jobs, as distinct from particular professional qualifications such as legal ones. Being able to describe situations clearly in writing in order to come to conclusions and recommendations about them in writing appears the nub of the job. It is description, analysis, and recording, with recommendations thrown in or not. Recommendations test whether the advocate has grasped that others exist in the comparatively complex world besides their supporters.

Professional qualifications give the impression that they are more important for jobs with higher status and remuneration but this may not be the case. Many jobs today require the capacity to write a description of a particular situation or problem leading to a case in order to present views about it for potential action. The essence of bureaucracy is the French art of precis, or distilling the written essence of greater matter, in many cases. Then the controlling lawyers and number crunchers are let loose. This is when they totally change the original problematic of politicians voting on law that many have not understood, but which at least gets into the press. After that, the original written rationale may disappear entirely as original law takes over with all its associated costs. Frankly, if you wanted to advance any kind of environmental and social agendas, in the interests of the national or international generations, including individuals, you wouldn't start from here. (Monty Python recommended looking for more intelligent life in outer space in the **Meaning of Life**, but I don't as it's just the same old boys gearing up again. I will cheer their deaths in space.)

I advance the ethics of the quality press in the 4<sup>th</sup> estate and welfare starting from the ground up, with proper respect for popular advance through scientific and other disciplined learning and personal experience as tops. However, one should never believe the higher credentialed are necessarily better at the job than those far lower down the scale, or outside a particular organization. That the wider pool brings more interest, talent and experience in any field is a truism I have seen since about the age of five. How about you? Regulation ideally takes regional demographic planning approaches to well-being rather than those of the feudal or related medico-legal estate, building its family coffers in secret.

Legal privileges principally enable top legal and professional discourses which are undesirably, unnecessarily and expensively adversarial. They stop more honest speech as well as freedom of speech, which naturally includes being wrong, fantasy or lying. I will discuss legal privilege later with the view of showing it is stupid as well as very expensive.

Lawyers enable and drive institutional closure rather than more broadly democratic and better evidence-based treatments. This is discussed at [www.Carolodonnell.com.au](http://www.Carolodonnell.com.au). Go, for example, to **Heritage Way**. Read discussion titled **Public Hearing on Criminal Justice Issues** held by the **Royal Commission into Institutional Responses to Child Sexual Abuse**.

**The Royal Commission into Violence, Abuse, Neglect and Exploitation of People with a Disability** should know these problems too, as people usually become more disabled and expensive for government as they age and die. The mental health of people is also deeply related to concerns where they live in most cases. Health professionals, however, can usually only treat apparent sufferers with drugs as if their problems result from a chemical imbalance within their bodies. This is

a big mistake which arises from viewing the world in market and industry-based party and professional terms, rather than as regional service to Australian individuals and populations from the cradle to the grave. The latter way of thinking is comparatively new and foreign to us. Democratic government expects the latter and has developed increasingly to support wider population interests. (Max Weber pointed out the common lines of institutional development early in the 20<sup>th</sup> century.)

In this context one first ponders the differences between the concepts of **advocacy** and **lobbying** for this NSW key inquiry. The **Collins Empire Dictionary** (always clearer and more intelligently up to date conceptually than lawyers) defines an advocate as *one who pleads the cause of another, especially in court*. Lobbying is discussed in regard to other political matters, such as rights and duties regarding land, group housing and construction management in files attached. These observations were made to Independent Commission Against Corruption (ICAC) questions from the **Discussion Paper** prepared for the New South Wales ICAC by legal academics, Dr Yee-Fui Ng and Professor Joo-Cheong Tham and entitled **Enhancing the Democratic Role of Direct Lobbying in New South Wales**.

One naturally turns to Gary Sturgess, former Head of Cabinet Office under the NSW Greiner Government to ask the question: *How shall a trust be designed to be decent? Openly?* I choose my words carefully as I know him to have interests broader than the legal norms so I learned a lot from his particular stint on the NSW bureaucratic stage. Show us your views.

**Enlist the strata manager in vital state opening up and related regional leadership. (Baby, if they aren't smart, they sure should be. They sit in the middle of whole heaps of shit.)**

See attached discussion related to the need to know the **content** of training leading to **certification of strata managers (agents)**. This is not merely an issue of whether a man or his mate achieves occupational closures which keep more competent people out of their line of work. Make content king at last instead of the driving race to the popular bottom through technological diversification and their compelling costs for business and consumers. Value ABC and SBS capacities highly when it comes to any moral and related regional and institutional directions, not court. Courts are top, comparatively hugely expensive, crap because they have absolutely and wilfully no idea what a service and cost model is all about. You have to look to later people like Weber, Popper etc. (Ignore Soros. His stuff is US crap.)

Related advice attached is based on model information freely given to the **Inquiry into Regulation of Building Standards, Building Quality and Building Disputes** and on consideration of related state or private property development risk, lobbying and corruption. I also sought advice from prominent Chinese academics on ideally related treatment of property development, political lobbying and corruption, at a Sydney University public event last week. Why not do it in public? Everybody learns more that way. Then nobody has to try to pretend to be God, making early written words stick all along the line, forever. Grow up. Write it up as a record. We must surely focus on shared knowledge that deviation from law may not be corrupt, depending on the particular environment and its related expectations of family and state. (It may be a bloody good idea, as in my case, looking back over life – not too hot or cold.)

This led me to the related discussion attached of **Bush Heritage** operation, which I bet is much better than the operational method of the **World Wide Fund for Nature** (with or without pandas). This is an academic funding hypothesis it would be good to test openly.

## **The family and state are at the heart of all business, including protection or exploitation of children, people with disability and any other groups who appear to be dying early**

I address the Joint Select Committee on Australian Family Law Systems inquiry terms of reference later, in regard to **(e) any mechanism to improve the delivery of family law support services and family dispute resolution processes**. Having the capacity to house oneself and one's family in a manner she considers decent is probably still a woman's central aim in life, along with children, either before or after a man. **Children, the disabled and old are more vulnerable, but not in every case.** Since 1907 they have also been expected to be looked after by women financially dependent on men. This era is over and housing is a central community service that I discuss later in strata. Related social, environmental and financial matters are addressed attached in regional and historical contexts which take better account of coming generations, including institutional ones, more openly.

One makes the following comments on the **Joint Select Committee on Australia's Family Law System** in related disinterested and yet personal, emotional spirits on any advocacy matters. This is done with the aim of trying to arrive at the apparent broader truth of matters, to accompany the specialist's undoubted advance in the institutions. Note particularly comment on its most vital term of reference for future generations (f):

This enquires woefully late **(f) into the impacts of family law proceeding on the health, safety and welfare of children of families involved in the proceedings. This no doubt includes children with disability.** Term (a) relates to information sharing regarding family violence prevention matters; in (b) one notes that one can't provide truthful evidence every time one may wish because one's memory may be faulty many years after an event, etc. etc. etc. One can only ever provide views with evidence that is honestly felt or argued, researched forever and a day, or not, as the case may be. Others may then get to differ, in the manner we have got used to with government inquiries such as this one, perhaps, but on smaller recorded scales. One also refers to **(d)** which asks about reducing the financial impact of disputes where legal fees are incurred which are disproportionate to the financial property pool. (The message here is lawyers wouldn't know service to the people or quality management if they fell over it. They are bloodsucking creatures of the feudal night and the fewer there are in any system the better off we will all be without them. Who's with me?)

## **Let the dominant health service expectations lead with related regional connections**

The medico-legal heritage is mixed but on the whole Medicare has used funds in the public interest comparatively well. Mental health, however, is different and requires stepping away from the medical diagnosis for reasons addressed later and convincingly tackled by Gary Greenberg in **The Book of Woe: The DSM and the Unmaking of Psychiatry**. One sides with the British view that psychology is mainly '**telling stories about the self**' rather than the US view that it is a science where quantification of pain and everything else makes sense. Universities and related institutions should also stop confusing violence with taking offence in order to pursue their anti-discrimination legal agendas and related stupid scales. I spent my life working to achieve more equality of the sexes to protect children; so that to see this

drivel occur because of those delivering incentives for blind dependence makes me sick. I discuss my qualifications to speak on these matters later and on [www.Carolodonnell.com.au](http://www.Carolodonnell.com.au)

This discussion is important today in the light of the current attention to family violence and other court related institutional matters, whether or not in criminal, disability or other civil jurisdictions. I naturally address the **Royal Commission into Violence, Abuse, Neglect and Exploitation of People with Disability** and the **Joint Select Committee on the Australian Family Law System** in support of regional and comparative views of the person and their environments. In global contexts one ideally also supports and gains particular direction to protect children from the World Health Organization (WHO) view of sexual health which Nutbeam and Blakey describe in Health Promotion International (No. 5, 1990) as being:

*"The integration of physical, emotional, intellectual and social aspects of sexuality in a way that positively enriches and promotes personality, communication and love".*

I like this as it may unite religious and related cultural and family practices better globally and locally, rather than assuming that any particular family practices are the expected norms, whether they seem an intelligent idea to others who may pay for them or not. At the end of the day, surely, all service is a personal test, evaluated in broader, higher, inquiry.

One hopes the view one has a single **disability** rather than a lot of them enables a holistic approach to the person, their environment and the general need for housing, etc. etc. etc. Otherwise the problem of multiple service providers (or unwelcome leaches) operating in the dark, continues for the general public and all those seeking to give or get better support.

Besides food, everybody needs a place to live which they feel is relatively decent, otherwise they may begin to break down in many ways. Some of us want to live at home with the family and some of us want to go away and live somewhere else. Surely that is life, especially with children growing up today, whether we or they appear disabled in any way or not, comparatively speaking. Like Nick Frost and other zombies in **Shaun of the Dead** many of us enjoy our comfy homes living with humans who have jobs more and more each day. Some of want to go searching for the Ring, and some of us want to be Hobbits. Why not try a bit of exercise and work for nothing? You might even learn something but what does it matter if you don't, if you should do it. Try gardening or cleaning up garbage arseholes left on the river bank instead of doing horrible sport, is my view. (I Grandma.)

#### **THE AUSTRALIAN LAW REFORM COMMISSION (ALRC) PUTS OUT TYPICAL, DANGEROUS RUBBISH**

I first crucially address the **Australian Law Reform Commission (ALRC) recommendations** in **Section 5: Children's Matters** in the recent report **Family Law for the Future (2019)**. This ALRC model now appears most likely to prevail as the likely model under any of the NSW and other state Constitutions. Increasing ranges of particular legal and court jurisdictions administratively cut the single or whole person up in stupidly opaque multi-regulations that lawyers and their best mates typically pretend are necessary, speaking on our behalf.

People trying to be honest in speaking out should invariably be assisted to do so by others who do not conform to the ancient feudal mindset and rules which the lawyers dictate. These include supposedly speaking on behalf of the Australian community so that we never

see what drivel they are commenting on in writing behind our backs, pretending to be us. (These people are practiced liars which also means they can always control their faces when lying. Frankly, I would spit on many of them if I could but they are too far away upstairs.)

Mainly, I point out that if one seeks to follow **ALRC Recommendation 5** which relates to *determining parenting arrangements in a child's best interests as being the paramount concern, then one can only deplore the moves being made by lawyers to increase their territorial legal, financial and related industrial reach in Section 12: Support Services in the Courts. Recommendations 43 and 46 seek to amend the Family Law Act to replace 'family consultants' with 'court consultants' and to make the supported decision-making framework for people with disability consistent with this ALRC position.*

**ALRC Recommendation 53 in Family Law for the Future** states the Australian Government Attorney General's Department should develop a *mandatory national accreditation scheme for private family report writers*. Over my dead body because the lawyers always destroy the clear, knowledgeable, straightforward and talented, in the service of the already certificated or not, in the way lawyers want. The Greiner Government didn't choose to champion plain English for nothing. Everybody is totally cowed by the impossibility of understanding the drivel lawyers write and thinking they must be smart. The tendency to complicate the bleeding obvious or something worse and to give it a special name is then replicated in every institution where every occupational grouping ever wished that they were lawyers. Do not think me anti-intellectual for I value education very much, particularly the specialist interest. I revere science as magic. I just think it's been in the wrong hands a lot. (Can you really believe that just yesterday they were dropping bombs anywhere they liked even in peacetime. Tell me, Baby, what evil, disgraceful arrogance does that take?)

Do you really think these Oxford and Cambridge or Harvard kids were smarter than the rest? Baby, you've got rocks in your head and they've had allowances made. Why do they get all the top jobs and gigs? It's a political question. Many rings of confidence, however, appear to be coming unstuck, depending on the kids. Surely, they don't want closed institutions?

This ALRC recommended change from **family consultants to court consultants**, appears another example of lawyers' typical activity. They put the legislated need for accreditation in their own industrial empire interests, ahead of the interests of the rest of the population; whose interests they also have the gall to claim to represent, above the common fray, without interests of their own. (The aim is always dictated by law. Never mention the cost.)

Such ideas are objectionable as *they reduce the capacity to report to a narrow group of people with national court accreditation*. This makes any report writing comparatively slow, stupid and expensive because there aren't many potential writers comparatively speaking. Moreover, many of these report writers may be comparatively remote, slow and stupid, compared with the rest of the population who might express an interest in the particular matter, or type of matter, freely or for money, but who aren't in the select certificated club.

Top lawyers support their top financial mates and professional hangers-on with little or no thought for consumers, except to exploit them. Yet a potentially trapped legal consumer, or their own chosen representatives or others, may speak and write more knowledgeably and

faster about what they know in many cases, whether anyone pays them for the opinion and evidence about a dispute or not. This is discussed attached in regard to property management as we all need somewhere, we can live and say we belong, or not, or we die. (Only mother and well-meaning hospitals or doctors, etc. keep us alive for first recording.)

I've seen this grab for wider powers by lawyers occur in many ways before; often after elections. I far prefer the position fulsomely implied in the **NSW Disability Advocacy Review**, where those in power see themselves as serving people, rather than chiefly the court and some absent monarch in parliamentary secrets made on adversarial lines or not. These secretively adversarial lines are bereft of more intelligent co-operation designed for general wellbeing, rather than just done for their primary mates, warring or not. If people are incapable of thinking or behaving in non-violent, non-adversarial ways because of their comparatively primitive nature, they appear apt to bring generations of their family down.

However, all the professional incentives are normally aligned to drive people to court. This is often because people are too frightened to do anything other than mark time for lawyers.

Tim Anderson, for example, wrote a booklet made widely available across NSW government and supported by senior lawyers and prisoners action groups called '**Defend Yourself: Facing a Charge in Court**'. Its key message is: **Never** defend yourself in court and always get a lawyer because police appear corrupt. Funnily enough, I share interests with Tim Anderson. He is a Sydney Uni. academic who, because of his association with the cult Ananda Marga, went to jail in his youth for allegedly acting with others in the Sydney Hilton Hotel bombing in 1978. This bombing was the first Australia knew any global terrorism. The bomb was aimed at the Indian head of state at the Commonwealth Heads of Government Regional Meeting. The Indian court had jailed an Ananda Marga guru, that Anderson and others followed. The bomb failed to detonate when expected. It went off in a rubbish bin that night, killing two garbage workers and a policeman. (Landers, 2016; Salusinszky, 2019).

Compare the above books with Anderson's earlier bad book on these events '**Take Two**'. This is dedicated to his parents, although his is neither an acceptable academic account in my opinion, or a biographical account of any kind. He writes in a similar vein in Meredith Burgmann's book, '**Dirty Secrets' Our ASIO files**'. These matters are vitally historically alive wherever violence or 'mental health' (illness?) and their treatment are discussed today. Was it the company of top lawyers and their academic mates that has buoyed Anderson up so well until today? No idea. Though we appeared to share other ideas when academic colleagues, he would never reply to my entreaties to talk. He always appears to be working for some closed, lying, institution rather than for the more open one. On the other hand, I taught police in my youth and could never get them to debate each other in tutorials. Is this the state champion of the authoritarian frame of mind and brotherhood secrets, yet again? This is where warfare state practices appear taken for granted as the top right supports.

Let anybody speak or write their views, or have their chosen person write their views who wants to do so. This appears to be the manner typically followed in this **NSW Disability Advocacy Review** and in other statutory inquiries carried out by government, independently, or in reputable communications media. The problem with the ALRC is it will

never question the origins and costs of the legal Word, compared with the origins and costs of any other kind of journalism or expert opinion, clearly accredited and experienced, paid or unpaid, and conflicting with others, or not. If this is their idea of reform we are stuffed. (I am as far from claiming everybody needs a degree in journalism to write as one can get.)

**Legal privilege is continuing feudal control of lawyers over the lot. Prefer quality 4<sup>th</sup> estate views on the nature of service to people more broadly than in collegiate circles**

Key Australian legal rules are pre-scientific, pre-democratic, crap, with a feudal logic reigning since before the common dictionary, in many cases. I came to this view again when reading the ALRC ***Discussion Paper on Client Legal Privilege and Federal Investigatory Bodies*** (ALRC 2007). It described a privilege as a right to resist disclosing information that would otherwise be ordered to be disclosed. This commonly covers the confidential communications passing between a client and his lawyer in civil or criminal courts, but is applied far more widely throughout Australian society. In chapter 2 the ALRC presents the underlying rationale for client legal privilege, which is: '***the protection of the confidentiality of communications between a lawyer and a client facilitates compliance with the law and access to a fair hearing in curial and non-curial contexts, thereby serving the broad public interest in the effective administration of justice***'. I don't know what curial means exactly. How about you? The word isn't in the **Collins Empire Dictionary**. You be judge, but it is rubbish to assume that potential to operate secretly makes one more likely to comply with law. As I have often remarked, legal privilege is merely more ignorance for everybody else.

Anybody who has lived to my age should surely come down on the side of the reputable 4<sup>th</sup> estate, in writing clearly. It seeks open inquiry better than anywhere else in Australia, in my seventy-two years of experience. ABC and SBS also have the best rules on reporting from theoretical perspectives because universities are more hampered by their collegiate ties which may typically ape lawyers. They dismally lack pictures. Why tie more intelligently disciplined hands behind the governments' backs in going to the Attorney General and court for any rules, now or ever? Only a fool, or knave with his hands behind his back would hand report writing rules over to a court. Lawyers will make trouble soon enough, believe me.

**Historical oversight of developing service in the interests of the individual and general population rather than the lawyers of the feudal court. (An old Chinese discussion? Any more contributions besides letting us do what we like which makes leaders more money?)**

The **Collins Empire Dictionary** defines disability as '***incapacity***' or '***drawback***'. The point is that comparatively secretive and savage legal rulings over land and property lead historically to the capacity for nations to bomb and obliterate the civilian or peasant populations of others. This central technological development trajectory of the warfare state building up to death and then dealing it out, has been ameliorated by technological advance which has now made a full welfare state possible for all Australian residents, with the exception of housing security for an increasing number. Perhaps many would have suffered and died earlier without better communication in songs and pictures, which came with TV newsreels first. Unfortunately, this communication also came to us increasingly from the US in direct

relationship to the Constitutional supremacy of the man with the weapon who seeks to spread it widely to his mates in the market. (Women are just distractions? You wish.)

Throughout history, people have tried to help their family members and others whether they are paid for the service or not. Whether one trusts one's immediate family or others is a personal matter. The key point here in relation to housing, however, is not only its fundamental necessity to wellbeing but that the protection of assets and related treatment of financial matters by the real estate market still rules the roost in housing people at any age of their development from the cradle to the grave. This appears the case whether they appear sick or periodically or permanently disabled, or well, to themselves or to anybody else. Any care for the wishes of people who appear perfectly well and fending for themselves is comparatively abysmal in group housing design such as strata. This is because the legislation is all about protecting the building as an asset. This attitude also affects those who appear disabled in any one of a multitude of ways which must normally be medicalised first to be treated at all.

Australians need more effectively open and reliable service design, including in management of buildings and construction, or face increasing instability and cost as international underwriting cycles turn upward and crash to the detriment of those unable to get out of the market early or wait out the crisis. Press reports suggest the global economy is on a market edge like 2008. Lawyers always counsel secrecy as the control of words is their job when numbers let them down. In all financial matters, like in divorce, the closed adversarial system is expensive, stupid, fuel for further dispute. Peoples' matters should be open enough for them to be questioned to be treated better without any recourse to lawyers and court. Lawyers, however, always extend their controlling power because of the feudal financial interests to which they are ultimately attached, whatever the particular statute dictates, let alone the state of common or expert knowledge on the grounds.

Let us examine the Asian rise more openly. See the great Korean movie **Burning** about envying the Great Gatsby lifestyle of the rich, because of their related financial associations. Many may increasingly spend their lives in global universities, I guess. At least I was told this by a tall plump Chinese UK barrister and Constitutional lawyer, dressed rather like Mickey Mouse, who sat next to me on a plane between Taiwan and China last year. His grandfather was one of a brotherhood of judges who had served all over Chinese legal systems and had served at the highest levels, with ancestral records going far back. His mother was an academic. The typical Western adversarial legal system has its limitations because of its feudal roots and the increasing need to see development and corruption in ways more appropriate to a wider range of global situations and related cultural perspectives.

In this context, one recalls former PM Keating's statement that if the British Commonwealth didn't exist you wouldn't have to invent it; but since it is here you may as well use it. This pragmatic approach to more broadly open governance should appeal to many lower down the pay scales, including in former French or other colonies, perhaps. (I'm only guessing.)

The welfare state generally starts with state provisions to soldiers and builds, up from there. It is no accident that Germany led the world in this welfare provision before the First World War, for example. The filthiest, nastiest ends corrupt good moves as they did for state and private investments leading to world war II, and to global normalisation of state bombing. I support the key right of personal choice in this historic regional context where medical treatment has now led us in the My-Health Record of better personal development. Every person, however, must live somewhere. Effective care at home, if they have one, is often a far better option for many than care to which they somehow have to travel for treatment. On the other hand, the medicalization of life involved in diagnosis also limits other interpretations by implying distress has causes internal to the body which are best met by surgery or legal drugs. As an old woman I keep away from all diagnostic tests if I have no symptoms, because I don't trust that people supposedly reading tests or scans will care or know enough about me to make other than the lucrative choices of defensive medicine. Throw in status and money for research, and you have a dangerous cocktail for future generations. There are simpler ways forward which should be considered by serious people.

The central principle of this discussion is thus that it is up to those who seek to use a funded service to choose it, and also up to those others who must pay for it or use it as well. The recognition of the person **as a whole** appears central to treating them comparatively well. The alternative is to see them increasingly cut up and isolated from broader knowledge, including knowledge of themselves, by service providers typically operating according to confidentiality and related privilege principles of lawyers, ignoring each other, or not. For this reason, it appears reasonable to support the My-Health care record approach to continuing disability which may end in death or earlier recovery. Yet professionalisation is a two-edged sword and I have increasingly learned to rue its drawbacks. That is the nature of the top medico-legal approach I guess, compared with regional demographic policy.

The personal record ideally commences at birth and includes all health care services provided to a person that appear reasonably conducive to their wellbeing. Thus, group housing management is discussed attached. I speak as one who has no doubt medicine and science achieved miracles by keeping more alive longer, even against our will. However, I have come to the point where I mightily fear their main 'mental health' advance. I fear the effects in drugs and self-interested professional distortions to fit the medical diagnosis. I often prefer other interpretations of situations and choices available to any who may wish to go on with us or leave us, with state help. In this context which values adult personal choice rather than normal professional dictation, the NSW **Department of Health Advanced Care Directive** seems a good alternative to making a will by giving more immediate trust and open power to a person or persons identified to act in the first person's interests, as they have seen it in writing. This seems likely to be a better option than having multiple truck with lawyers through life, and with those with different ideas about life, who may oppose them later.

Age is highly and positively associated with disability and at 72 I expect to be increasingly disabled and housebound by my irrational fear and hatred of new technology. I often find it hard to operate, or unreliable and driven in ways in which I have no interest. I may prefer death soon and my view is no person has a duty to remain alive, if not clearly responsible for others dependant on them. I also spoke when younger as a woman who demanded the state accept my right to effective contraception and abortion, to fulfil my responsibilities to others properly, instead of closing my

eyes to common reality. I demand to die at a time of my own choosing with state support to make the process less painful. One assumes this belief sets me apart from any lawyer or other paid service provider willing to speak or write legally. This does not make my belief any less firmly held. Why in God's name would one ever trust a financial adviser over another? (I've no idea except the family.)

What one despises about these legal people is their determination to speak on behalf of others, paid or not, although refusing to admit the personally and financially vested interests of their own in any proceedings. I may grow more angrily demented as I age so if I want death why not help me? It will be painful and expensive for a lot of people to keep me alive. Why bother unless you like torture and want to ignore my interest in the quality of my own life and my ideal capacity to choose.

These matters also relate to violence and family law. To stick something in somebody else's body, is conceptually different to speech. **To confuse violence and taking offence at speech behaviours is a comparative waste of everybody's time and money** yet it is increasingly the game of universities under the rubric of anti-discrimination legislation. One needs to recognise the limitations of the feudal British roots and then the tax avoiding, gun running, US Constitutional ones that Australia too easily follows in extrapolating 'anti-discrimination' approaches in law. I recently asked China experts if they had any ideas about how to deal with the relationships between property development, lobbying and corruption, however defined or accepted. Open up media broadly to investigate institutional and personal matters, trying to understand the interests of all involved, as I recall.

#### **Too good or rude to think about or mention money and sex? (The joint dilemma)**

I have never experienced family or any other violence, but I saw a lot of bitter family fights over money when I was growing up, until my mother eventually gave in to my father, having no option. I was later involved as a supporter of the women's refuge movement, trying to find suitable housing in Glebe and Redfern, for women too frightened to go home. I also wrote a report with Heather Saville on domestic violence. This was based mainly on talking to women and children living in refuges to inquire into their experiences and needs. This was for the **Royal Commission into Human Relationships**, employed on a grant from the Prime Minister's Department International Women's Year Secretariat in 1975. In 1982 I contributed substantially to the book **Family Violence in Australia**, which Jan Craney and I edited and which was published by Longman Cheshire.

See more on my background at [www.Carolodonnell.com.au](http://www.Carolodonnell.com.au) (I also take this chance to say a big hello again to Royal Commissioner, Roslyn Atkinson, who I went to Queensland University with from 1966-68. Ask her if she is still with Richard Fotheringham and if she has any kids. How is she going?)

Family resentments and fights over money are often overlooked by women today. All have won the right and duty to try to get into paid work to support their offspring if they don't like how some man or other is spending their money. If he is bashing them as well, today they can more easily get out and try to find housing apart. This is because there is far more government support for them today than there was in 1975, although it is probably much harder to get a relatively secure job. Being a single mother is common today. I chose to live in the collective ownership route in a single Glebe

household from 1975 to 1995, before I went into strata living by myself. Today, however, the point is that most women may pretend to be self-supporting, whether they are or not. Men, on the other hand, have always been expected to be self-supporting, and to support others on some legal terms.

Women expect more today. This is basically a plea for more financial literacy, so people don't treat you like a child. There is no better place to start more effective financial literacy than in strata management. This is discussed attached in regard to strata plan 10775 in Glebe. See related Bush Heritage discussion attached which addresses the effective stewardship of land, rather than housing.

Note discussions on real estate property management and the role, education and certification of the strata manager or agent are addressed attached in a submission to the **Inquiry into Regulation of Building Standards, Building Quality and Building Disputes**. In this common personal and related international demographic planning and policy context for service delivery, I also address **the Royal Commission into Violence, Abuse, Neglect and Exploitation of People with Disability** and the **Joint Select Committee on Australia's family law system** inquiry terms of reference. The Royal Commission has Letters Patent or a lot of patronising crap I can't be bothered to address directly.

Anyhow, I wish you well in your inquiry. As we girls always say, legal practice is utter intellectual drivel but at least it pays your rent.

Cheers

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(Also known as Lilith the Magic Pudding, Chief Alternative to Faith and Queen of the Monkeys. I was a top Chimera.)