

**Subject:** RE: claims of request for 40 hours of EIBI/ABA [SEC=OFFICIAL]

**From:** "Falkingham, Rebecca" <Rebecca.Falkingham@ndis.gov.au>

**Date:** 19/05/2023, 12:42 pm

**To:** "convenor@a4.org.au" <convenor@a4.org.au>

Hi Bob,

It was good to see you on Friday and thank you for your attendance and ongoing involvement in the DRCO forum.

In regard to the issue below, as indicated in my letter to you in February this year, I asked my team to investigate the information provided by Dr Studdert and advise on your request below as to whether any of the BCBA providers have ever requested 40 hours per week of early intensive behavioural intervention. On review of our AAT matters, we identified one case where a BCBA service provider requested 40 hours per week of EIBI.

Dr Studdert has since left the organisation and I am satisfied that there is not widespread misinformation within the NDIA regarding these requests.

I hope this clarifies your concern and look forward to continuing to work with you.

Kind regards  
Rebecca

---

**From:** Bob Buckley (A4 Co-convenor) <[convenor@a4.org.au](mailto:convenor@a4.org.au)>

**Sent:** Tuesday, 16 May 2023 8:24 AM

**To:** Falkingham, Rebecca <[Rebecca.Falkingham@ndis.gov.au](mailto:Rebecca.Falkingham@ndis.gov.au)>

**Subject:** Re: claims of request for 40 hours of EIBI/ABA [SEC=OFFICIAL]

Hi Rebecca

have you made any progress on finding out where the information came from?

*Bob Buckley*

**Co-convenor**, Autism Aspergers Advocacy Australia (A4)

website: <https://a4.org.au/>

*Autism Aspergers Advocacy Australia*, known as *A4*, is the national grassroots organisation advocating for autistic people, their families, carers and associates. A4 is internet based so that Australians anywhere can participate.

Note for politicians and bureaucrats – *Autism Aspergers Advocacy Australia's* policy on unanswered questions is available at <https://a4.org.au/node/1419>.

A4 recognises and respects the traditional owners, elders past, present and emerging, of lands in Australia. Sovereignty was never ceded.

“The first step in solving any problem is recognising there is one.” Jeff Daniels as Will McEvoy in The Newsroom.

On 22/11/2022 7:46 pm, Falkingham, Rebecca wrote:

Thanks for your email Bob. I am not aware of where the information came from, but I will find out and come back to you.

Kind regards  
Rebecca

---

**From:** Idrus, Ilana <[Ilana.IDRUS@ndis.gov.au](mailto:Ilana.IDRUS@ndis.gov.au)> on behalf of CEO.OFFICE <[CEO.OFFICE@ndis.gov.au](mailto:CEO.OFFICE@ndis.gov.au)>

**Sent:** Tuesday, November 22, 2022 5:33 pm

**To:** Falkingham, Rebecca <[Rebecca.Falkingham@ndis.gov.au](mailto:Rebecca.Falkingham@ndis.gov.au)>

**Subject:** FW: claims of request for 40 hours of EIBI/ABA [SEC=OFFICIAL]

Rebecca

As discussed received below I will ask Daniel/Matt for some advice

Thanks,

**Ilana Idrus**  
**Executive Officer to CEO**  
**Mobile: 0472 876 215**

---

**From:** Bob Buckley (A4 Convenor) <[convenor@a4.org.au](mailto:convenor@a4.org.au)>  
**Sent:** Monday, 21 November 2022 9:58 PM  
**To:** CEO.OFFICE <[ceo.office@ndis.gov.au](mailto:ceo.office@ndis.gov.au)>  
**Subject:** Fwd: claims of request for 40 hours of EIBI/ABA [SEC=OFFICIAL]

You don't often get email from [convenor@a4.org.au](mailto:convenor@a4.org.au). [Learn why this is important](#)

Dear Ms Falkingham

the conversation with Dr Studdert below was not completed when she left the post of Acting CEO. Please, as the NDIS CEO, would you identify the source of the original misinformation?

Dr Studdert says that 40-hour requests exist, but seem to have backed off from her claim that these requests were common from BCBA-led service providers. However, her revised version is (deliberately?) unclear. Please can you clarify whether any of the four BCBA-led service providers (being AEIOU, Lizard, tree something (I can't remember), and Autism Partnership) have ever requested 40 hours per week of EIBI for an autistic child?

My information is that none of the three BCBA-led organisations that Dr Studdert named (and that I recognised) are known to have ever sought funding for 40-hours per week of EIBI from the NDIS for an autistic child. Does your organisation have any evidence to the contrary? If not, what are you doing to address the presence of this misinformation in the NDIA?

*Bob Buckley*  
**Convenor**, Autism Aspergers Advocacy Australia (A4)  
website: <https://a4.org.au/>

*Autism Aspergers Advocacy Australia*, known as *A4*, is the national grassroots organisation advocating for autistic people, their families, carers and associates. A4 is internet based so that Australians anywhere can participate.

Note for politicians and bureaucrats – *Autism Aspergers Advocacy Australia's* policy on unanswered questions is available at <https://a4.org.au/node/1419>.

A4 recognises and respects the traditional owners, the elders past, present and emerging of lands in Australia. Sovereignty was never ceded.

“The first step in solving any problem is recognising there is one.” Jeff Daniels as Will McEvoy in The Newsroom.

----- Forwarded Message -----

**Subject:**Re: claims of request for 40 hours of EIBI/ABA [SEC=OFFICIAL]  
**Date:**Thu, 13 Oct 2022 09:03:58 +1100  
**From:**Bob Buckley (A4 Convenor) <[convenor@a4.org.au](mailto:convenor@a4.org.au)>  
**Reply-To:**[convenor@a4.org.au](mailto:convenor@a4.org.au)  
**Organisation:**Autism Aspergers Advocacy Australia  
**To:**Studdert, Lisa <[Lisa.Studdert@ndis.gov.au](mailto:Lisa.Studdert@ndis.gov.au)>

CC:FORD, Andrew <[Andrew.FORD@ndis.gov.au](mailto:Andrew.FORD@ndis.gov.au)>, Thomson, Kerry  
<[Kerry.Thomson@ndis.gov.au](mailto:Kerry.Thomson@ndis.gov.au)>, Jenny Karavolos <[jenkaravolos@outlook.com](mailto:jenkaravolos@outlook.com)>,  
Flowers, Daniel <[Daniel.Flowers@ndis.gov.au](mailto:Daniel.Flowers@ndis.gov.au)>

Dear Lisa

Thank you for your reply. I appreciate your acknowledgement "that the 40 hours per week is not a common or a predominant proposal". You say "[the 40 hours per week request] does exist": while I accept this is likely in general terms, your specific claim was that three BCBA-led service providers (a fourth was added during discussion) had clients mostly making these requests. Your response avoids a central part of my concerns.

In line with [A4's policy on unanswered \(or partially answered\) questions or concerns](#), we take your response to indicate that the service providers you named in our discussion, who all employ registered behavioural clinicians, do not have requests for 40 hours per week associated with them. Your initial claim was incorrect.

Our discussion was about EIBI/ABA early intervention for autistic children. Your response below ignores the registered (though not in Australia) aspect of the discussion. I notice that you didn't provide a copy of the information you based your initial claim on. I would still very much like to see it - or explicit acknowledgement that such information does not exist.

My information is that:

1. such a request in that context is extremely rare, and probably does not exist (I cannot check all instances because I was unable to take detailed notes in the meeting and I don't recall the name of one of the service providers you mentioned); and
2. the instances that do exist are more likely to arise from the unregulated service sector that is supported by the NDIA's refusal to properly inform and influence the provision of evidence-based early intervention for autistic children. It is a situation created then complained about by the NDIA.

My experience in the AAT is contrary to your assurance that "the NDIA is committed to handling each planning decision and matter in the AAT on the evidence related to each individual child and their reasonable and necessary support needs". In recent days, we are informed that after 5-months of a plan settled in the AAT, the parents are back in the AAT over exactly the same issue, having to again pursue exactly the same arguments while substantial and previously accepted support needs are re-contested. The previous evidence relating to the individual child was excluded from consideration. We understand that "the evidence related to each individual child and their reasonable and necessary support needs" was not "handled" appropriately.

*Bob Buckley*

**Convenor**, Autism Aspergers Advocacy Australia (A4)  
website: <https://a4.org.au/>

*Autism Aspergers Advocacy Australia*, known as *A4*, is the national grassroots organisation advocating for autistic people, their families, carers and associates. A4 is internet based so that Australians anywhere can participate.

Note for politicians and bureaucrats – *Autism Aspergers Advocacy Australia's* policy on unanswered questions is available at <https://a4.org.au/node/1419>.

A4 recognises and respects the traditional owners, the elders past, present and emerging of lands in Australia. Sovereignty was never ceded.

“The first step in solving any problem is recognising there is one.” Jeff Daniels as Will McEvoy in *The Newsroom*.

On 12/10/2022 10:05 pm, Studdert, Lisa wrote:

Dear Bob,

It was good to meet with you a couple of weeks ago and I appreciated the information you shared and frank feedback.

Regarding your query below, I have checked with our AAT case management area to confirm (or otherwise) my understanding of the range of matters we have on hand. I can confirm that of the matters in the AAT where the amount of ABA is a disputed support, the amount of hours requested per week ranges between 2 hours per week **and 40 hours per week**. Obviously the specifics of each of these matters does vary and I acknowledge that the 40 hours per week is not a common or a predominant proposal in the matters at hand. But it does exist.

I can assure you the NDIA is committed to handling each planning decision and matter in the AAT on the evidence related to each individual child and their reasonable and necessary support needs.

We are grateful for your continued engagement and advice on these matters through the DRCO forum and other engagements.

With kind regards,

Lisa

---

**From:** Bob Buckley (A4 Convenor) <[convenor@a4.org.au](mailto:convenor@a4.org.au)>  
**Sent:** Friday, 30 September 2022 10:10 AM  
**To:** Studdert, Lisa <[Lisa.Studdert@ndis.gov.au](mailto:Lisa.Studdert@ndis.gov.au)>  
**Cc:** FORD, Andrew <[Andrew.FORD@ndis.gov.au](mailto:Andrew.FORD@ndis.gov.au)>; Thomson, Kerry <[Kerry.Thomson@ndis.gov.au](mailto:Kerry.Thomson@ndis.gov.au)>; Jenny Karavolos <[jenkaravolos@outlook.com](mailto:jenkaravolos@outlook.com)>  
**Subject:** claims of request for 40 hours of EIBI/ABA

Dear Dr Studdert

In our meeting on Wednesday you mentioned that NDIS Plan requests for young autistic children associated with several services that provide EIBI/ABA early intervention for autistic children were mostly for 40 hours per week of intensive early intervention. You mentioned three service providers. I said that is not my experience. When I showed you data from a fourth, you said they also often sought 40 hours per week of early intervention for their clients.

I have rechecked the requests made by the people I am supporting or have supported with their AAT plan review requests: the requests for each instance are contained in the TDocs for their AAT matter. None of them ever requested 40 hours per week of ABA for their child. Only one has asked for more than 30 hours, and has since reduced that.

I also checked with one of the providers. They tell me none of their clients has requested 40 hours of ABA. They are confident the others have not either; but I will check with each of them.

I am deeply concerned that the NDIA may be using misinformation like this to deny autistic children the evidence-based early intervention that they need. Please explain where you got your information. Please provide a copy of the information you were given as the basis for your claim. And please explain why the NDIA has not previously raised your concerns with representative organisations for the autism sector.

Please also be aware that the autism sector is deeply divided over this issue. I would be alarmed were the NDIA to take sides on an issue like this. I am acutely aware that the NDIA regularly requires people in their AAT review process to justify not using "alternative approaches" to early intervention for autistic children that are not evidence-based at either the individual or systemic level.

--

*Bob Buckley*

**Convenor**, Autism Aspergers Advocacy Australia (A4)  
website: <https://a4.org.au/>

*Autism Aspergers Advocacy Australia*, known as *A4*, is the national grassroots organisation advocating for autistic people, their families, carers and associates. A4 is internet based so that Australians anywhere can participate.

Note for politicians and bureaucrats – *Autism Aspergers Advocacy Australia's* policy on unanswered questions is available at <https://a4.org.au/node/1419>.

A4 recognises and respects the traditional owners, the elders past, present and emerging of lands in Australia. Sovereignty was never ceded.

“The first step in solving any problem is recognising there is one.” Jeff Daniels as Will McEvoy in *The Newsroom*.

\*\*\*\*\*

IMPORTANT: This e-mail is for the use of the intended recipient only and may contain information that is confidential, commercially valuable and/or subject to legal or parliamentary privilege. If you are not the intended recipient you are notified that any review, re-transmission, disclosure, dissemination or other use of, or taking of any action in reliance upon, this information is prohibited and may result in severe penalties. If you have received this e-mail in error please notify the sender immediately and delete all electronic and hard copies of this transmission together with any attachments. Please consider the environment before printing this e-mail

\*\*\*\*\*

\*\*\*\*\* IMPORTANT:

This e-mail is for the use of the intended recipient only and may contain information that is confidential, commercially valuable and/or subject to legal or parliamentary privilege. If you are not the intended recipient you are notified that any review, re-transmission, disclosure, dissemination or other use of, or taking of any action in reliance upon, this information is prohibited and may result in severe penalties. If you have received this e-mail in error please notify the sender immediately and delete all electronic and hard copies of this transmission together with any attachments. Please consider the environment before printing this e-mail

\*\*\*\*\*

\*\*\*\*\* IMPORTANT: This e-mail is for the use of the intended recipient only and may contain information that is confidential, commercially valuable and/or subject to legal or parliamentary privilege. If you are not the intended recipient you are notified that any review, re-transmission, disclosure, dissemination or other use of, or taking of any action in reliance upon, this information is prohibited and may result in severe penalties. If you have received this e-mail in error please notify the sender immediately and delete all electronic and hard copies of this transmission together with any attachments. Please consider the environment before printing this e-mail

\*\*\*\*\*