

This information is from the Australasian Society for Intellectual Disability.

It is about people with intellectual disabilities serving on the boards of disability providers.

A board is a group of people who make the big decisions about what organisations do.

### A great idea

Many people want to include people with intellectual disabilities on the boards of organisations such as disability providers.

We agree that people with intellectual disabilities have important things to say about their experiences. These can help to shape what organisations do.

### The big problem

The issue is: Can a person with intellectual disability handle all the legal responsibilities of a director?

### Asking a legal expert

We asked a legal expert, Ian Freckelton, to look at the problem.

### What the expert found

He tried to find a legal way to say "yes" to including people with intellectual disabilities on boards.

But he decided that, right now, it cannot be done legally. He was sad about this.

He said that being a board member requires a high level of cognitive ability. This is because you must understand complex things such as finances, what organisations do and the legal responsibilities of boards.

A director cannot share their responsibilities with another person or only meet some of their responsibilities.

The rules about board members are very tough. If board members do not meet their responsibilities, they can be fined. They may even go to prison.

## Organisations can seek their own advice

Organisations can seek their own legal advice if they want to. They can share Professor Freckleton's opinion with their lawyer.

## How some organisations try to reduce the risks

Some organisations try to reduce the risk that people don't meet their responsibilities by things such as appointing board support officers.

## How to include views of people with intellectual disabilities now

Disability providers can involve people with intellectual disability by:

- Having them as board advisors
- Setting up advisory committees
- Involving them in hiring staff.

## The need for more evidence about practice

There is little evidence about including the lived experiences of people with intellectual disabilities in organisations.

We don't know what works well. Particularly what works well for people with more severe and profound intellectual disabilities.

ASID will promote the existing evidence about how to do this well.

ASID will promote the need for new research about including the lived experiences of all people with intellectual disabilities in organisations.

## The law should change

ASID wants people with intellectual disabilities to be able to serve as directors. The law about director duties stops this.

ASID will ask governments to change the law.