

# NDIS Amendment (Securing the NDIS for Future Generations) Bill 2026

## Joint Submission to the Community Affairs Legislation Committee from Australia's Disability Representative Organisations

1 June 2026



## About our organisations

This joint submission is made by Australia's Disability Representative Organisations (DROs). The DRO Program is funded by the Australian Government Department of Health, Disability and Ageing (the Department) to represent the voices, experiences and perspectives of people with disability in policy, legislative and systemic reform processes that affect their lives.

This submission reflects shared cross-sector concerns regarding the National Disability Insurance Scheme Amendment (Securing the NDIS for Future Generations) Bill 2026 and the current parliamentary process.

The following Disability Representative organisations are parties to this submission:

- Australian Autism Alliance
- Australian Federation of Disability Organisations
- Children and Young People with Disability Australia
- Community Mental Health Australia
- Disability Advocacy Network Australia
- Down Syndrome Australia Consortium
- First Peoples Disability Network Australia
- Inclusion Australia
- National Ethnic Disability Alliance
- People with Disability Australia
- Physical Disability Australia
- Women With Disabilities Australia

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## Submission focus and scope

Disability Representative Organisations (DROs) support reforms that strengthen the sustainability, integrity, safety and effectiveness of the National Disability Insurance Scheme (NDIS). However, reforms of this scale must be evidence-based, rights-based, properly sequenced and implemented with safeguards that ensure people with disability are not exposed to harm.

DROs are deeply concerned that the National Disability Insurance Scheme Amendment (Securing the NDIS for Future Generations) Bill 2026 (the Bill) is being progressed in the absence of sufficient consultation, evidence, modelling, transitional safeguards and clarity regarding the broader systems on which the reforms rely.

While individual measures within the Bill may appear administrative or technical in isolation, the cumulative interaction of the proposed reforms creates significant uncertainty and risk for people with disability, particularly where changes to eligibility, assessments, planning, supports and external systems are intended to operate simultaneously.

Alternative systems or supports do not yet exist. There remains significant uncertainty about when they will be operational and the extent to which they will be accessible, affordable, culturally safe or capable of meeting need.

DROs are particularly concerned by:

- Inadequate scrutiny and meaningful consultation on the Bill;
- Lack of equitable access and robust transitional safeguards;
- Sequencing of changes and continued support;
- Insufficient evidence and economic modelling to support proposed amendments;
- Uncertainty regarding foundational and mainstream supports;
- Balance of power, accountability and transparency in new legislative instruments proposed by the Bill; and
- The potential impact of the reforms on existing Government commitments and Australia's human rights obligations.

This submission focuses on a series of cross-sector concerns that demonstrate why the legislation should not proceed in its current form or within the current timeframe.

## Our recommendation

DROs recommend that the Bill not proceed in its current form or within the current timeframe. The Bill in its current form contains significant unresolved risks, insufficient safeguards and overly broad powers that require substantial reconsideration before the legislation should proceed. Progression of the legislation should be paused to allow:

1. Extension of the Senate Committee Inquiry to enable genuine consultation and accessible engagement with people with disability and representative organisations to occur.
2. Robust evidence, modelling and impact analysis to be completed and publicly released.
3. Foundational supports, mainstream interfaces and transitional arrangements be clearly established and independently evaluated.
4. Strong participant safeguards and continuity-of-support protections be embedded within the legislation and implementation framework.
5. The cumulative impacts of the reforms on people with disability, families and communities be properly assessed.
6. Expanded Ministerial powers be amended and subject to stronger safeguards, transparency and accountability mechanisms.
7. Reforms be demonstrably aligned with government commitments under the:
  - a. Convention on the Rights of Persons with Disabilities (CRPD) and other human rights obligations;
  - b. final report of the Royal Commission into Violence, Abuse, Neglect and Exploitation of People with Disability (Disability Royal Commission);
  - c. NDIS Review Final Report - the full “interdependent” set of recommendations;<sup>1</sup>
  - d. National Agreement on Closing the Gap;
  - e. Working for Women: A Strategy for Gender Equality;
  - f. NDIS Cultural and Linguistic Diversity (CALD) Strategy and Action Plan 2024-2028
  - g. National Autism Strategy 2025–2031;
  - h. Safe and Supported: The National Framework for Protecting Australia’s Children 2021-2031;
  - i. National Plan to End Violence Against Women and Children; and
  - j. broader whole-of-government disability policy commitments.

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<sup>1</sup> See p. ii of Department of the Prime Minister and Cabinet. (2023, October). Working together to deliver the NDIS: Independent review into the NDIS: Final report. Commonwealth of Australia.  
<https://www.ndisreview.gov.au/resources/reports/working-together-deliver-ndis/>.

# 1. Inadequate scrutiny, meaningful consultation and transparency

At the outset, DROs emphasise that the development of these reforms has not met any reasonable standard of transparency, accessibility, or consultative practice. The lack of transparency, consultation and *care* for the community demonstrated at all levels of government and parliamentary process has caused irrevocable harm to the trust of our organisations and the disability community.

The same day the community and their representative organisations received access to the legislation, the Senate referred the Bill for inquiry with a reporting date of 16 June 2026. Our organisations outlined our immediate disappointment with the extraordinarily short timeframe in our joint media statement on 14 May 2026 – see [Appendix 1](#).

The timeframe provided for public consultation and parliamentary scrutiny is inadequate and particularly concerning given:

- the technical complexity of the legislation;
- the limited availability of accessible materials, noting Easy Read information was not available until 21 May;
- the volume of delegated powers and future instruments;
- the significant consequences for people with disability.

A process of this nature cannot be described as best practice consultation. It does not align with the expectations of genuine co-design or the Australian Government's stated commitments to inclusive policymaking.

Many people with disability, their families, and representative organisations have not had a reasonable opportunity to understand or respond to the proposed changes. The current consultation is completely inaccessible, particularly those who stand to be most impacted, have the most pressing need for support and the least access to resources and communication support.

The DROs are funded to engage with the Government to ensure that the diverse voice of people with disability are represented in decision-making, laws and policy legislation that may impact people with disability from development to implementation. To enable us to effectively represent our community, DROs have consistently advocated for:

- reasonable consultation timeframes;
- early engagement;
- transparency regarding reform architecture;
- and accessible engagement processes.

DROs have affirmed these calls on the Government to engage constructively with DROs and the community most recently in joint statements about reforms – see [Appendix 2](#) and [Appendix 3](#).

## 2. Need for alignment with broader government commitments, evidence and economic modelling

The proposed reforms have not been adequately assessed against existing Government commitments. This includes:

- Australia’s human rights obligations;
- the Disability Royal Commission;
- the full interdependent set of 2023 NDIS Review recommendations;
- Closing the Gap commitments;
- the Working for Women strategy;
- NDIS CALD Strategy 2024–2028
- National Autism Strategy
- Australia's National Framework for Protecting Australia's Children 2021–2031
- the National Plan to End Violence Against Women and Children;
- and broader whole-of-government disability policy commitments.

There is insufficient evidence that:

- gender impacts have been appropriately analysed
- impacts on First Nations communities have been considered
- impacts on culturally and linguistically diverse communities have been considered;
- impacts on Autistic people and children have been appropriately assessed;
- reforms align with broader whole-of-government policy objectives

Proceeding without this analysis risks undermining these commitments and creating inconsistent policy outcomes.

DROs are also deeply concerned by the absence of sufficient modelling to support the proposed reforms. Expert advice indicates that robust economic modelling of the reforms is not currently possible due to:

- the lack of detail regarding foundational supports;

- uncertainty regarding implementation arrangements;
- significant unknown variables across systems;
- the absence of comparable data to assess impacts.

Without this evidence base, it is not possible to determine:

- whether the reforms will achieve their stated objectives
- what unintended costs may arise in other systems
- how individuals and communities will be affected
- the broader social and economic implications.

Proceeding with legislation in the absence of adequate data and modelling represents a significant policy risk.

### 3. Sequencing, continuity of support and system readiness

DROs remain deeply concerned about the sequencing of the proposed reforms and the risk that people with disability will lose access to supports before alternative systems and safeguards are operational. DROs have been clear since the release of the NDIS Review that ensuring continued support is a necessity and must be a primary priority in sequencing reforms.

The proposed reforms rely on the interaction of multiple systems simultaneously, including:

- changes to eligibility;
- support needs assessments;
- framework planning reforms;
- foundational supports;
- and broader mainstream systems.

However, there is currently significant uncertainty regarding:

- how foundational supports will operate;
- workforce capability and availability;
- accessibility across jurisdictions;
- eligibility pathways;
- implementation timelines; and
- safeguarding arrangements.

The existence of alternative systems or supports in theory does not guarantee that they are operational, accessible, affordable, culturally safe or capable of meeting need in practice. DROs are particularly concerned that people may:

- lose access to the NDIS;
- experience reductions in support;
- face service gaps; or
- experience avoidable harm before alternative supports are available and capable of meeting need.

The proposed Thriving Kids program is currently the most developed component of the foundational supports architecture and has been identified as an early priority for implementation. However, significant uncertainty remains regarding its scope, accessibility, workforce capacity, effectiveness and national consistency. At a minimum, foundational support initiatives such as Thriving Kids should be fully established, operational and independently evaluated before children eight years of age and under are transitioned from the NDIS on the assumption that equivalent supports will be available elsewhere.

Reforms of this scale should not proceed without robust transitional safeguards, continuity-of-support protections and enforceable guarantees that people with disability will not be worse off during implementation.

## 4. Risks to participants rights and safety

DROs are concerned that several aspects of the proposed reforms represent a backwards step in relation to participant safeguards, the findings of the Disability Royal Commission and Australia’s obligations under the United Nations Convention on the Rights of Persons with Disabilities (UNCRPD).

The *National Disability Insurance Scheme Act 2013* has a strong human rights framing within its objectives set out in Part 2 of the NDIS Act (which heavily references the UNCRPD).<sup>2</sup> To be effective, NDIS reforms must align with rights-based principles as well as the realities in which people with disability exist – including, but not limited to:

- diverse lived experiences of people with disability
- system availability, accessibility, affordability and appropriateness
- complex needs, co-occurring conditions and fluctuating capacity
- intersecting identities and experiences of marginalisation.

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<sup>2</sup> This includes a commitment to meet Australia’s international rights obligations to “support the independence and social and economic participation of people with disability” (Part 2 (3)(c)). We also note that the Parliamentary Joint Committee on Human Rights in 2013 “made clear that the NDIS has been conceived in light of the underlying conceptual framework and specific obligations of the UN Convention on the Rights of Persons with Disabilities” (JCHR 2013, 2).

The Disability Royal Commission repeatedly identified critical safeguards against violence, abuse, neglect and exploitation that risk being eroded by the Bill in its current form. This includes:

- inclusion;
- community participation;
- trusted relationships;
- independent advocacy; and
- continuity of support.

Any changes that reduce supports, increase instability, weaken participation and disrupt established support arrangements will undermine these protections.

These reforms focus on sustainability through multi-level levers and lack the consideration of concurrent safeguards and mitigating safety mechanisms. For example, the adoption of an overly narrow understanding of “health and safety” in the Impact Analysis, focused primarily on immediate clinical or personal care risks rather than the broader social and environmental conditions that contribute to safety, wellbeing and inclusion.

DROs are particularly concerned by the absence of clearly articulated:

- transitional safeguards;
- oversight arrangements;
- monitoring mechanisms;
- independent review processes; and
- participant protection measures.

DROs have consistently raised the issue of safety and safeguarding mechanisms to mitigate risks to people with disability – including recommendations around phased implementation, accessible communication and decision-making supports, and proactive safeguards for participants at heightened risk.

## 5. Expanded ministerial powers and reduced accountability

DROs have significant concerns regarding the breadth of discretionary powers proposed throughout the legislation. The Bill would permit substantial changes to

participant supports, funding and Scheme operation through legislative instrument rather than primary legislation.

These powers are extraordinarily broad and are accompanied by limited statutory safeguards, oversight or accountability mechanisms. DROs are particularly concerned by:

- the lack of clear statutory limits;
- limited requirements for consultation;
- reduced transparency;
- limited independent oversight;
- auditing mechanisms; and
- insufficient safeguards regarding cumulative impacts on participants.

By conferring these powers, the Bill creates uncertainty in the absence of checks and balances such as clear evidentiary thresholds, reporting and impact assessments. The exemption of several legislative instruments from ordinary sunseting requirements further compounds these concerns.

Given the scale and significance of these powers, some need substantial amendment and, much stronger safeguards, accountability mechanisms and transparency requirements are required.

## Conclusion

DROs support reform of the NDIS and recognise the importance of long-term Scheme sustainability, integrity and participant safety.

However, reforms of this scale must be evidence-based, properly sequenced and implemented with safeguards that ensure people with disability are not exposed to avoidable harm.

The current legislation does not yet provide sufficient assurance that these conditions have been met.

DROs therefore recommends that the legislation not proceed in its current form or within the current timeframe pending:

- genuine consultation;
- robust evidence and modelling;
- stronger safeguards;
- greater transparency; and
- demonstrably operational alternative supports and system

## Appendix 1: Joint DRO Media Statement 14 May 2026

### Media Statement from Australia's Disability Representative Organisations

### Disability Representative Organisations Call for Genuine Senate Scrutiny as Concerns Grow Over Rushed NDIS Reforms

Australia's Disability Representative Organisations (DROs) are united in calling for a robust Senate Inquiry into the NDIS Reform Bill introduced today by the Australian Government.

We are deeply disappointed by the extraordinarily short timeframe of approximately one month for the Senate Inquiry to report. There are grave doubts that this will allow proper scrutiny of legislation, with major implications for the wellbeing, rights and supports for hundreds of thousands of people with disability, families and carers across Australia.

The Bill represents significant and complex change. Its highly technical content, with substantial elements left to future rules, operational decisions and implementation arrangements, requires careful and detailed analysis. DROs are dedicating time and resources to examining what is being proposed and are already identifying serious concerns. We need sufficient time to fully understand the detail before we can assess the full impact on the communities we represent.

The Senate Inquiry timeline does not allow time for written submissions, public hearings, and meaningful engagement with the disability community to occur. Any inquiry process must be genuinely accessible with real opportunities to engage. This process fails to reflect people's support needs, and inclusive outreach to communities that are too often left out. This compressed inquiry further undermines trust in the reform process and increases the likelihood that people with disability will fall through the gaps.

People with disability, families and carers have already experienced years of ongoing reform, uncertainty and disruption. Major reforms that affect people's daily lives, supports and future security must be approached with care, integrity and proper scrutiny – not rushed through without adequate consideration of the real-world consequences.

Our focus remains unchanged. The sequencing of reforms currently proposed does not demonstrate transitional safeguarding arrangements, effective system connections, or proven mainstream service capacity. Reforms that are rushed, poorly designed, or implemented before systems are demonstrably ready risk serious consequences for people with disability and the broader community.

We are calling on all governments and Parliamentarians to engage directly with DROs and the disability community to understand the detailed impacts of this Bill, and to work with us on sensible amendments, safeguards and implementation arrangements.

DROs will continue to monitor the Bill's impact, provide evidence-based advice, and support people with disability and families with accessible and timely information about reforms that affect their lives.

## Appendix 2: Joint DRO Media Statement 22 April 2026

### Media Statement from Australia's Disability Representative Organisations

#### **Disability advocates call on Government to ensure critical supports remain while NDIS changes are made**

Australia's Disability Representative Organisations acknowledge the need to tackle NDIS fraud and ensure long-term scheme sustainability, and we are ready to work constructively with the Government on these reforms.

A wide range of significant changes were announced today by The Hon. Mark Butler MP, Minister for Disability and the National Disability Insurance Scheme.

One of the changes the Minister announced is around how people will enter the NDIS. We understand that from 1 January 2028 significant changes related to scheme eligibility will occur, with current participants reassessed over a transition period.

Any decisions that determine who gets support and who doesn't must be built with the people most affected. Co-design and genuine engagement with the disability community – people with disability, their families, carers and advocates – is not a formality, it is the only way this can work. People with disability are the experts in their own lives and must lead the design of solutions.

We are also concerned about the eligibility threshold. How that bar is set will define the scheme for a generation. The disability community must be at the table when that decision is made.

Access to community and social inclusion are key to a good life. We look forward to hearing more information about the Inclusive Communities Fund the Minister has announced.

We are firm that the Government must honour its commitment to ensure people who will be diverted away from the NDIS, and impacted by changes to social and community participation, are genuinely supported elsewhere. We want to work with Government to ensure effective systems are in place before people are moved off the scheme, not after.

With a large number of participants projected to leave the scheme, we are calling on the Government to release draft legislation as soon as possible so people with disability and their representative organisations can scrutinise what is being proposed.

The Disability Royal Commission's findings are definitive. Australians with disability must be safe from abuse and neglect. Any reform of the NDIS is fundamentally

incomplete – and will fail – without a parallel, ironclad commitment to ensuring the safety of every Australian living with a disability.

These reforms must also proceed alongside the full implementation of recommendations from the Disability Royal Commission and the Independent NDIS Review. The disability community deserves a holistic suite of reform that upholds the rights and dignity of all people with disability.

We are calling on the Government to work with us, and with the broader disability community, every step of the way.

## Appendix 3: Joint DRO Statement 6 March 2026

### Media Statement from Australia's Disability Representative Organisations

#### Disability Representative Organisations call for clear and complete consultation on NDIS planning reforms

The Department of Health, Disability and Ageing is currently consulting on the New Framework Planning Rules and asking the public to provide submissions on the reform architecture while specifics of critical components remain unavailable or lacking detail. This prevents Disability Representative Organisations (DROs) and the broader disability community from providing fully informed feedback and undermines the integrity of the consultation process.

Key elements necessary to properly assess the proposed reforms have not yet been released or explained. These include:

- Exposure drafts of relevant legislative instruments.
- How the Support Needs Assessment has been validated, including accessibility and cultural and linguistic bias testing.
- Sample reports and clarification of assumptions regarding informal supports.
- Clear explanation of how assessed need will translate into funding outcomes, including whether automated or algorithmic decision-making will be used.
- Details of review processes and appeal rights.
- Confirmation that full merits review through the Administrative Review Tribunal will remain accessible and effective.
- Safeguards to prevent inequity during transition.
- Clarity regarding the staged rollout cohorts and timelines.

The Government has articulated principles of transparency, meaningful engagement, consultation and co-design. These principles, and Australia's human rights obligations, must now be reflected in action through cross-agency coordination, open communication, and collaborative decision making with representatives of the disability community.

New Framework Planning must only proceed to rollout once complete information about the reform architecture has been released, and thorough, genuine, and complete consultation has occurred. Proceeding in the absence of this, risks undermining confidence in the reform and its legitimacy, as well as potentially jeopardising the lives, safety and dignity of people with disability on the Scheme.

To ensure consultation is genuine, informed and consistent with the Government's stated principles of transparency, meaningful engagement and co-design, **Disability Representative Organisations call on the Government to:**

- **Confirm publicly which, if any, of the outstanding reform materials are still under development** and commit to appropriate future consultation and direct engagement with DROs on these outstanding materials.
- **Provide clear timelines for the release of outstanding information**, including clear communications around what, when and how the disability community and representative organisations will have the opportunity to influence design and decision making.
- **Release all outstanding reform materials**, including exposure drafts of legislative instruments and operational policy documents.
- **Publish the methodology and validation evidence for the Support Needs Assessment**, including accessibility testing, cultural and linguistic bias testing, and sample outputs.
- **Publish the outcomes of the various desktop reviews and evaluative processes** used to design and test the process.
- **Provide clear modelling of how assessment outcomes translate into funding decisions**, including transparency regarding any automated or algorithmic decision-making processes.
- **Clarify review and appeal mechanisms**, including confirmation that accessible and effective merits review through the Administrative Review Tribunal will remain available.
- **Publish safeguards for transition**, including how inequitable outcomes will be prevented and addressed.
- **Provide a clear and detailed rollout schedule**, including cohorts, timelines, and risk mitigation strategies.
- **Work collaboratively with DROs** on a staged and incremental consultation.

Disability Representative Organisations stand ready to engage constructively in reforms that are transparent, accountable and are grounded in genuine consultation. Reform legitimacy depends on respecting people with disability as key partners that bring valuable lived expertise and experience to achieve transparent, fair, and rights-consistent policy design.