

Senate Inquiry into the NDIS Amendment Bill (10 June 2026)

Day 2 Summary

A strong theme emerged from Day 2 of the Senate Community Affairs Legislation Committee hearings: many witnesses believe the Bill represents a fundamental shift away from the rights-based foundations of the NDIS and risks reducing the supports people with disability rely on to live independently and participate in their communities.

Key concerns raised included:

- A move towards a functional and impairment-based assessment model, rather than recognising the social and environmental barriers that contribute to disability
- Expanded ministerial powers without clear human rights accountability measures
- Reduced participant rights, choice and control over supports
- The risk of shifting costs and responsibilities onto families, carers, hospitals and crisis services when supports are withdrawn

Disability Discrimination Commissioner Rosemary Kayess warned that the Bill would move the NDIS away from the social and human rights models of disability that underpin both the Convention on the Rights of Persons with Disabilities and the original design of the NDIS.

She argued that by focusing primarily on impairment and functional capacity, the legislation risks returning to a deficit-based medical model of disability that fails to recognise the role of societal barriers and individual circumstances.

She also highlighted concerns that increased ministerial discretion requires stronger human rights indicators to ensure transparency and accountability.

Every Australian Counts presented powerful evidence from people with lived experience, warning that the Bill could significantly impact participants with high support needs and limit their ability to live safely, independently and with dignity.

One witness stated:

"If you support this Bill, you are giving the minister the power to impose ratios of support that would put Sam and other people with high support needs back into group homes."

The organisation argued that NDIS sustainability cannot be achieved by removing supports

that keep people safe, connected and out of crisis, and expressed strong opposition to mandatory registration and the removal of existing participant safeguards.

The Youth Disability Advocacy Network raised strong concerns that the Bill would make supports harder to access and easier to lose, while reducing participants' ability to challenge decisions. They emphasised that when support is removed, the need does not disappear, it is simply transferred to families, informal supports and other systems like the healthcare sector.

People with Disability Australia echoed this concern, warning that reducing support does not reduce costs but instead shifts pressure onto hospitals, crisis services, families and carers.

The dominant theme of the day was clear: reform and sustainability are important objectives, but they must not come at the expense of human rights, participant choice and control, independent living, and the supports that enable people with disability to live safely and with dignity.