



28 May 2026

Committee Secretary
Senate Standing Committee on Community Affairs
Parliament House
Canberra ACT 2600

Submitted online via My Parliament.

Dear Secretary,

Submission to NDIS Amendment (Securing the NDIS for Future Generations) Bill 2026

This submission responds to the *National Disability Insurance Scheme Amendment (Securing the NDIS for Future Generations) Bill 2026* and highlights potential implications for Autistic people and their families and carers. We strongly support submissions made by the Australian Autism Alliance and Disability Representative Organisations and endorse their concerns regarding both the substance of the Bill and the process through which it is being progressed.

To be clear, we recognise the need to address scheme sustainability, fraud, exploitation and poor-quality service provision. Efforts to improve sustainability should focus on addressing system inefficiencies and strengthening scheme integrity. We support targeted reforms to this end, including high-risk provider registration where appropriately designed, separation of plan management from other supports to reduce conflicts of interest, and greater pricing transparency.

However, we are deeply concerned by the significant aspects of the Bill that undermine the fundamental purpose of the NDIS: to provide individualised supports that enable people with disability to live safely, with dignity, participate in their community, and exercise choice and control. The Bill's increased emphasis on financial sustainability signals a sizable shift away from an individualised and rights-based model toward one that prioritises cost containment, centralised discretion and system-level affordability. This fundamentally reframes the Scheme from a guarantee of reasonable and necessary supports to a capped system, where access is constrained by budgetary limits and out-of-pocket costs apply.

Our submission, which is endorsed by the I CAN Network, Yellow Ladybugs, Different Journeys and Autism Valued, makes recommendations to:

- Strengthen scrutiny and co-design across the reform process.
- Centre participants and their individual needs in decision making.
- Strengthen safeguards on decision-making powers and processes.
- Protect flexibility, review rights and timely access to supports.
- Maintain rights to reasonable and necessary supports, without gaps.
- Strengthen system readiness prior to any transitions.

1. Narrowed access and supports risk excluding people with significant and permanent disability from the NDIS or leaving them without adequate support, compromising safety and inclusion.

- The proposed definition of '**functional capacity**' that excludes environmental context risks an incomplete and inaccurate picture of lived experience. For many people with disability, particularly Autistic people, the impact of disability is shaped by environment, relationships, trauma and intersectional disadvantage. It can also fluctuate across environments and contexts, reflect Autistic burnout, or be masked. Assessing capacity in isolation risks significant misunderstandings. Assessments must reflect real-world functioning over time and be meaningfully informed by both lived experience and practitioner evidence.
- Tightened '**permanence**' criteria may require people to pursue ongoing or speculative treatments to establish eligibility, even where these are burdensome, may not be neuro-affirming or personally appropriate, or are unlikely to change long term needs. Excluding personal and environmental factors also creates a significant equity risk, as a person's ability to access or afford treatment (including in regional or remote areas) may make treatment unattainable. In practice, this will delay access and early intervention, compromise equity and risk excluding people with significant, lifelong support needs. It is vital that a practical approach is taken and that personal and environmental factors are required to be taken into consideration.
- The proposed requirement that supports must '**arise directly from impairments**' does not reflect the reality of complex and intersecting conditions. Many Autistic people experience, and require support for interacting, co-occurring conditions. These commonly include intellectual disability, epilepsy, obsessive compulsive and related disorders, anxiety, depression and eating disorders. Recognising this, supports should remain fundable wherever a participant's disability is a substantial contributing factor, supports prevent deterioration and/or supports maintain participation and safety.
- Changes to '**reasonable and necessary**' (including what is reasonable for families, informal supports and communities to provide, and how supports are assessed as value for money, effective and beneficial) risk narrowing access, prioritising cost over individual need, and shifting responsibility to families where informal supports may be insufficient, not coping or unsafe. Determinations of reasonable and necessary must be holistic and reflect the individual needs of each participant, informed by their lived experience and medical and allied health reports (not generalised evidence only).
- Without **adequate safeguards**, people with permanent and significant disability risk exclusion from the Scheme or receiving inadequate supports that undermine safety, dignity, community participation and choice and control.

2. Reduced flexibility, choice and review rights will undermine scheme integrity and participant rights.

- Tightened criteria for **plan reassessments**, alongside extended decision-making timeframes, will make it more difficult for plans to respond to changing circumstances. This is particularly concerning where informal supports collapse, school exclusion occurs, housing needs change, services become unavailable, or participants' support needs have not been adequately reflected in their plans.
- Extending **reassessment timeframes** from 21 to 90 days could directly lead to participants experiencing homelessness, family breakdowns, unsafe levels of support, a loss of schooling, work or capacity for work, and/or a significant escalation in health and mental health conditions. 3 months is too long to be left without urgently needed support. Current reassessment timeframes should remain.

3. The shift to **automatic plan renewals**, without the right to seek review of renewed plans, represents a significant erosion of individualised planning and participants' choice and control. Participants may find themselves locked in plans that no longer meet their needs, without clear pathways to challenge or amend decisions. Renewals must be easily and quickly reviewable, in close consultation with participants.

- **Automated decision-making** risks oversimplifying and misrepresenting the support needs of participants. While it may be beneficial for administrative efficiency, oversight is crucial. It must not replace human judgment, and review rights are critical, particularly where automated decisions impact eligibility, support, reassessments or safeguarding.

4. **Centralised funding powers undermine fairness, equity, transparency and participant safety.**

- **'Support determinations'**, enabling the Minister to set funding limits across categories and specific supports, risk significantly undermining equity, participants' rights to reasonable and necessary supports and individualised decision-making.
- Applying these powers at a scheme-wide level, without review rights or limits on reductions, represents a significant concentration of **unfettered decision-making power**. This overwhelmingly risks undermining the safety, dignity and inclusion of participants. We are particularly concerned by the Ministers intention to use this power to reduce social, civic and community participation supports by 50% and capacity building daily activity funding by 10%, which would leave participants without critical supports.
- Support determinations will embed significant **inequity** across the scheme. The proposed power to reduce supports for particular **cohorts**, such as Autistic people, risks significant inequity in supports based on disability. The need for participants to **pay the gap** between reasonable and necessary, and funded supports poses significant risks to the support and safety of participants that cannot afford to pay.
- **If a centralised approach is to be taken** (which we do not support), it should not lead to any reductions in the absence of a robust and independent impact assessment, disability-led consultation, no harm protections/certification, parliamentary scrutiny and review rights. A limit must be placed on the percentage reduction and caps the Minister may determine.
- The power to make support determinations appears to apply only to old framework plans given **new framework plans** will not include support categories. Urgent clarity is needed to ensure this power is not retained in the longer term.

4. **Reforms risk support gaps unless accessible and quality systems are in place.**

- Many elements of the proposed reforms rely on future rules, operational guidance and systems that are not yet available, creating significant uncertainty about how the new framework will operate. It risks shifting people to other systems for support before these systems are ready to receive them.
- Without well-designed transition arrangements and sufficient investment in alternatives (including Foundational Supports and mainstream services), there is a significant risk that people will fall through the gaps, particularly given the scale and pace of reform and the central role of the NDIS in participants' lives.
- To safeguard safety and inclusion, no participant should have supports reduced, removed or replaced until alternative systems are fully operational, workforce-ready, affordable, accessible, autism- and trauma- informed, and independently trialled and evaluated.

5. Further scrutiny is critical given the scale and complexity of the proposed changes, and their risks of harm.

- The timeframe for parliamentary scrutiny of this Bill raises serious concerns. The scale and complexity of the proposed changes warrant careful, detailed consideration, supported by meaningful engagement with people with disability, families, carers and representative organisations.
- Rushed legislative processes limit the ability to fully understand the implications of reform and increase the risk of unintended consequences. Major changes to a scheme that affects hundreds of thousands of Australians should be subject to robust scrutiny, transparent debate and genuine co-design.

6. Recommendations towards a sustainable NDIS for all that upholds the dignity, safety and inclusion of participants.

To ensure the NDIS remains sustainable while upholding its purpose, we recommend:

- **Strengthen scrutiny and co-design across the reform process.** Extend the timeframe for the Senate Inquiry and embed genuine co-design with people with disability, families, carers and sector organisations throughout legislative development, implementation and the ongoing design of NDIS rules and operational guidelines.
- **Ensure participants and their individual needs are centred in decision making.** Require assessments of functional capacity and permanence to consider personal and environmental factors. Fund supports where a participant's disability is a substantial contributing factor, reflecting the reality of complex and intersecting conditions.
- **Strengthen safeguards on decision-making powers and processes.** Remove or strictly limit broad Ministerial and automated decision-making powers. Any centralised power must not compromise equity, be subject to parliamentary scrutiny and independent review, reflect an obligation to do no harm and be informed by people with disability.
- **Protect flexibility, review rights and timely access to supports.** Maintain accessible pathways for reassessment and review, including for automatic renewals. This must include an accessible pathway to interim adjustments, temporary stabilisation funding and rapid reassessment in times of crisis.
- **Maintain the right to reasonable and necessary supports, without gaps.** Ensure funding decisions are based on individual need and are informed by evidence, lived experience and practitioner evidence. Informal supports must not be assumed or prioritised where they may be insufficient, inappropriate or unsafe.
- **Strengthen system readiness prior to any transitions.** Ensure no participant loses NDIS supports until alternative system are fully operational, workforce ready, affordable, accessible, autism- and trauma- informed, trialled and independently evaluated.

Please contact me by email at david.tonge@amaze.org.au or by phone on 03 9657 1600 if we can assist by providing further information or answering any questions you may have.

Yours sincerely,



David Tonge
Chief Executive Officer

Endorsed
by:

