

National Disability Insurance Scheme Amendment (Securing the NDIS for Future Generations) Bill 2026 Inquiry

Deaf Australia submission to the Community Affairs Legislation Committee
1 June 2026

About Deaf Australia:

Deaf Australia was founded in 1986 as a not-for-profit organisation that represents all Deaf, Deafblind, and hard of hearing people who use Auslan as a primary or preferred language. The focus has and continues to be on developing access to information and accessible communication. We work with Australian governments and collaborate with key stakeholders to make sure that Australia complies with the United Nations Convention on the Rights of Persons with Disabilities. The United Nations Convention on the Rights of Persons with Disabilities and Australia's Disability Strategy 2021-2031 guide our work and we aspire to achieve equity for Deaf people across all areas of life.

First Nations Acknowledgement:

Deaf Australia acknowledges that sovereignty was never ceded. We acknowledge the traditional custodians of the many nations of Australia and their strong connection to land, water and community. Deaf Australia respects Elders past and present and extends this respect to all Aboriginal and Torres Strait Islander peoples. Deaf Australia acknowledges and respects Indigenous Sign Languages as vital contributions to the rich diversity of languages all over Australia and supports their revitalisation.

Deaf Acknowledgement:

Deaf Australia acknowledges and respects the members of the Deaf Community in Australia who preserve their rich heritage, culture and their language; Auslan (Australian Sign Language). Deaf Australia also acknowledges the custodians of Auslan who promote awareness, equality and access through sign language. Through Auslan, future leaders of the Deaf Community are inspired to continue the Deaf Community's legacy and heritage.

Key Notes:

This section includes key information about the submission that the reader should be aware of while reading:

- In this submission, Deaf Australia will use Deaf person/Deaf people/people who are Deaf/Deaf Community to refer to all d/Deaf, Deafblind, and hard of hearing people who use Auslan as their language of preference, unless otherwise stated.
- We write broadly about signing Deaf people but recognise that Deaf people are intersectional beings and may have intersecting identities as First Nations people, BIPOC, LGBTIQ+ and other identities.

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INTRODUCTION

Deaf Australia will comment on the National Disability Insurance Scheme Amendment (Securing the NDIS for Future Generations) Bill 2026 in this Inquiry. This Inquiry has arisen following the Government's introduction of the National Disability Insurance Scheme Amendment (Securing the NDIS for Future Generations) Bill 2026 (the Bill), which the Senate referred to the Community Affairs Legislation Committee on 14 May 2026 for inquiry and report. This Bill follows an announcement by Minister Butler MP, Minister for Health and Ageing and Minister for Disability and the National Disability Insurance Scheme, on 22 April 2026 at the National Press Club, during which he announced a number of proposed changes and cuts to the NDIS. We will highlight some very important issues about this Bill which must be considered, as they could have a significant impact on people who are d/Deaf, Deafblind or hard of hearing, along with carers and families.

EXECUTIVE SUMMARY

Deaf Australia's position is that this Bill creates an unacceptable level of risk to d/Deaf, Deafblind, hard of hearing people along with their carers and families and the wider Deaf community. The Bill should be withdrawn.

Deaf Australia acknowledges there is a need for reform of the National Disability Insurance Scheme however this must involve Deaf people in meaningful and democratic consultation. The Government should co-design and consult with Deaf communities, families, carers, First Nations communities, providers, workers, advocates, states and territories and Disability Representative Organisations to design the reform and to implement it with success.

CONCERNS ABOUT THIS INQUIRY

Deaf Australia has some quite serious concerns about the manner in which this Inquiry has been conducted, which will effectively limit the ability of Deaf people and the broader disability community to respond. This Parliamentary Inquiry's webpage has no information available in Auslan or Easy Read. The webpage states that "The committee invites individuals and organisations to send their opinions and proposals in writing (submissions)". However, it is well known that many people in the disability community cannot easily communicate in writing. English-based forms of communication (such as written Inquiry information and submissions) are insufficient to meet the access requirements of many signing D/deaf and hard of hearing people in Australia. Many members of the Deaf Community grow up using Auslan as their first language and some members of the Deaf Community may have limited or no understanding of spoken/written English. An email contact appears on the Inquiry webpage for people with accessibility requirements. However, when Deaf Australia used this contact on 21 May 2026 they were merely informed by the Committee Secretary for the Senate Standing Committee on Community Affairs that "There are no Auslan & Easy English resources available in relation to the inquiry...Unfortunately the website and the APH's systems are unable to process and receive video submissions in Auslan". This effectively means that many members of the Deaf community relying on Auslan will be unable to access submission information on the Inquiry webpage or submit a video submission in Auslan. This will make it very difficult for many members of the signing Deaf Community to

contribute to this Inquiry. The Senate Committee should note that many Deaf community members have significant concerns about this Bill yet there will be an under-representation of d/Deaf, Deafblind and hard of hearing voices within the submissions to this Inquiry.

There has also been very little information available to the signing Deaf Community about this Bill itself. When Deaf Australia approached the Committee Secretariat for this Parliamentary Enquiry on 21 May 2026, they were advised to “contact the Department to see if they have any information about the Explanatory Memorandum and the Bill available in Auslan and Easy English”. Whilst the Department of Housing, Disability and Ageing does have a factsheet about the Bill, until 27 May 2026 no Auslan version was available.

CONCERNS ABOUT THE BILL

Schedule 1: Access and Planning Measures

Part 1: Defining functional capacity

Issue:

The Amendment would like to introduce a standardised definition of functional capacity. The NDIA would then use this to make future decisions about the NDIS access eligibility which they note are based on a 'consistent, objective and evidence-based functional capacity assessment'. It is noted that advice will be provided by a Technical Advisory Group on the threshold and assessment process.

Deaf Australia is concerned especially about the change to understanding functional capacity which is 'in a context which excludes, as far as possible the person's environmental and personal circumstances.' This is a concerning move away from the social model of disability. Deafness **must** be analysed within a person's environmental and personal circumstances.

How this impacts participants:

We are concerned about one inflexible definition of functional capacity, given that functional capacity is very complex and nuanced. There are many domains of function and disability that can be present in multitudinous ways. Deaf people are currently assessed for functional capacity utilising function, communication or psychometric assessment tools that have been designed for hearing populations who speak and listen to English.

Currently, assessment tools that have been both culturally and linguistically validated to suit the cohort of d/Deaf, Deafblind and hard of hearing people are very rare. NDIS rules made for the purposes of subsection 9B (1), must involve meaningful co-design from Deaf community members and advocacy organisations including the classifications and thresholds relevant to someone's ability to undertake an activity. Deaf Australia denotes that decisions regarding the functional capacity of Deaf people will be most efficiently supported by ensuring a minimum of two Deaf members within the Technical Advisory group who provide subject matter expertise, Auslan linguistic expertise and who understand deeply the Deaf sector, hearing services programs and languages services sector.

Deaf Australia currently supports d/Deaf, Deafblind and hard of hearing people who will often be clustered together as one homogenous group and at times given very similar funded supports despite their functional capacity presenting in very different, nuanced ways. Within the cohort of people with hearing loss, function varies significantly. We are concerned about how this change to the law may result in clustering everyone with hearing loss together and making generalised

decisions about our needs by using ineffective classifications or thresholds that are designed without the input of Deaf community members.

The peer reviewed evidence-base for the Deaf community is still developing, especially because of pervasive barriers to attaining higher education. For the Deaf community, there are presently only a small pool of academics with lived experience working in research in Australia. It is important that prioritising the evidence base does not result in erasure of the expertise of lived experience.

Deafness significantly impacts communication, which is deeply connected to a person's social function. The functional capacity of a Deaf person is best understood by examining their social and environmental interactions, rather than in isolation from the context in which they live and communicate. The social model of disability is essential to understanding deafness, and this change delineates a concerning trend away from the social model of disability and rights-based frameworks recognising the needs of Deaf people.

The Senate Committee has a responsibility to ensure that the Agency is supported to make decisions which are consistent with Australia's ratification of the United Nations Convention on the Rights of Persons with Disability (CRPD). Australia ratified the United Nations CPRD in 2008 and acceded to the Optional Protocol in 2009. The Convention explicitly prohibits discrimination against people with a disability and requires parties to provide supports and intermediaries, including professional sign language interpreters.

Recommendations:

Deaf Australia requires that the definition of functional capacity must be genuinely person-centred and grounded in a comprehensive analysis of the individual's personal, social, and environmental circumstances.

Deaf Australia requires that any functional assessment tool, criteria, methods, thresholds or classifications utilised to determine the functional capacity of a Deaf individual must be subject to rigorous peer-reviewed by Deaf experts with recognised subject matter expertise. Following this, the tool must undergo full cultural and linguistic validation to ensure its accuracy, appropriateness, and accessibility in Auslan.

Part 2: Limit unscheduled plan reassessments

Issue:

The National Disability Insurance Agency has not released enough Auslan accessible resources to support d/Deaf, Deafblind and hard of hearing people to navigate the administrative processes involved in planning including how to request a plan reassessment given the process involves completing the form using complex English language. Hence, if advocacy organisations and service providers are unable to assist Deaf people to request an unscheduled plan reassessment, then there will be a significant increase in unmet needs.

How will this impact participants:

This may mean that more support coordinators and service providers are added as nominees because d/Deaf, Deafblind and hard of hearing people may not have the English literacy, administrative and digital skills to request their own review. Please ensure that the form is available with Auslan translation (can embed a QR to Auslan video) and that the NDIA proactively develops a communication strategy to reach the Deaf community and explain how they can request an unscheduled plan reassessment.

We are concerned about the word 'unanticipated' being added under 48 A (3). Deaf people may have a need for unscheduled plan reassessment that is not because of a change in functional capacity or an 'unanticipated' change, for example, someone who has a planned graduation from school or a Deaf person who has a baby. Deaf people who are parent or carers and experience a change in their care role must be supported to access an unscheduled plan assessment.

Deaf Australia currently supports Deaf community members through internal and external reviews provoked by administrative errors within the Agency's processes or through errors in understanding the nuance of Deaf needs and the language services sector. Deaf Australia currently supports Deaf people through the Administrative Review Tribunal to receive funding for Auslan interpreting whereby the Agency has not recognised the limitations to language services, such as assuming that TIS National will cover Auslan for a doctor's appointment when this is the responsibility of the scheme. Deaf people must be supported to submit a plan reassessment whereby there has been a planning error made by the Agency.

Recommendations:

Deaf Australia recommends that advocacy organisations and service providers who can provide fluent Auslan language support to Deaf participants to navigate administrative processes are listed as a party who can support a Deaf NDIS participant to request an unscheduled plan reassessment.

Deaf Australia recommends that plan reassessments must also remain an option for someone who experiences an anticipated change in circumstances.

Deaf Australia recommends that a new safeguarding process is established whereby if a Deaf person has no available Auslan interpreting funding, the Agency will support them through this process to quickly ensure there is funding without needing a full plan reassessment.

Part 3 - Strengthen link between an impairment and need for support

Issue:

Within the cohort of NDIS participants who have hearing loss, there is significant variation in need for support, both the type of support required and the frequency of the support needed. The needs of Deaf people are complex and routinely misunderstood by delegates and planners who do not have subject matter expertise.

How this will impact participants:

Deaf people who were not provided with the opportunity to access to a first language during their early years critical language window may have language deprivation syndrome or language delay. Language deprivation syndrome will have severe impacts to their cognitive and social function, including the individual's development of theory of mind. Deaf people with language deprivation may require support workers to assist with activities of daily living and the combination of both Auslan interpreters and Deaf interpreters. Providing the same funding amount to a Deaf person with language deprivation and a Deaf person with language fluency does not represent equity or support scheme sustainability. These types of decisions regarding assessment are most appropriately and effectively supported by Deaf linguistic and cultural experts who can guide the Agency towards understanding the connection between 'impairment' and need for support.

Likewise, the support required for a Deafblind person to meet their needs may present differently to a Deaf person. Deaf Australia is concerned that Social and Community Participation funding represents for many Deafblind community members, the funding that allows for them to have a guide to assist at a doctor's appointment, pharmacy or supermarket. Especially since Communication Guide (CommGuide) does not have a unique line item.

Deaf Australia was involved in prompting for several years, operational guidelines for Deaf and hard of hearing people, including Auslan, to be developed by the Agency. Deaf Australia prompted these operational guidelines given the historic issues with the Agency appropriately understanding the nuance within Deaf support needs.

Recommendations

Deaf Australia denotes that to efficiently understand the link between support needs and ‘impairment’ the Agency will need to a minimum of two Deaf members within the Technical Advisory group who provide subject matter expertise, Auslan linguistic expertise and can unpack the complexity and nuance of needs between the cohort.

Deaf Australia recommends that Operational Guidelines for Hearing services and Auslan supports are made available to the public when possible.

Part 4 - Support determinations

Issue:

The Amendment would like to enable ministerial determinations that would cut funding for support under a specific category. This is part of what would allow the Ministerial determination on budget amounts for social, civic and community participation and capacity building – improved daily living. This change represents severe and dangerous risk for d/Deaf, Deafblind and hard of hearing people.

How this will impact participants:

For some Deafblind people, social and community participation is the funding that enables them to safely leave the house by accessing a communication guide. Without support to leave the house, they cannot safely shop and go to a doctor's appointment because they require support to navigate safely.

Social and community participation is our very barrier as Deaf people. We are concerned that cutting social and community participation funding will reduce the core funding amounts for d/Deaf, Deafblind and hard of hearing people who are reliant on this funding for Auslan interpreting. Without Auslan interpreting, Deaf people will have massive barriers and lack of accessibility to access the community.

We are concerned about a ministerial decision that would make a sweeping cut that limits access to Auslan interpreting and/or Auslan training. Reducing Auslan training from an entire generation of young people doing early intervention will cause irreparable harm to the language development community wide. Currently interpreting and Auslan training are listed as consumables. This is not well known by Ministers, NDIA planners, and key decision makers. Cutting Auslan interpreting funding from the plans of the NDIS plans of Deaf people would cause significant harm to the health and wellbeing of Deaf people. NDIS funding is how Deaf people access Auslan interpreting during a doctor's appointment. If Deaf people do not understand their diagnoses and prescribed medicines, they are at risk.

For some Deaf people, a sweeping cut to Capacity Building – Improved Daily Living would be the occupational therapist that makes sure their flashing fire alarm system is functioning, or the audiologist that checks their cochlear is mapped correctly. Full scheme cuts to Improved Daily Living will include critical, lifesaving supports without any established risk assessments or safeguarding.

Recommendation:

Deaf Australia opposes ministerial decisions to reduce a class of supports, especially considering there is no risk management or safeguards in place to support participants to navigate this.

Part 5 - Plan renewal

Issue:

Deaf Australia is concerned that if unspent funds that are not carried over may represent inefficiency for the NDIA and cost them more money through creating more reporting needs by allied health professionals.

How this may impact participants:

In particular, one way this may impact participants is through the removal of assistive technology funding that is unspent due to waiting lists, scarcity of specialists. Assistive technology as a funding item already has significant costs in collecting allied health reports and submitting plan variations to receive the funding.

To provide a circumstance where this may impact someone: a Deaf person who is living remotely and has received funding for a cochlear implant, however has not been able to travel to a city-based clinic to receive surgery or cochlear mapping support. A waitlist for surgery may mean that the plan lapses before they are able to purchase the assistive technology. It represents value for money for the NDIA to maintain unspent Assistive Technology funding across plan reassessment dates.

Asking someone how many hours per year they will need to communicate in English in a social, cultural, personal or community setting can be a complex activity. It is hard to know in advance how many funerals, family events or doctor appointments will occur within one plan period. Deaf people may at times use a minimal amount of Auslan interpreting funding and then may have an intensive and increased need for interpreting for example, during a bereavement there may be a stretch of time when Auslan is needed daily to communicate with hearing family members who cannot sign.

We advise that given the complexity of calculating exact hours a Deaf person will need to converse with a non-signer in a plan period, that it is efficient to allow Auslan interpreting funding to carry over into the next plan period.

For people who require Auslan training such as families with d/Deaf, Deafblind and hard of hearing children or deaf or hard of hearing adults who require Auslan to attain a functional language we advise that Auslan training funding should roll over onto the next plan period. It can be challenging to access Auslan training in regional and remote areas, and at times there can be a waitlist for this support type. Whereby someone has been assessed as requiring a specific number of hours of Auslan training to work towards functional language use, we posit that removing these hours and then prompting this Deaf participant to complete a plan reassessment process and collect reports does not represent a sustainable use of NDIS funding.

Recommendation:

Deaf Australia recommends that unspent funds carry over at plan renewal for participants saving for high-cost items assistive technology items and using a case-by-case assessment that analyses risks and safeguards clients when deciding whether to remove all unspent funds.

Deaf Australia recommends that unspent funds from Auslan training and Auslan interpreting carry over at plan renewal for Deaf participants.

Part 6 - Reasonable and necessary supports

Issue:

Deaf Australia is concerned about the Bill's strong focus on 'financial sustainability' instead of focusing on a human rights-based framework for funding supports. Deaf Australia is concerned about changing the principles (17B) relating to participation and plans especially with expecting more significant care from carers and families of d/Deaf, Deafblind and hard of hearing people.

Deaf Australia is concerned about changes to subsection 33 whereby a determination could be made about a support or class of supports to a class of participants. Deaf Australia is concerned about a 'maximum amount of funding' being stated for a class of supports along with a maximum ratio of worker to participants.

How will this impact participants:

Our community has told us about very concerning trends towards the scheme demanding interpreting and translation services from carers and families of Deaf people – including hearing parents who do not have language fluency interpreting for their Deaf children, as well as hearing Children of Deaf Adults (CODA) interpreting for their Deaf parents.

Deaf Australia demands that the Agency must protect the rights of Deaf children and Deaf adults who require Auslan interpreting. The CRPD, ratified in 2008 specifically prohibits discrimination against people with a disability and provides that parties are required to provide assistance and intermediaries, including professional sign language interpreters. Whereby an assumption is made that a Deaf child does not have the cognition or language skill to require an Auslan interpreter, Deaf Australia challenges this assumption. Deaf children may have varied fluency in language given accessibility to a first language has not been adequately supported by early intervention programs; however, an Auslan interpreter and a Deaf interpreter are imperative for their accessibility. Hearing children who speak English have access to all their appointments, sports, social activities, family conversations. Deaf children deserve accessibility on the same basis.

The Victorian Government's (2025), language services policy has explained the following risks of using non-credentialed interpreters such as family members to provide Auslan interpreting.

"People who are not trained as interpreters often have little or no understanding of specialist concepts or of the importance of accuracy and completeness of the messages conveyed. Some words, such as medical terminology and terms used by certain programs and settings, do not have an equivalent word in another language. So, new information is often added, or critical information left out. This leads to significant changes in the nature of the original messages.

Family members, carers and other support people have an important role in advocating for and

supporting a client. This role should be valued and understood as separate from the role of an interpreter credentialed at the professional level. Respect and accommodate client preferences for having support people involved in significant discussions and decision making about their health and wellbeing. Emphasise their role as emotional support rather than communications support.” (State of Victoria 2025, p.17).

Auslan interpreters usually require a Diploma of Auslan and a Diploma of Interpreting as well as passing the National accreditation benchmark for Auslan interpreting with NAATI. The profession is compliant with a Code of Ethics and has professionalised working standards. Auslan interpreting is not family responsibility. It is a profession that requires multiple years of training and national accreditation. As State of Victoria has explained, there are significant risks involved in non-credentialed people assuming the role of an interpreter. Auslan interpreters are insured for professional liability, however if a carer is interpreting for their Deaf child in a medical appointment and there is an error in language conveyed then there are no safeguards for this carer and their child.

As a cohort of people with hearing loss, d/Deaf, Deafblind and hard of hearing people may look similar on paper but have very different realities. We are concerned about Deaf people with language deprivation from no accessibility to a first language during their critical language window, receiving the same funding as someone with language fluency. Where ratio of worker to participant has the possibility of becoming a determination – we are concerned that this will not understand the Work Health and Safety requirements for Auslan interpreters, along with the essential role of Deaf interpreters. Deaf people with language deprivation may require the support of two Auslan interpreters and two Deaf interpreters simultaneously.

Recommendation:

Deaf Australia requires there should be no expectation placed on the family members and carers of Deaf people to provide Auslan interpreting and Auslan training.

Deaf Australia recommends determinations on the support provided to people with hearing loss as a class of participants must involve meaningful co-design with the Deaf community. This is incredibly dangerous without appropriate risk management and safeguarding plans established.

Part 7 - Plan suspensions

Issue:

The Bill wishes to enable the NDIA to suspend a participant's plan when they have made 'reasonable' attempts to contact them and have not received 'adequate' response. This would allow a participant's access to be revoked if their plan has been suspended 90 days and the NDIA has not been able to contact them.

How will this impact participants:

Deaf Australia supports many d/Deaf, Deafblind and hard of hearing people who are called by the NDIA, despite telling the NDIA multiple times about their accessibility and ensuring their incapacity to take a phone call is noted and a system pop-up is enabled. The NDIA also voice calls Deaf people who are working as support coordinators, service providers or are listed as nominees, parents or carers, despite being upfront about accessibility requirements. The current measures to ensure that participants are contacted in a method that is accessible is ineffective and this change to the law will penalise the participant for this systemic flaw instead of seeking to solve the issue of inaccessible communication strategies from the scheme.

Deaf Australia believes this proposed change is very dangerous for the d/Deaf, Deafblind and hard of hearing community. There are many situations when someone may not be able to contact the NDIA within the stipulated timeframe given their barriers to literacy, family violence, rural or remote participants, financial barriers including unhoused people, communication issues with nominee, among other situations.

It also notes that the NDIA wishes to receive an 'adequate' response from the NDIS participant – for many Deaf people who have challenges with English literacy, often these people may send a one-word response or an emoji to an email or text message. The definition of 'adequate' must account for variation in literacy, digital capability, cultural and linguistic diversity, social and environmental factors impacting a Deaf person.

Recommendation:

Deaf Australia disagrees strongly with this proposal and requires that the NDIA must not suspend participant plans for reasons relating to non-contact. Deaf Australia instead implores the NDIA to review their external communications strategies to ensure that participants, nominees and service providers are being contacted in an accessible manner.

Part 8 - Tightening meaning of permanence to reduce access where an impairment can be treated

Issue:

Deaf Australia is concerned about the changes to the definition of permanence. We are concerned about the Amendment noting that an instrument, which has not yet been designed being passed before it has been viewed. There must be meaningful co-design from the Deaf community regarding the instrument that will outline the circumstances where a participant has accessed appropriate treatment for hearing loss.

How will this impact participants:

For Deaf children; their critical language window is around 0 to 5 years of age. The evidence-base for early intervention has established that the safest approach is a bimodal and bilingual approach using sign language, Auslan as well as English. If a Deaf child does not successfully uptake a language during this window, then they are at risk of developing language deprivation. We are concerned about a hierarchy of intervention being created whereby given audiocentric values, Deaf children are forced to try speech pathology before being given access to Auslan as a secondary intervention when oral intervention has not been effective, with several years of delay to their language development. Noting that audiology supports can be available on the Hearing Services Program.

If people Deaf people forced to undergo surgical and medical procedures to prove their eligibility, then this has removed our informed consent. Our rights to have informed consent in medical treatments is upheld in the Australian Charter of Healthcare Rights and National Safety and Quality Health Service Standards. Deaf people who communicate using Auslan, identify as a cultural and linguistic group. To tell us that we must complete all appropriate treatments to remedy or alleviate an impairment is to tell us that we must abandon our cultural identity. For example, someone must not be forced to undergo surgery and receive a cochlear implant to then access Auslan interpreting or training. This is an invasive surgery which does not represent a cure for deafness but a tool to support a Deaf person to access some sounds, to varying degrees of success.

There are some presentations within the d/Deaf, Deafblind and hard of hearing community which are permanent and lifelong yet involve some variation in functional impacts over time. For example, Meniere's, CHARGE syndrome and Usher's syndrome.

Recommendations:

There must be meaningful co-design from the Deaf community regarding the instrument that will be used to decide whether someone has tried the appropriate treatments for hearing loss. This instrument must be culturally safe for the Deaf community.

Part 9 - Eligibility based on access to other services

Issue:

Deaf Australia is concerned about eligibility and funding decisions that are made by NDIA delegates who do not have subject matter expertise regarding the Deaf sector, hearing services programs and languages services sector.

Deaf Australia is concerned about the accessibility of broader social services to d/Deaf, Deafblind and hard of hearing people. Many Deaf people require NDIS support to then support them to access a support from the broader social services sector, for example a Deaf person with barriers to learning digital skills given inaccessible educational environment without interpreters, who requires support to make a call through the National Relay Service because they need support to use the application.

How this affects participants:

When decisions are made about Auslan interpreting by considering what may be available under other services, this often means the wrong decisions is made because delegates and planners who are in the position of reviewing whether someone has eligibility to other services do not have the subject matter expertise to navigate the complexity of language services and hearing services which are nuanced.

To provide a concrete example, delegates and planners regularly assume that TIS National can cover Auslan interpreting for health appointments. Auslan interpreting is **not** available from TIS National. TIS National operates out of the Department of Home Affairs, and they do not list Auslan as an available language, and it is outside of their scope. National Auslan Booking Service (NABS) has **not** been operational since [1 July 2024](#) when the program merged, and it became the National Sign Language Program. The National Sign Language Program focuses on Auslan interpreting for people over 65. There is also widespread confusion about the service available under the National Relay Service, with some delegates and legal representatives for the National Disability Insurance Scheme saying that this is an interpreting service – it is only support to make a phone call and cannot be used to convey information between two people in the same room.

Deaf Australia has requested for several years, operational guidelines from the NDIA regarding supports for Deaf, Deafblind and hard of hearing people to guide the Agency's decision makers to understand how to fund Auslan supports.

At current, the design of social services across Australia means that many services do not have the skills in supporting Deaf community. It is a common occurrence for hospitals to tell Deaf NDIS participants that the NDIS should pay for Auslan interpreting, despite being a state-funded health service. Deaf Australia implores that the Commonwealth, along with states and territories, must take

meaningful steps to identify systemic barriers within service blueprints that are preventing Deaf people from using social services.

Many Deaf people are unaware of the intricacies in bureaucratic administration processes involved in navigating complicated insurance systems in English rather than their primary language of Auslan. Deaf Australia has not been able to source the Compensation guidelines in Auslan, despite contacting the relevant team at the NDIA for guidance. There is either no or limited information available in Auslan to support Deaf people to access information about workers' compensation or personal injury insurance from the relevant state-based services.

Recommendation:

Deaf Australia recommends that decisions regarding the funding and eligibility of Deaf people will be most efficiently supported by ensuring a minimum of two Deaf members are within the Technical Advisory Group who are subject matter experts and cultural and linguistic experts who understand deeply the Deaf sector, hearing services programs and languages services sector.

Deaf Australia requires the Commonwealth of Australia along with states and territories to have measurable and targeted improvements towards the provision of information about social services in Auslan, otherwise it is discriminatory to expect the Deaf signing community to access a service which is unknowable and inaccessible for them, given their language is Auslan.

Schedule 2 – Fraud measures

Deaf Australia requests that measures created to target fraud are proactively translated and made available in Auslan for the Deaf Community. The Deaf sector has often a lived experience workforce, and hence many service providers who service Deaf people also have reasonable adjustments as a Deaf workforce.

Deaf Australia notes that many Deaf people have barriers to managing paperwork given their first language is Auslan. Deaf Australia is concerned about penalties imposed on Deaf people who have been asked to provide information they do not understand which is not in their primary language of Auslan. Deaf Australia posits that intent must be important in deciding on penalties, noting that the Agency regularly either does not, or is delayed in providing the accessibility and support required for Deaf people to understand the complex rules underpinning the scheme – an example of this is the October 2024 reform which did not provide Auslan video resources until March 2025.

If a Deaf person has language deprivation, it is also possible that Auslan resources may be useful, however given the cognitive impacts of no accessible first language, they may require support from nominees, providers and guardians to understand and make compliant decisions. We are concerned about penalties on a Deaf person who cannot understand the record-keeping requirements and has no intent to fraud the system.

Many Deaf community members utilise plan management from specialist Deaf-focused plan management providers who can communicate in Auslan. It is essential that the Bill does not eliminate plan managers who can communicate in Auslan and have the subject matter expertise to navigate Auslan line items.

Recommendations

Deaf Australia requires that plan management services who are Auslan fluent must remain available to service Deaf NDIS participants.

Deaf Australia requires that all information and resources for participants and providers regarding fraud measures are actively translated into Auslan and reach Deaf audiences through a comprehensive external communications campaign.

Deaf Australia recommends that prior to penalising a participant for fraud or non-compliant record keeping, there must be an established intent and motive to defraud the system. A Deaf person should not be penalised for literacy barriers or missing foundational skills in administration and using digital interfaces.

Schedule 3 – Governance arrangements

Independent Pricing Analysis must involve key Deaf sector stakeholders to discuss the costs of Auslan supports such as Auslan interpreting, Deaf mentoring and Auslan training. Stakeholder engagement must involve accessibility measures to capture the input of the Deaf sector workforce including Deaf Australia as the national peak advocacy body for d/Deaf, Deafblind and hard of hearing people who communicate in Auslan as a primary language.

Independent Pricing Analysis must do significant stakeholder engagement with the Auslan sector to understand the most appropriate pricing model including travel for Auslan interpreters. The Modified Monash Model does not present the best approach to measuring travel in the context of Auslan interpreters. Many Deaf people located within outer suburban areas report issues booking on site Auslan interpreters which is additionally challenging for Deaf participants in regional, rural and remote areas. There must be funding made available for the provision of on-site interpreting.

Schedule 4- New Framework Planning

Issue:

The Amendment wants to clarify the information which must be considered by an assessor delivering a new framework plan assessment, this recommended hierarchy of information is concerning for Deaf Australia. It is already prevalent that cultural and linguistic information, along with lived experience information and carer impact statements is often considered subpar to medical and clinical reports on hearing loss which do not support a holistic understanding of Deafness. Deaf Australia requires cultural, linguistic and lived experience evidence to be given more weight rather than further demeaned.

The Amendment wishes to add that the assessment must be undertaken by a member of the staff of the agency, a consultant engaged by the Agency or a person prescribed by the National Disability Insurance Scheme rules for the purposes of the paragraph.

Deaf Australia has previously provided comment on New Framework planning, through both the AusTender Request for Information (PROC-5137) and a part of the Public Consultation to New Framework Planning carried out on the NDIS rules by Department of Health, Disability and Ageing.

How this will impact participants:

Whereby the Agency has engaged a consultant to deliver the assessment, Deaf Australia calls for increased recognition of Deaf Professionals/Deaf Experts who have experience and specialised skills in Deaf culture, Auslan (Australian Sign Language), linguistics, and Deaf communication in determining the cultural support needs of Deaf people.

It is vital that Assessors for Deaf participants are not selected solely on their expertise in audiological health and aural speech. This is based on a medical, rather than sociocultural, model of disability which does not meet the needs of the diverse Deaf Community. Many members of the Deaf Community view themselves as belonging to a minority sociocultural and linguistic CALD community. Health and allied health professionals are often not best placed to assess the biopsychosocial and cultural wellbeing of a Deaf person.

Evidence provided by individuals and/or carers, along with cultural and linguistic experts on Deaf culture must be highly regarded by an assessor delivering new framework planning. Assessors must involve cultural consultants whereby Deaf culture is not their subject matter expertise.

Deaf Australia has twice now, formally stressed the importance of ensuring that tool/s to be used is accessible in a variety of formats including, but most certainly not limited to, Auslan. This will enable the tool/s to be accessible for the Deaf community to both undergo assessment as a participant of the scheme or deliver the assessment as a member of the workforce. To date, Deaf Australia has received no confirmation that the I-CAN tool is validated in Auslan.

Deaf Australia continues to feel concerned about the availability of tools that accurately and holistically support the assessment of Deaf individuals and their functional capacity. For example, the ability to measure Auslan competence is absolutely crucial in the Deaf Community to arrange supports and prevent language deprivation. The importance of Auslan for many D/deaf and hard of hearing participants cannot be understated, noting that language deprivation is one of the most serious issues impacting the Deaf Community. Studies show that delayed access to sign language can negatively affect Deaf children's cognitive, social and emotional development with even two-year delays costing an estimated \$120,000 over the life of a child.

Currently there are some tools which are used to measure competency in Auslan such as the Assessing Auslan Competence Tool, however this focuses solely on children 4-11 years or age. A tool to measure Auslan competency in Deaf adults is required. Developing this tool will be a crucial step in measuring Auslan competence and ensuring culturally and linguistically appropriate needs assessment support for Australia's intersectional Deaf Community. Given the current concerns relating to the accessibility and validation of the I-CAN, it is important that the unique linguistic and cultural needs of D/deaf participants be considered as part of the new framework planning process.

Recommendations:

Deaf Australia requires that assessment tools used by assessors in New Framework Planning must undergo Auslan validation along with being peer-reviewed by Deaf sector academics.

Deaf Australia requires that evidence provided by cultural and linguistic experts is highly regarded by the Agency along with lived experience statements and carer impact statements.

Deaf Australia requires a validated assessment tool to measure Auslan competency is available for d/Deaf, Deafblind and hard of hearing people across the life span.

Deaf Australia requires that the assessor appointed by the Agency must work alongside a Deaf cultural consultant with subject matter expertise on Deaf culture and Auslan linguistics.

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