



Citizens **Information** Board
information · advice · advocacy

Submission to the Public Consultation to inform the review of the Disability Act 2005

Citizens Information Board
October 2026

Introduction

The core mandate of the Citizens Information Board (CIB) is to assist and support people, in particular those with disabilities, to identify and understand their needs and options and to access their entitlements to social services. CIB also has a statutory role in “the provision of information on the effectiveness of current social policy and services and to highlight issues which are of concern to users of those services” ([Comhairle Act 2000](#)).

CIB funds and supports a range of frontline services across the country, including Citizens Information Services (CIS), the Citizens Information Phone Service (CIPS), the Money Advice and Budgeting Service (MABS), and the National Advocacy Service (NAS) for people with disabilities. CIB also funds the Sign Language Interpreting Service (SLIS) and the Register of Irish Sign Language Interpreters (RISLI) which provide a range of services to support quality interpreting for Deaf people and for public services. We also provide the citizensinformation.ie website, which covers topics such as employment rights and housing, access to healthcare and social welfare benefits. The website now includes AskCI, a chatbot which uses AI to answer clients' questions in their language of choice, responding with information from across our website in Plain English.

This submission makes observations on selected parts of the Disability Act 2005 and addresses related points based primarily on the experience of CIB-funded services and specifically on the data submitted by Citizens Information Services (CIS) and CIPS. This submission will focus the following parts of the Act:

- Part 1: Preliminary and General, including definition of disability
- Part 2: Assessment of Need, Service Statements and Redress
- Part 3: Access to Buildings and Services and Sectoral Plans
- Part 5: Public Service Employment

Within the context of our legislative mandate, we welcome this opportunity to provide feedback to the Department of Children, Disability and Equality on the review of the Disability Act 2005.

Review of legislation

We acknowledge the central importance of this review at this time in light of key legislative developments in recent years, central to which is Ireland’s ratification of the United Nations Convention on the Rights of Persons with Disabilities (UNCRPD) in 2018 (and subsequent ratification of the Optional Protocol in 2025). We welcome the Government’s commitment (in the [National Human Rights Strategy for Disabled People 2025 – 2030, DCDE, 2025](#)) to review the

practical experience of the Act and we also point to other developments that necessitate this review: the reforms contained in the Mental Health Act 2026, the enactment of the Assisted Decision Making (Capacity) Act in 2015 and its subsequent amendments, and the enactment of the Irish Sign Language Act 2017. These developments will both inform and impact how this legislation is reformed some 20 years after it was introduced.

CIB funded services

The data submitted by Citizens Information Services and the Citizens Information Phone Service reflects the concerns of disabled people, their advocates and carers who receive information, advice and advocacy supports in a mainstream setting. CIB also funds the National Advocacy Service (NAS), which provides a free and confidential advocacy service to adults with a disability. NAS has a particular remit to work with people with disabilities who are in vulnerable situations, such as those who are isolated from their community of choice or mainstream society, may communicate differently and who have limited formal or natural supports. Given the focussed nature of their remit, NAS is making a separate submission to this consultation process.

During 2025, CIS assisted almost 400,000 people to access their rights and entitlements, CIPS dealt with over 125,000 callers to the national information helpline, and over 8.5 million users visited the citizensinformation.ie website.

In 2025, over a quarter (or 84,720) of all social welfare queries made in CIS across the country were concerned with disability, illness and caring issues. Beyond income supports, CIS data also shows the role that these locally based mainstream services have in assisting people with disabilities to access a broad range of services, such as personal assistance, health, education, transport, housing and supported employment.

Part 1: Preliminary and General, including definition of disability

Prior to the enactment of the Disability Act in 2005, there were concerns with the approach taken to the statutory definition of disability. As far back as 1996, the Commission on the Status of People with Disabilities recommended that any new disability legislation should use a social model of disability, rather than a narrower (and out-dated) medical model. The Disability Act 2005 defines disability as a substantial restriction in a person's capacity due to an enduring physical, sensory, mental health or intellectual impairment that significantly restricts a person's participation in professional, business, occupational, social, or cultural life.

Some 20 years later, and eight years after the Irish State's ratification of the Convention on the Rights of Persons with Disabilities (UNCRPD) it remains that the definition of disability within section 2 of the Disability Act 2005 is considered to be too narrow, framed as it is in the context of an "enduring" and "substantial restriction".

The framing of the definition is crucial considering that one of the amendments proposed in the Disability (Amendment) Bill 2026, currently making its way through the Dáil, sets out the requirement for HSE Assessment Officers to make a determination of disability as per the statutory definition, before an entitlement to an assessment of health and education needs. We also acknowledge that the Bill includes a shift in focus towards identifying a person's needs and the services needed to meet those needs and away from the precise nature of their disability [Head 3 (2)].

It has been observed that the practical application of the current definition of disability means that episodic conditions and early intervention needs are excluded [Review of Disability Act](#).

It also fails to reflect linguistic and cultural dimensions of disability, specifically those experienced by the Deaf community [University of Galway, 2026](#). Research carried out by CIB in 2018 ([Information provision and access to public and social services for the Deaf Community, CIB, 2018](#)) found that members of the Deaf community experience significant barriers in accessing public services and related information on their rights and entitlements. The barriers were found to be mainly communication-based and related to the fact that public bodies were not providing adequate information and services through Irish Sign Language (ISL). The enactment of the Irish Sign Language Act 2017 in 2020 conferred official language status on Irish Sign Language (ISL) and has been an important step in recognising Deaf people's linguistic identity and protecting ISL as a language. The UNCRPD also recognises sign languages and Deaf culture (Articles 21 and 30). SLIS provides a range of services including remote interpreting through the Irish Remote Interpreting Service and a referral service to assist clients to find the

right interpreter for their needs. CIB also funds SLIS to deliver the Irish Sign Language (ISL) Social Inclusion Voucher Scheme which continued to deliver opportunities to Deaf people to access social and cultural events in 2025. This scheme provides funding for an interpreter to accompany an ISL user to events that otherwise would not be accessible. 419 members of the adult Deaf Community in Ireland benefited from the ISL Social Inclusion Voucher Scheme in 2025.

A new definition of disability within any reformed Act must aim to reflect the human rights-based approach that underpins the UNCRPD.

Part 2: Assessment of Need, Service Statements and Redress

We acknowledge the recent approval by Government of the Disability (Amendment) Bill 2026 and its current passage through the legislative process, following on from a consultation with stakeholders earlier this year. This element of the Act focuses on targeted reforms to procedural elements of the Assessment of Need (AON) process, which have been deemed by Government to need immediate improvement. The long waiting times being experienced by many applicants have been acknowledged by Government as “...a source of deep frustration for applicants, both children and young adults, and indeed for their families” ([Dáil Debates, Minister Norma Foley, 23 September 2026](#)). These frustrations are evident in the data reported by CIS staff from their dealings with applicants.

Despite the obligation in the Act to provide an assessment of need within a six-month timeframe, the reality for many families is that this timeframe is not met. In July 2026, Minister Foley ([Dáil Debates, 28 July 2026](#)) stated that “demand is outpacing the capacity of the system to respond resulting in over 23,000 applications overdue for completion at the end of June 2026”. In the context of special needs education, the Government’s 2024 [Review of the Education for Persons with Special Education Needs \(EPSEN\) Act](#) noted that “the impact of the finite nature of resources on the AON process resulting in noncompliance with statutory time limits has come to the attention of courts in a number of recent cases”.

CIS concerns

The most frequently reported issue in the CIS data (relating to ‘*Special Needs Education*’ and ‘*Health Services for People with Disabilities*’ queries) is the failure to complete children’s Assessments of Need within the six-month timeframe, with some of the waiting periods

reported by CIS clients being two, three and four years. The cases reported show how these delays can have a significant impact on children and their families:

- Children are unable to access appropriate supports, services or treatment in a timely manner.
- Parents worry that difficulties at school and home may worsen while children wait for assessment without necessary therapeutic supports.
- Parents believe they cannot apply for other supports without a formal diagnosis via the AON process.
- Some parents feel compelled to pay privately for assessments, while those who cannot afford private assessments feel that they experience an additional disadvantage.
- Shortages of locally available school places and the need for some children to travel considerable distances for appropriate placements, with some children having difficulties with accessing school transport.
- Difficulties for some parents when applying for income supports, specifically in relation to Domiciliary Care Allowance, even though a formal diagnosis is not required for this scheme.

While an Assessment of Need is not necessary to access intervention and therapeutic services, CIS data indicates that some parents feel that it is the only option available to them as it carries a clear legal entitlement, in the context of a wider system where access to supports is limited (such as special school places or access to primary care services, Children’s Disability Network Teams (CDNTs) or Child and Adolescent Mental Health Services (CAMHS)).

Right to assessment

As the Bill progresses through Second Stage in the Dáil, we note the concerns expressed by Disabled Persons’ Organisations, disability advocacy groups, service providers and others in the pre-legislative scrutiny of the Bill. Key amongst these is the view that the requirement for HSE Assessment Officers to make the determination of disability (as per the statutory definition in the Disability Act, 2005) before identifying the health and education needs of the applicant is effectively removing the right to an assessment that is currently guaranteed in the Act. We note that the Disability Matters Committee in its report on the Bill ([Report on Pre-Legislative Scrutiny of the General Scheme of the Disability \(Amendment\) Bill 2025](#)) highlighted that without corresponding service developments, these reforms may operate in practice “as a means of managing backlog at the front end by filtering some children out of the statutory process without resolving the unmet need that gave rise to those applications in the first place”. When introducing the Bill to the Dáil ([Dáil Debates, 23 September 2026](#)) Minister Foley stated that “the

statutory right to an assessment of need as set out in the Disability Act 2005 remains absolutely unchanged”.

Provision of services

Beyond the difficulties with the Assessment of Need, CIS data also describes examples of where needs identified in a Service Statement are not delivered or met. One of the key weaknesses of the Disability Act, identified since before its enactment in 2005, is that it sets out an obligation to assess needs but not an obligation to provide services to meet these needs. This reality is referred to as “the structural separation between assessment and service provision” in a University of Galway review in 2026 ([The Disability Act 2005 at 21: Reflecting, Reforming, Reimagining](#)).

Given that the provision of services is dependent on the capacity of providers, in many cases an assessment will identify needs that are then subject to long waiting lists and lack of provision. There are challenges within the disability, health and education systems that relate to resourcing, staffing, capacity and system integration. These systemic difficulties have impacted on the assessment process and the delivery of services within the context of the Disability Act over the past 20 years. The targeted reforms and procedural changes within the Disability (Amendment) Bill 2026 are likely to have limited impact unless there are corresponding improvements to health, social care and education services for the many thousands of children who continue to wait for an Assessment of Need and delivery of services.

Looking at the legislation in the context of the human right-based framework of UNCRPD, the Irish Human Rights and Equality Commission (IHREC) [in its review of the Disability Act](#) has stated that the Act does not recognise a justiciable right to services such as independent living and healthcare and that this creates a clear gap in terms of compliance with the UNCRPD.

Part 3: Access to Buildings and Services and Sectoral Plans

The main instrument for supporting the implementation of the UNCRPD across the range of relevant legislation and services in Ireland is the National Human Rights Strategy for Disabled People, which was launched in September 2025. This strategy specifically commits to a stronger and more co-ordinated approach to accessibility across Government “with greater awareness of good practice in Universal Design, and the built environment, and good practice in how we provide information to the public, including through information and communications

technologies, and in the design and delivery of services” ([National Human Rights Strategy for Disabled People 2025 – 2020](#)).

CIB is of the view that this commitment should be reflected in both the vision and detail of a reformed Disability Act. While Part 3 of the Disability Act requires public bodies to ensure accessibility to buildings, services and information for disabled people, the delivery of this has been impacted by the caveat that such accessibility is provided “as far as practicable”, with cost and delay to other persons cited as specific grounds for exemption. Given these provisions, there are questions about how well some public services have been meeting their obligations regarding accessibility.

CSO data on equality and discrimination from 2024 ([Key Findings Equality and Discrimination 2024 - Central Statistics Office](#)) highlights that one in five people (22%) reported that they had experienced discrimination when accessing services, which is an increase of 4% on similar survey data from 2019. Data from IHREC in 2025 ([IHREC Annual Poll 2025](#)) that used a nationally representative sample highlights specific issues in relation to disabled people: 16% of respondents with a self-reported disability said they had directly experienced discrimination and 15% of respondents reported witnessing discrimination due to disability in the previous 12 months.

Data from CIS and CIPS highlights some of the experiences of their clients who are seeking assistance in their efforts to access public services:

Access to buildings:

- Difficulties for some wheelchair users and people with restricted mobility in accessing buildings and facilities, with specific issues cited including inaccessible stairs, bathrooms, insufficient lifts, unsuitable accommodation and limited accessible parking.
- The lack of local or walk-in options for some public services means that some disabled people must travel between different locations to obtain forms or medical certification, or to speak to someone in-person or to complete an application.

Access to digital public services:

Over-and-above the issues with physical access to public buildings, data from our services also indicates difficulties for people in accessing public services and information. The [Digital Public Services Plan 2030](#) aims to make 100% of key public services available online by 2030, with a target of 90% of applicable services being digitally consumed.

We acknowledge that online access has made application processes quicker and easier for many people who have the skills and means to engage including disabled people. Digitalisation also reduces the need to travel to obtain forms and supporting documentation.

However, data from CIS indicates that a substantial minority of callers have difficulties with online access to a wide variety of public services. For example, over 1,400 callers contacted CIS for support in 2025 who had specific needs relating to both disability (physical, sensory, intellectual), mental health, neurological (including acquired brain injury), neurodivergence (includes autism) as well as online access problems ([2025 Statistical Summary - Citizens Information Board](#)).

The key concerns highlighted by CIS and CIPS on behalf of their clients include:

- Online applications, appointments, renewals and supporting documents require the applicant to be able to access not only an email address, but also hardware such as a smartphone, computer, scanner, printer or authenticator apps.
- Some people with visual impairments, dyslexia, intellectual disabilities, acquired brain injuries, or people who have limited digital literacy may be unable to navigate these relatively complex systems independently.
- Two-factor authentication and verification processes create further barriers, especially where a person does not have a smartphone.
- The availability of paper-based applications may not be widely advertised, may be difficult to request (sometimes via email or an online portal only) or processed more slowly. This is often seen by applicants who are not digitally enabled as a penalty.

In addition to this, the CIS data highlights how some public services have changed how they engage with and support clients in recent years in terms of the provision of broader supports:

- telephone support lines are centralised or under-resourced and calls often go unanswered.
- callers may be restricted to automated menus which can be unsuitable for people with hearing, speech or learning disabilities.
- Face-to-face and walk-in services have been reduced or removed.

The face-to-face service offered by CIS means they can support many people who do not have the skills, capacity, equipment or means to independently navigate online access to public services. For these people, the use of digital technologies to access public services or welfare payments can be challenging rather than enabling. This can further exacerbate already-established patterns of exclusion experienced by disabled people. During 2025, 17% of callers

to CIS nationwide were recorded as having ‘specific needs’ (including disability, mental health, language, digital literacy etc).

Role of CIB funded services

CIB has a particular interest in the accessibility of information and its role in enabling access to public services. CIB’s Strategy 2026 – 2029 highlights the valuable role of our services in a dynamic public service landscape:

“While digital channels continue to expand, the value of trusted, person-to-person support remains essential, particularly for people in vulnerable situations. At the same time, the prevalence of misinformation reinforces the need for information that is accurate, accessible and trusted”.

The practical, and in most cases face-to-face, assistance offered by frontline services in addition to the comprehensive, verified and trusted information provided by citizensinformation.ie, is helping us to deliver on our role of ‘trusted intermediary’ between the public and the wider public service system. At the centre of this is the need to ensure that information provided via all CIB platforms and channels is fully accessible to all.

Accessibility in practice

The National Human Rights Strategy for Disabled People makes a commitment to regular monitoring of the accessibility of civil and public services in line with current statutory accessibility obligations, noting that the core requirement for accessibility is “long established” by the Disability Act 2005. However, as noted previously, the “as far as practicable” caveat that is frequently referenced in relation to accessibility in Sections 26-29 of the Act (in the context of public buildings, services and information) has served to limit the rights of disabled people who are trying to access public buildings and services.

The relevance and effectiveness of the Disability Act 2005 have been impacted by the emergence of national and international legislation during the past 20 years. In addition to that legislation, the strategic move to the full roll-out of online public services within the next four years will require particular attention within any reformed disability legislation. This will be necessary to protect the rights of people with disabilities when they are accessing public services and take account of the particular digital access issues that they face.

Data from our services demonstrates the reality for many people with disabilities when accessing public services. The evidence supports the need for a multi-channel approach to accessibility, which should include accessible buildings, functioning telephone support, face-to-face assistance, the timely availability of paper applications, fully accessible online

platforms and portals, alternative formats, interpretation, advocacy supports and clear Plain English information.

We also note that the focus on accessibility solely within public bodies will no longer be enough within reformed disability legislation, given that Article 9 of UNCRPD states that the principle of accessibility applies to both public and private bodies that offer facilities and services that are open to the public.

Sectoral Plans

Under Part 3 of the Disability Act Sectoral Plans are required from six Government Departments in the context of the delivery of services to disabled people, either via mainstreamed or specialist provision. These six Departments are specified as health, housing, social protection, transport, environment, and enterprise & employment. The [IHREC review](#) of the Disability Act noted that the preparation and renewal of Sectoral Plans has “fallen into abeyance and been superseded to some extent by the creation of departmental reporting structures in successive National Disability Strategies and in the cross-departmental working group on the implementation of the CRPD”.

We note that, under the Human Rights Strategy for Disabled People, individual Government departments and state agencies are responsible for planning and delivering commitments that come under their remit. In this context, we welcome the publication of the [First Programme Plan of Action](#) in late 2025. This sets out specific delivery timeframes, responsible bodies, and success indicators for the initial phase of the Strategy. We trust that this may offer a more dynamic framework for the implementation and monitoring of the Strategy on a whole-of-government basis, with a key role set out for Disabled Peoples Organisations.

Part 5: Public Service Employment

Employment participation rates for disabled people are significantly lower in Ireland than in Europe, with census data from 2022 estimating that just over 34% (346,000) of people aged 15 and over experiencing a long-lasting condition or difficulty were at work ([Census 2022, Disability, Health and Carers, CSO, 2023](#)). These levels of unemployment have been acknowledged by Government as being “stubbornly and unacceptably high” ([Minister Anne Rabbitte, Dáil Debates, 24 October 2024](#)).

While the Disability Act established the public sector employment target at 3% in 2005, the Comprehensive Employment Strategy for Persons with Disabilities set a target to double this to 6% by 2025. We welcome the achievement of this target within the public sector as both a

practical and normative success and commend the Government on this initiative to lead by example. The Employment Pillar within the National Human Rights Strategy should help to provide a further impetus for actions to increase the prospect and viability of work for those who have the capacity, as well as for improving the quality of work.

CIS concerns: income adequacy and access to work

As noted previously, over a quarter of all social welfare queries made in CIS were concerned with disability, illness and caring issues. While there are a wide range of schemes and benefits in this area, the feedback from services indicates repeating issues, particularly regarding income adequacy and access to work. Income adequacy is a central concern for people with disabilities, many of whom seek assistance in CIS to maximise their income from an often-complicated mix of benefits (such as a core disability payment, secondary benefits and housing supports) which may be combined with low-paid work. This is in addition to meeting the acknowledged extra costs associated with living with a disability.

Any revision of Part 5 of the Act will need to take account of the higher levels of poverty experienced by disabled people ([Adjusting estimates of poverty for the cost of disability, ESRI, 2025](#)) and the particular challenges they face in accessing employment.

For the revised legislation to be UNCRPD-compliant, it will need to reflect Article 27 and Article 28, which deal with work and employment and also an adequate standard of living and social protection respectively. This will mean that access to broader supports (such as personal assistance and personalised budgets) that enable employment and full participation in community life will need to be incorporated. This would be a considerable change from the current situation where Service Statements are exclusively focused on health and education needs and do not take account of broader social supports that are required to enable full participation in social and cultural life.

Key Implications

Based on the review above the key implications or issues for the revision of the legislation are as follows:

- The need to adopt a new statutory definition of disability that is aligned with the UNCRPD and is consistent with how disability is defined in other Irish legislation.
- The strengthening of the legal right to assessment of need working towards meeting identified needs with timely access to services and supports.

- Removing or substantially narrowing exemptions based on what is considered "practicable" in relation to accessibility obligations.
- Placing accessibility and universal design at the centre of all public service delivery, including digital services, communications, buildings, transport systems and information provision.
- Requiring that public bodies maintain accessible, multi-channel service delivery models, including face-to-face, telephone, paper-based and online options.
- Extending accessibility obligations beyond public bodies where appropriate, reflecting the requirements of Article 9 of the UNCRPD.
- Strengthening provisions that support independent living, community inclusion, employment participation and social protection in line with Articles 19, 27 and 28 of the UNCRPD.
- Enhancing the monitoring, reporting and implementation arrangements, including the meaningful participation of Disabled Persons Organisations in oversight and review processes.
- Ensuring that the Act is reviewed on a regular statutory basis to maintain alignment with evolving rights and legislative developments.

Conclusion

The Disability Act 2005 remains a significant piece of legislation in establishing a statutory framework for disability policy and service provision in Ireland. It represented an important step forward at the time of enactment, particularly in placing obligations on public bodies in accessibility, assessment of need and public service employment. However, the experience of disabled people over the past two decades, together with developments in national and international law, demonstrate that the Act now requires reform to ensure that it is fit for purpose and capable of delivering on Ireland's commitments under the UN Convention on the Rights of Persons with Disabilities (UNCRPD).

The evidence available to CIB from Citizens Information Services and the Citizens Information Phone Service indicates that many disabled people continue to encounter barriers in accessing public services, information, buildings, transport, education, employment and healthcare. Delays in the Assessment of Need process, the gap between identified needs and the delivery of services, difficulties accessing public services in an increasingly digital environment, and ongoing barriers to participation in employment and community life all highlight gaps within the

current legislative framework. Many of these challenges are influenced by wider issues of capacity, resources and service delivery.

Any new disability legislation must provide a stronger rights-based approach that supports equal participation, inclusion, dignity and autonomy for disabled people. Such a move would provide a clear impetus for additional resourcing and integration within the provision of public services.

This review provides a unique opportunity to create legislation that not only addresses the shortcomings identified over the past twenty years but also establishes a modern, rights-based framework that is grounded in the lived experience of disabled people. Crucially it must be fully aligned with Ireland's obligations under the UNCRPD, ensuring that rights are not only recognised in principle but realised in practice.