



**An Roinn Leanaí, Míchumais  
agus Comhionannais**  
Department of Children,  
Disability and Equality

# Public Consultation on Disability Act 2005

## Guidance Document

[gov.ie/dcde](http://gov.ie/dcde)

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## Overview of the Consultation

The Minister for Children, Disability & Equality has launched a public consultation to inform the review of the Disability Act 2005. We would particularly like to hear from disabled people, their families and carers, their representative groups, and Disabled Persons Organisations (DPOs).

## Background to Consultation

The Disability Act 2005 is a wide-ranging piece of legislation which strives to improve the quality of life for disabled people, but it has not been updated in any significant manner since its enactment over 20 years ago. It defines ‘disability’ as ‘a substantial restriction in the capacity of the person to carry out a profession, business or occupation in the State or to participate in social or cultural life in the State by reason of an enduring physical, sensory, mental health or intellectual impairment’.

The [National Human Rights Strategy for Disabled People 2025-2030](#) sets out a whole-of-Government approach to disability and to progressively realising the rights of disabled people under the United Nations Convention on the Rights of Persons with Disabilities (UNCRPD). The Strategy outlines the need to review and update existing disability legislation and to consider where a need for new legislation may exist, particularly following Ireland’s ratification of the UNCRPD.

Under the Convention, States are obliged to ensure that civil and political rights are applied with immediate effect. Economic, social and cultural rights, such as the right to individualised, assessed support services, must be progressively realised. This means that States are obliged to take steps, using the maximum of their available resources, to achieve the full realisation of these rights over time.

As stated in the Strategy, the Disability Act 2005 is being reviewed in light of the provisions of the UNCRPD, and of practical experience of its operation. This means that we are examining how the Act has worked, or how it has not worked, and how it should be reformed having regard to the State’s obligations under the UNCRPD.

## Purpose of Consultation

This public consultation process provides a valuable opportunity for stakeholders and interested people, who may have a lived experience, interest, particular understanding or expertise, to contribute to this review of the Disability Act 2005. We would particularly like to hear from disabled people, their families and carers, their representative groups, and DPOs.

The purpose of this consultation process is to inform the review of the Disability Act in its entirety. In recent months, there has been a focus on targeted reforms to the Assessment of Need (AON) process, also known as Part 2 of the Disability Act. The objective of the targeted reforms is to make the AON process more effective and efficient for children and families, and to enable more assessments to be delivered within the statutory 6-month timeframe, set out in the Disability Act. Further information on the proposed changes, including the General Scheme for the Disability (Amendment) Bill 2025, can be found [here](#).

The review of the Disability Act will be wide ranging, involving a more detailed consideration of Part 2 of the Act in addition to other reforms that may be needed to advance the implementation of the UNCRPD. The review will include examination of the Programme for Government commitment to place an autism strategy on a legislative footing.

## Format of the Consultation Process

The consultation process will involve two stages: a public call out for submissions and a range of online and in-person consultation events.

The public call out for submissions will take place from the end of May for a period of 10 weeks. An interactive form has been created for submissions. Emails, audio or video submissions are also welcome. Video submissions can be made in Irish Sign Language.

The second stage of the process will take the form of accessible online and in-person consultation events. These will be conducted by the Department in the latter part of 2026 with the assistance of an external facilitator. The themes for these events will be informed by the initial findings from the first stage of this process as well as through the support and lived experiences of DPOs.

## Outputs of the Consultation Process

A report of the consultation process will be publicly available once completed.

The Government will draw on the findings of this consultation to inform the areas of consideration in the legislation and to inform recommendations arising from the review.

In parallel with the consultation process, research will be conducted into good practices internationally in incorporating relevant UNCRPD obligations into domestic legislation. It is anticipated that the research will take place over a 9-month period.

The review may result in recommendations for legislative changes, recommendations for policy development and/or recommendations for further research and/or consultation.

## What to include in your Submission

Each Part of the [Disability Act 2005](#) is subject to this consultation process.

The Act is set out in seven Parts:

1. Preliminary and General
2. Assessment of Need, Service Statements and Redress
3. Access to Buildings and Services and Sectoral Plans
4. Genetic Testing
5. Public Service Employment
6. Centre for Excellence in Universal Design
7. Miscellaneous

Certain limited amendments have been made to the Act in previous years, and an administrative version of the Revised Act to date can be found on the website of [the Law Reform Commission](#). Further information on what each Part of this Act is provided below.

Views are being sought on:

1. What is working well with the operation of each Part of the Act, for example, in relation to Part 1, the definition of ‘disability’ and the provision for the funding of measures under the Act?
2. What is not working well with the operation of each Part of the Act, for example, in relation to Part 1, the definition of ‘disability’ and the provision for the funding of measures under the Act?
3. Suggestions or recommendations on issues arising from the provisions of the Act, such as the scope of the current definitions, resources for service provision, accessibility, the processing of genetic data, public service employment, and universal design?
4. Are you aware of any examples of international good practice which have had a positive impact that we should look at in reforming the Act to enhance alignment with the UNCRPD? If so, please provide as much detail as you can, including information on how the reform of legislation based on the UNCRPD has resulted in a positive impact on the lives of disabled people.

You should feel free to make submissions on any Part (or section) of the Act that is of interest to you. You do not need to comment on all Parts of the Act, though you should feel free to do so if you wish to. You should also feel free to make comments or suggestions that go beyond the current provisions of the Act. This is a comprehensive review that is looking back on past experience of the operation of the Act and also looking forward to the reforms that may be needed to advance the implementation of relevant UNCRPD obligations.

While the Department will review all submissions, it is important to note that not all UNCRPD obligations fall within the scope of the Disability Act 2005. Legislation in the areas of the Education Acts, the Equality Acts, the Health Acts, and the Assisted Decision-Making (Capacity) (ADMC) Act forms part of the Government's broader legislative programme for review and reform. In January 2025, following a review of the equality legislation, the Department published a [General Scheme of the Equality \(Miscellaneous Provisions\) Bill 2024](#). Further information about the review of the Equality Acts can be found here: [Review of the Equality Acts Press Release](#). The Minister is also committed to commencing a review of the ADCMC Act later this year.

## Public Submission Process 28 May 2026 - 7 August 2026

### How can I make a submission?

In order to ensure that this process is as accessible as possible there are multiple methods of sharing your views to inform this consultation process.

#### **Email Submission:**

Submissions from interested parties are invited and can be returned to [disabilityactreview@dcde.gov.ie](mailto:disabilityactreview@dcde.gov.ie). A form has been developed to support these submissions. This can be accessed here: [Submission form](#).

Please note that submissions made to [disabilityactreview@dcde.gov.ie](mailto:disabilityactreview@dcde.gov.ie) are subject to a file size limit of 25MB. For larger files, please use FormsIE [at this link](#) to attach your submission.

#### **Postal Submission:**

By post, to: The Disability Equality Policy Unit, Department of Children, Disability and Equality, Block 1, Miesian Plaza, 50-58 Baggot Street, Dublin 2, D02 XWI4, Freepost F5055.

#### **Online Submission:**

If you wish to make a written submission but do not wish to send an email or send a submission in the post, you can submit by using FormsIE [in this link](#).

#### **Video/Audio Submissions:**

If making a written submission is not accessible for you, you can make an audio or video submission. Video submissions can be made in Irish Sign Language. This can be emailed as an attachment to [disabilityactreview@dcde.gov.ie](mailto:disabilityactreview@dcde.gov.ie) (subject to a file size limit of 25MB). For larger attachments, please use FormsIE [at this link](#).

#### **Braille:**

For a copy of the consultation in Braille, please email us at [disabilityactreview@dcde.gov.ie](mailto:disabilityactreview@dcde.gov.ie). Please say which version of Braille you would like.

#### **The closing date for receipt of submissions is 7 August 2026 at 5pm.**

Please note that submissions received will not be responded to.

## Freedom of Information and Privacy Notice

This is a public consultation, and the Freedom of Information Act (FOI) 2014 applies.

This means that submissions are subject to release in line with the provisions of the FOI Act upon request. We ask you to please read our Privacy Statement.

To help us protect your privacy, we ask you not to provide information that is:

- \* personal
- \* commercially sensitive
- \* anything which you would not want made public

### **How long will you keep the submissions?**

We will keep the submissions until the review is complete and any accepted recommendations have been put in place.

### **Relevant legislation**

All responses to this consultation are subject to:

The Freedom of Information Act

The General Data Protection Regulation (GDPR) 2016/679

The Data Protection Act 2018

## Appendix: Descriptions for each Part of the Act

### Part 1

Part 1 sets out the basics of the Disability Act 2005, its name, when it starts, key definitions, and how Ministers can make orders or regulations to bring different pieces of the legislation into law. It also provides for the funding of actions under the Act and says that the Act must be reviewed regularly.

### Part 2

Part 2 establishes an entitlement to an Assessment of Need (AON) and, where applicable, a related service statement. The assessment identifies health and education needs (if any). If needs are found, a service statement sets out the services to be provided and timelines. The contents of the service statement are subject to a number of considerations, including resource constraints. There are complaint and appeal routes if someone is unhappy with the assessment, the service statement or delivery of services.

It is important to note that several aspects of Part 2 are currently subject to targeted legislative reforms. Details of these reforms are available [here](#).

### Part 3

Part 3 requires public bodies to make public buildings, public services and public information accessible, as far as practicable, to persons with disabilities. It also provides for codes of practice to guide public bodies, access to heritage sites, and sectoral plans prepared by named Ministers describing how accessibility will be achieved in their sectors. Complaints procedures and review by the Ombudsman are available in any case where the access required by this Part is not provided.

To help public bodies meet the requirements set out in under sections 26, 27 and 28 of the Act, the National Disability Authority (NDA) has prepared a Code of Practice on Accessibility of Public Services and Information Provided by Public Bodies. Information on this can be found through this link [here](#).

The NDA has also prepared a Code of Practice on Accessible Heritage Sites to guide public bodies in meeting their obligations under section 29 of the Act. A link to this Code is available [here](#).

#### **Part 4**

Part 4 provides protection in relation to the use of ‘genetic data’, as defined. It limits when genetic testing may be carried out and, importantly, prohibits the processing or use of genetic test results for employment, insurance, pensions or mortgages. It also allows for regulations on the handling of family history information and requires a review of how these rules are operating to be carried out.

#### **Part 5**

Part 5 places obligations on public bodies to promote and support the employment of people with disabilities and to meet a statutory minimum employment target. It provides for monitoring, compliance actions and codes of practice to help public bodies improve recruitment, retention and progression of disabled staff. Following the amendment of the Disability Act by the Assisted Decision-Making (Capacity) (Amendment) Act 2022, the current employment target is 6 percent.

#### **Part 6**

Part 6 established the Centre for Excellence in Universal Design within the NDA. The Centre promotes Universal Design across the built environment, products, services and ICT so that they can be accessed, understood and used by as many people as possible.

Information on the Centre for Excellence can be found on their webpage through this link [here](#).

#### **Part 7**

Part 7 contains additional provisions to support the Act, including amendments to other laws (such as the Broadcasting Act), offences and enforcement matters, changes to the size of the NDA board and related matters, repeal of certain provisions in the Equal Status Act, and exclusions.



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