



Regulation of Independent Advocacy in Ireland

Discussion Paper

Prepared for Sage Advocacy by Libratum Regulatory

June 2026



Sage Advocacy | Discussion Paper

Discussion Paper prepared for Sage Advocacy clg by Libratum Limited –
Regulation of Independent Advocacy in Ireland

Outline of Document

This discussion paper explores the current landscape of independent advocacy in Ireland, outlining how the sector operates and the growing need for a more coherent system of oversight and regulation. It provides context through recent policy developments, including the Law Reform Commission (2024), and considers how advocacy is evolving within the health and social care system.

The document identifies key risks within the sector, examines existing forms of oversight, and introduces the concept of “right touch regulation” as a way of assessing appropriate responses. It concludes by setting out key considerations to support further discussion, research, and the development of a regulatory approach that protects the public while supporting high standards in independent advocacy.

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Executive Summary

This Discussion Paper sets out key considerations in relation to the issue of regulation of the practice of independent advocacy in Ireland and is intended for all organisations providing independent advocacy services and key stakeholders.

Sage Advocacy (“Sage”) plays a key role in promoting, protecting and defending the rights and dignity of older people and survivors of institutional abuse. Sage provides a continuum of information, support, independent advocacy and systemic advocacy services for older people and survivors of institutional abuse.

Sage’s 2025–2027 Strategy sets out a vision for legal recognition, strong institutional support, and regulation of independent advocacy, underpinned by a single government funding source and independent oversight. Sage has been vocal about the need for independent advocacy and equally the need for the regulation and oversight of independent advocacy as a practice.

While Sage has generally seen increased demand for its services, Sage’s work under the Assisted Decision-Making Capacity Act 2015 has expanded significantly, particularly in Circuit Court applications to support individuals with decision-making challenges.

The Law Reform Commission Report 2024 on Adult Safeguarding made a number of recommendations including a standardised approach to independent advocacy across all care settings and expanded access to advocacy for at-risk adults. It also recommended that Government consider regulating independent advocacy organisations and/or individual advocates.

In December 2025 the Department of Health published the National Policy Framework for Adult Safeguarding in the Health and Social Care Sector which recognised the importance of independent advocacy in a safeguarding context.

With recognition from the judiciary/court system of the role of independent advocates, increasing commentary from other professions regarding the lack of regulation and the 2024 Law Reform Commission Report recommendations, it is now time to reflect on a more coherent system of oversight and regulation of independent advocates. This is critical to protect the public and enhance standards in the practice of independent advocacy in Ireland.

Independent advocacy in Ireland has evolved organically, with multiple providers across sectors, varied funding streams, and differing definitions of advocacy in use.

There is little national research or information available in respect of the profile of individuals working as independent advocates, how they came to the practice, what their qualifications and experience are, what levels of training are being given and what they would see as risks arising in the sector. Equally there appears to be little research on the numbers of profiles of independent advocacy organisations.

However it is evident from the independent Law Reform Commission Report that significant risks arising from the lack of coherent regulation were identified by stakeholders. These risks include the lack of eligibility or qualification requirements to become an independent advocate, lack of national standards for the provision of independent advocacy, lack of nationally mandated training requirements and lack of oversight for complaints in respect of the provision of independent advocacy.

While there are some forms of “soft regulation” present in the practice of independent advocacy, there is risk in disparate standards/requirements being produced in isolation and it would be preferable for a more coherent approach to be taken to raising standards and ensuring public protection.

Sage is of the view that “right touch regulation” as developed by the Professional Standards Authority in the UK is a useful way to examine the issue of regulation of independent advocacy. The concept of right touch regulation means that regulation should only be used when other controls have failed. It also means getting as close to the problems/risks as possible in order to identify the appropriate regulatory intervention.

Sage endorses the recommendation of the Law Reform Commission that the issue of regulation is examined in a holistic way and not solely in respect of adult safeguarding. Sage is also of the view that further research is needed into the practice of independent advocacy in Ireland in order to provide an evidence-base for the assessment of what regulatory model is needed given the particular characteristics of independent advocacy and the public interest in ensuring high standards. Sage is calling for a balanced and considered approach from government which reflects the complexities of the practice of independent advocacy.

Sage looks forward to substantive engagement and collaboration with its stakeholders on the issues set out in this Discussion Paper to ensure that any future regulatory model is aligned with the concept of right touch regulation and the best solution is reached to support the practice of independent advocacy and the public it serves.

Introduction

Sage Advocacy clg (“Sage”) plays a key role in promoting, protecting and defending the rights and dignity of older people and survivors of institutional abuse. Sage provides a continuum of information, support, independent advocacy and systemic advocacy services for older people and survivors of institutional abuse.

Sage’s Statement of Strategy 2025 – 2027¹ articulates Sage’s vision as: “Legal recognition of the value and practice of independent advocacy as a means of promoting and safeguarding the rights, dignity and welfare of citizens. Strong institutional support for independent advocacy through a single source of funding from a key government department, through regulation of advocacy service provision and effective oversight by an independent agency.” Sage has consistently called for the regulation of independent advocacy to focus on areas such as national standards for the provision of independent advocacy and ensuring that independent advocates are sufficiently qualified and supported in their work.

Sage is nationally recognised as a leading voice in the area of independent advocacy, both in terms of the quality of its services and its campaigning for legislative and other policy changes. Sage has consistently demonstrated its commitment to a rights-based approach to independent advocacy and has driven increased public awareness of independent advocacy. This has led to a significant expansion in demand for Sage’s services. Sage has worked closely with other stakeholders such as HIQA and Safeguarding Ireland to enhance standards in independent advocacy. In 2015 Sage published its Quality Standards². The Quality Standards set out six quality standards for the support and advocacy work with older people. The Quality Standards inform and guide the work of Sage’s independent advocates and is a key quality assurance tool.

Sage played a key role in preparing for the commencement of the Assisted Decision Making Act 2015 (the “Act”) and worked closely with stakeholders to ensure that a rights based approach was embedded into the application of the Act from the outset.

1 6707-Sage-Statement-of-Strategy-2024-v11.pdf

2 Sage Quality Standards for Support & Advocacy with Older People (“Quality Standards”), Sage Advocacy, 2015 [quality-standards-for-support-and-advocacy-work-with-older-people-final-061015.pdf](#)

Sage's independent advocates work extensively in the area of assisted decision-making. From commencement of the Act until the end of 2025, Sage has dealt with 1,652 referrals relating to the Act. This represents 22% of all referrals to Sage during this period. Of these 1,652 referrals, 1,050 written reports were submitted to the Court in relation to applications for the appointment of an assisted decision-making representative. The Decision Support Service registered 705 decision-making representative orders in 2024³. In addition to this work, Sage carries out training and public education to support the public and stakeholders in understanding and applying key aspects of the Act.

The Law Reform Commission ("LRC") has recently completed a major piece of work in examining adult safeguarding frameworks in Ireland. This was informed by contributions from Sage⁴, Safeguarding Ireland and other stakeholders. The LRC published an extensive report in 2024⁵ (the "2024 Report") which made a number of recommendations. This included examination of independent advocacy and the making of a recommendation that the Government should consider whether a form of regulation is required that captures organisations providing independent advocacy services or individual independent advocates.

The submissions made to the LRC on the issue of regulation of independent advocates have also been reflected in increased public commentary from other professions working with independent advocates⁶.

In December 2025 the Department of Health published the National Policy Framework for Adult Safeguarding in the Health and Social Care Sector (the "Framework Policy")⁷ which recognises the importance of independent advocacy in a safeguarding context.

With recognition from the judiciary/court system of the role of independent advocates, increasing commentary regarding the lack of regulation and the 2024 Report recommendations, it is now time to reflect on a more coherent system of oversight and regulation of independent advocates.

This is critical to protecting the public and enhancing standards in the practice of independent advocacy in Ireland.

The objective of this Discussion Paper is to note the current status of independent advocacy in Ireland, carry out preliminary identification of risk in the sector, identify what forms of oversight are currently present and set out some key considerations for development of discussions and thinking in relation to regulatory options. Sage wishes to bring these forward in order that they can be discussed and considered together with other key stakeholders, recognising that regulation will mean change for the practice of independent advocacy, the public that it serves and other stakeholders who interact with independent advocates. In line with Sage's long-standing commitment to regulation of independent advocacy, Sage wishes to work constructively with other stakeholders to collaboratively identify the risks present, examine the extent to which they are currently mitigated and to codesign a regulatory framework to support the highest standards in independent advocacy to protect the public.

This Discussion Paper is focused on the recommendations made by the LRC which were in the context of a project on adult safeguarding. Sage is conscious that there are independent advocacy organisations working with adults and children in various sectors including mental health and disability. This Discussion Paper is intended for all organisations working in independent advocacy in Ireland and key stakeholders to consider the issue of regulation further and contribute to the discussion of what regulatory model would best support the practice and protect the public⁸.

3 Mental Health Commission Annual Report 2024 MHC 2024 Annual Report FINAL.pdf

4 Sage's submission to the Law Reform Commission sage-advocacy-submission-to-lrc-200520-final.pdf

5 The Law Reform Commission Publishes Report on A Regulatory Framework for Adult Safeguarding

6 Transcript of Health Committee hearing on Legal and Policy Gaps in Adult Safeguarding 9 July 2025: main.pdf

7 National Policy Framework for Adult Safeguarding in the Health and Social Care Sector

8 Guardians ad litem are appointed by the Courts to work with children in certain cases and provide a report to the Court. As they will now be under enhanced oversight and regulation due to the Child Care (Amendment) Act 2022, the issues raised in this Discussion Document will be more pertinent to independent advocates and the organisations they work in.

High level overview – current profile of independent advocacy in Ireland

Providers

Since Sage's establishment in 2014 it has worked closely with other stakeholders to develop and establish independent advocacy as a practice in Ireland. The National Advocacy Service for People with Disabilities provides independent advocacy services to people with disabilities. The Citizens Information Board also provides general advocacy services across a range of issues. The Patient Advocacy Service provides independent advocacy services to patients in public acute hospitals and nursing homes⁹. In addition there are also a number of smaller organisations providing vital independent advocacy services across a range of sectors including children in care or in receipt of mental health services.

There is little published nationally collated information or independent research data in respect of independent advocacy as a practice (either on an individual basis or by organisation). This data would typically cover issues such as the profile of independent advocacy organisations, the numbers of people working as independent advocates, numbers of people receiving independent advocacy, the background of independent advocates, any qualifications held, training needs, views on existing risks in the sector and views on existing "soft regulation".

Frameworks

The evolution of independent advocacy in the health and social care sector has been somewhat organic and is underpinned by disparate legislative frameworks and limited legal obligation to provide access for adults to independent advocacy.

Although there is broad understanding of independent advocacy, there appears to be no agreed definition of "independent advocacy" between stakeholders or in legislation. For the purpose of this Discussion Document, Sage has adopted the definition used by the LRC in the 2024 Report¹⁰:

“Advocacy support that is provided by an organisation or person who is independent from health and social care service providers and the family of the person receiving the advocacy support. An independent advocate can empower a person to express their will and preferences, communicate their perspectives and engage in decision-making processes that affect their lives.”

Currently in Ireland, the statutory right to access to independent advocacy services in the adult safeguarding context is limited to adults with disabilities and older people living in residential centres regulated by HIQA and adults resident in mental health services regulated by the Mental Health Commission¹¹. Adults outside of these settings are not entitled to independent advocacy services on a statutory basis although there is reference to independent advocacy in National Standards set by HIQA¹².

HIQA and the Mental Health Commission have published National Standards for Adult Safeguarding¹³. This includes reference to independent advocacy and supporting people to access advocacy services.

⁹ The NASPWD has been awarded the tender to provide the Patient Advocacy Service

¹⁰ LRC Report 128 - 2024 VOL. 1, Chapter 3, page 179

¹¹ LRC Report 128 - 2024 VOL. 1, Chapter 1, page 24

¹² National Standards for Residential Care Settings for Older People in Ireland, HIQA 2016 National-Standards-for-Older-People.pdf, National Standards for Residential Services for Children and Adults with Disabilities, HIQA 2013 Standards-Disabilities-Children-Adults.pdf

¹³ National Standards for Adult Safeguarding, HIQA and MHC, 2019 National Standards for Adult Safeguarding

Law Reform Commission

Report 2024 – Key Findings and Recommendations

The LRC is an independent statutory body chaired by former Chief Justice Frank Clarke. The LRC is responsible for carrying out research on laws which need to be reviewed and potentially reformed and for making recommendations which are considered by Government. The LRC carried out a major project on adult safeguarding¹⁴ which was informed by contributions from many stakeholders including Sage¹⁵.

The LRC issued its considered report in 2024 and its findings and recommendations in respect of independent advocacy are set out in full in Volume 2, Chapter 8¹⁶.

Key recommendations made by the LRC in the context of this Discussion Paper are:

- The Government should take a consistent approach and should facilitate access to independent advocacy services for at-risk adults in all care settings.
- The Government should consider the introduction of a duty on the HSE to ensure access to independent advocacy in respect of the provision of social care services.
- The Government should consider whether a form of regulation of individual independent advocates or independent advocacy services is required.
- The introduction of a code of practice for independent advocates who provide support to at-risk adults.

Key findings of the LRC in relation to the issue of the regulation of independent advocacy are set out below.

The LRC noted that “Numerous consultees and stakeholders referenced the need for qualification requirements to apply to independent advocates and for certain quality and service standards to apply to the provision of independent advocacy services. Independent advocates, under the legislation being proposed by the Commission, would interact with a wide range of adults who are, or are believed to be, at-risk adults. For that reason, it is important to ensure that they are suitably qualified, independent, competent and supervised to carry out the role.”

“There are no national eligibility requirements that must be met for an individual to become suitable for the role of independent advocate and no specific training that must be undertaken, outside of requirements set by individual advocacy organisations. The Commission is particularly concerned that there appears to be no avenue to remove someone from acting as an independent advocate or providing independent advocacy services where there has been serious wrongdoing by any advocate or an independent advocacy organisation (as would be the case with regulated activities or persons). It would be useful if there were mechanisms to suspend independent advocates or investigate allegations in relation to independent advocates, or an organisation that provides such services. Such mechanisms could apply where, for example, the service provided is consistently below standard, or the advocate has misconducted themselves in their interactions with the person on whose behalf they are advocating. Given the increasing importance of, and reliance on, independent

14 The Law Reform Commission Publishes Report on A Regulatory Framework for Adult Safeguarding

15 The LRC engaged with regulators, professional bodies, relevant government departments, human rights organisations, advocacy bodies, representative groups, and professionals across various sectors during its consultation process.

16 lrc-128-vol-2-160424-final.pdf

advocacy in the health and social care sector and other sectors, there is an acute need for standardisation in training, conduct and procedures in respect of independent advocacy to ensure that independent advocates working in the area have sufficient expertise, are free from any conflicts of interests, act in a person-centred manner on behalf of the at-risk adult and respect their autonomy.”

“There are many different types of independent organisations operating in Ireland outside of the adult safeguarding sphere, and as such, the extent to which independent advocacy organisations or individual independent advocates should be regulated involves many competing considerations. This should be considered as a whole across the various relevant sectors, as opposed to in isolation in the context of a regulatory framework for adult safeguarding.”

Relevant changes in health and social care

In December 2025 the Government published the Policy Framework¹⁷. This provides that legislation will be enacted to ensure that HSE adult safeguarding structures will operate independently from the HSE. The Policy Framework also provides that HIQA’s remit will be extended to include independent oversight and monitoring of the adult safeguarding services delivered by the HSE.

The Policy Framework also proposes that service providers will be required to facilitate access to independent advocacy services where three criteria are satisfied¹⁸. It also states that the HSE National Safeguarding Office will be responsible for developing and publishing guidance for service providers on the involvement of independent advocacy services in relation to adult safeguarding in health or social care services.

Additionally, the Health (Amendment) (Home Support Providers) Bill 2025 (the “2025 Bill”) is currently before the Oireachtas. The 2025 Bill provides for the regulation of home support providers who will be regulated by the Chief Inspector of Social Services under the auspices of HIQA.

The 2026 Spring Legislation Programme of Government notes that work is ongoing on the Protection of Liberty Safeguards Bill. This will address issues of deprivation of liberty in places of care.

In light of the Policy Framework, the inclusion of a statutory right to independent advocacy in the context of all current and future proposed legislation in health and social care will need to be considered.

In the context of the Mental Health Bill 2026 it appears that the right to independent advocacy will be considered in secondary legislation¹⁹.

There have also been public calls for independent advocacy to be recognised in legislation governing children who are in or have been in care²⁰.

What is “right touch regulation”?

Regulation is generally understood to mean “...rules, guidance and incentives to influence individuals, organisations, products, process and markets. Regulation usually involves the advancement of rules and standards that should be met, and operating processes to monitor compliance²¹.”

There are a number of different types of regulatory models available and while the phrase “regulation” is in use between stakeholders, it is possible that different stakeholders have different understandings of what this means in practice. As set out in the 2024 Report, it is possible to regulate organisations providing independent advocacy services or to regulate individuals.

17 National Policy Framework for Adult Safeguarding in the Health and Social Care Sector, Department of Health, 2025 National Policy Framework for Adult Safeguarding in the Health and Social Care Sector

18 Sage’s initial response to the Policy Framework is available here: Response to launch of Department of Health ‘National Policy Framework for Adult Safeguarding in the Health and Social Care Sector’, 9.12.25 - Sage Advocacy

19 Mental Health Reform calls for stronger safeguards as Mental Health Bill nears final stage - Mental Health Reform

20 Amplifying Voices: Enshrining the Right to Independent Advocacy (2023) - EPIC

21 Right Touch Regulation, Professional Standards Authority page 11 (2025) Right-touch regulation - Corporate report



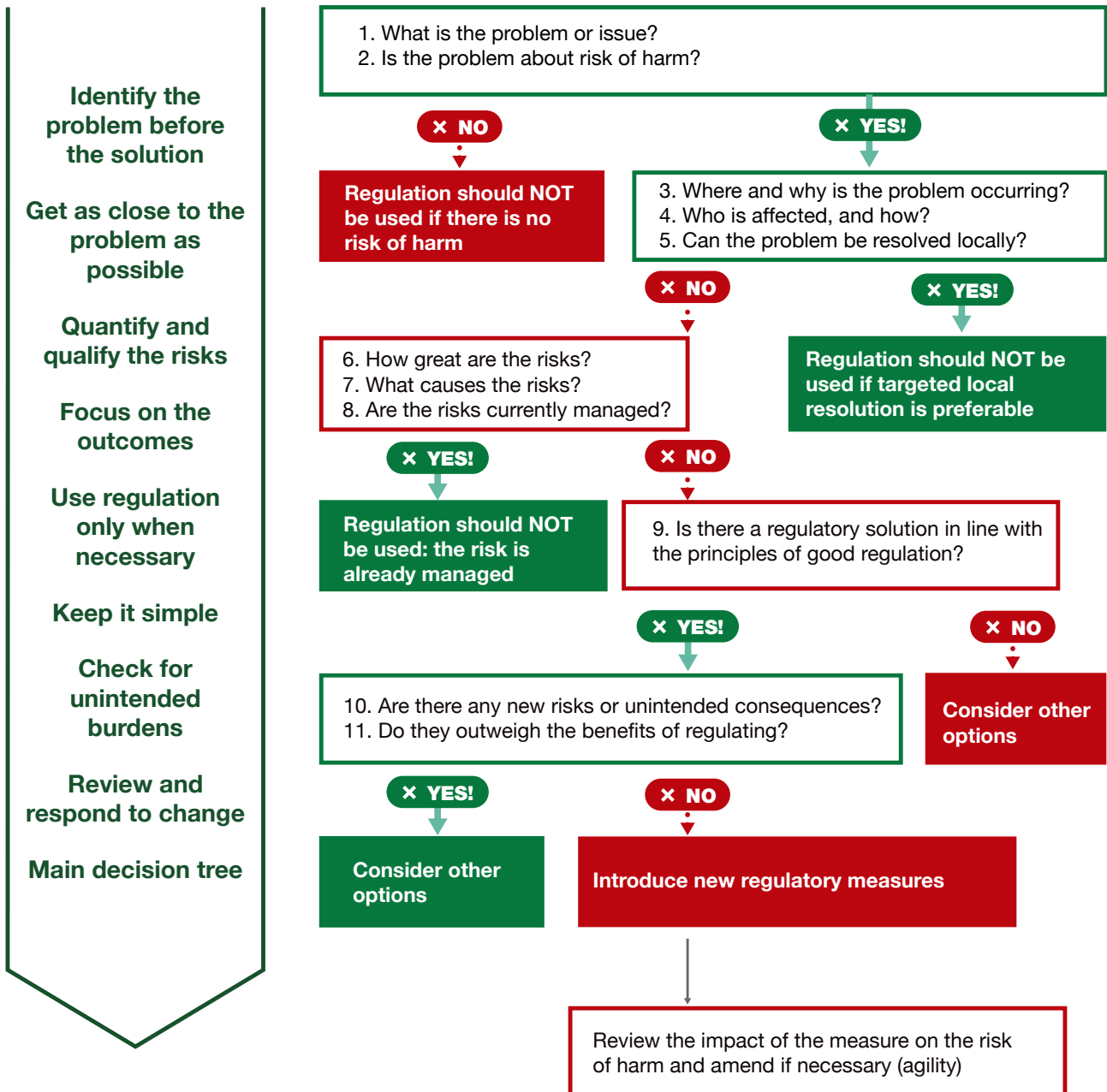
There are advantages and disadvantages to each model.

At this stage of moving the conversation forward, Sage is introducing the concept of “right touch regulation” to inform thinking and discussion between stakeholders. Right touch regulation is a conceptual framework developed by the Professional Standards Authority (“PSA”) in the UK²². Right touch regulation is a principles-based framework that uses a set of guiding principles and a decision-making tree which support the identification of the most proportionate, efficient and effective solution in situations requiring the management of risk of harm. Right touch regulation is about achieving balance and about only introducing regulation when other measures to control the harm are insufficient. It also means only deploying the regulatory intervention necessary to control the risk and accepting that regulation is unlikely or unable to control or remove all risks.

Sage is of the view that right touch regulation is an appropriate way to approach the issue of how independent advocacy should be regulated and further reference is made to this, see following page.

22 www.professionalstandardsauthority.org.uk The Professional Standards Authority is an oversight body for health and social care regulators in the UK and publishes policy, guidance and thought leadership in the area of professional regulation.

The Right Touch Regulation Decision Tree produced by the PSA1 is a useful way of examining the issue of whether regulation is warranted and if so, what model would be most appropriate:



1 Right Touch Regulation, Professional Standards Authority page 11 (2025) Right-touch regulation - Corporate report, page 32

What risks are present?

The 2024 Report has specifically articulated reported risks arising in relation to:

- Lack of independently mandated eligibility or qualification requirements to become an independent advocate;
- Lack of independently mandated national quality standards for the provision of independent advocacy;
- Lack of independently mandated training/ ongoing maintenance of competence requirements;
- Lack of oversight mechanism for complaints in respect of the provision of independent advocacy.

As mentioned above there is little nationally collated information or research data available in relation to the practice of independent advocacy and this issue needs to be considered further.



What forms of oversight and regulation are currently present?

As set out in the 2024 Report there is currently no “regulation” in the form of a statutory body which has hard powers in relation to independent advocacy services or independent advocates at individual level. However, it is apparent that there are some forms of soft regulation present at the moment.

These are as follows:

*Sage Quality Standards for Support & Advocacy with Older People*²³

These Quality Standards guide the work of Sage’s independent advocates. They contain six Standards across different areas of work and are available to the public.

Organisational protocols and procedures

This will vary across different organisations but there would typically be operational protocols in place to set out how independent advocates will work with clients.

*Decision Support Service Code of Practice for Independent Advocates*²⁴

This code was produced under the Act and provides guidance on good practice for independent advocates on how to engage with, interact with and advise people under the Act. S.103 provides that independent advocates must have regard to this Code of Practice in performing any functions under the Act.

Charities Regulator Requirements

The Charities Regulator has a regulatory role in relation to any organisations providing independent advocacy services which are registered charities. This applies to the governance aspects of running a charity. The Charities Regulator has produced various forms of safeguarding guidance for charities working with vulnerable adults and/or children.

Proposed Additional Soft Regulation

The NASPWD is in the process of developing standards for the provision of its independent advocacy services²⁵.

As set out above, the LRC recommended that a code of practice be introduced for independent advocates who provide support to at-risk adults.

23 Sage Quality Standards, Sage Advocacy, 2015 quality-standards-for-support-and-advocacy-work-with-older-people-final-061015.pdf The 6 overarching Quality Standards are Respect, Social Justice, Competence and Compassion, Accessibility, Independence and Accountability. The Quality Standards set out the core components of each overarching Quality Standard and the expected outcomes.

24 Code of Practice for Independent Advocates, Decision Support Service, 2023 9. COP_for_independent_advocates_0.pdf

25 National Advocacy Service for People with Disabilities and Patient Advocacy Service Strategic Plan 2025 - 2027 Strategic Plan 2025-2027

Overview of existing oversight and regulation

In line with the organic evolution of independent advocacy in Ireland, the oversight/regulatory mechanisms have also evolved organically. There is risk in relation to disparate standards/requirements being produced in isolation (i.e. with a focus solely on safeguarding or solely on the Act) and it would be preferable for there to be a more coherent approach to be taken to raising standards and public protection across the practice of independent advocacy. The current forms of external regulation present could be described as disparate, somewhat aspirational in nature and arguably not addressing all of the identified risks. In particular while there are some standards in place it is not clear how they are to be assessed, overseen or enforced which is a key element of effective regulation.

There are no independently mandated standards in respect of the education or training of independent advocates.

While many independent advocacy organisations will likely have individual organisational policies in place, there is currently no clear way for members of the public to understand in general terms the standards expected of independent advocates, how they are trained and overseen, how they maintain their competence and how issues of concern are dealt with.

Conclusion

There are growing calls for regulation of the independent advocacy sector and Sage has consistently articulated its support for this.

“Regulation” will likely mean different things to different stakeholders and therefore collaboration between organisations providing independent advocacy services, stakeholders working with independent advocacy organisations and Government is now needed to develop a collective understanding and approach to this issue. It will also be essential to have input from the public which the independent advocacy sector serves.

Understanding the sector fully is the only way to ascertaining what regulatory intervention is most appropriate. Designing a regulatory intervention without doing this is unsafe as it could lead to unintended consequences for the public (i.e. people may be disincentivised to become independent advocates or there could be a reduction in service availability) and for organisations (i.e. there may be an unduly high compliance burden on organisations to meet regulatory requirements). It may be that some risks can be managed locally.

It is clear from the 2024 Report that a number of stakeholders have articulated a number of perceived risks arising from the lack of coherent regulation of the independent advocacy sector. Equally Sage’s Voice Matters (2025) and Annual Report 2024 point to a sector where independent advocates are working in complex areas with increased responsibility such as assisted decision-making. It is likely that other independent advocacy organisations are experiencing similar challenges.

However, there is little nationally collated information or research data available in relation to the practice of independent advocacy. Consideration should be given to research being carried out in order to provide an evidence base for the assessment of what regulatory model is needed given the particular characteristics of independent advocacy and the public interest in ensuring high standards.

Independent research could yield significant information in relation to the profile of independent advocacy organisations and people working as independent advocates, their backgrounds, what they see as the key challenges, risks and opportunities arising in the sector. It would be an independent source of information in relation to training needs and views on whether national standards should be introduced and if so, what they should address. Obtaining independent research data will help identify the risks with more precision, identify the efficacy of current regulatory interventions and existing regulatory gaps. This would provide independent information for use as an evidence base in further discussions on issues such as the scope of independent advocacy, whether the research shows that there are risks that are not currently being mitigated adequately (including by organisational protocols) and whether this might mean that some further form of regulation or oversight might be needed.

This will enable further collaboration between stakeholders to discuss issues such as:

- the scope of independent advocacy;
- what does regulation mean;
- what risks can be managed locally;
- whether common competencies should be set for independent advocates or whether more formal education and training requirements should be introduced;
- what standards are needed and how they should be overseen;
- the maintenance of professional competence;
- whether there is a need for a code of ethics for the practice of independent advocacy and how should this be overseen.

While the issue of standards has repeatedly been raised by stakeholders, it is important from a regulatory perspective to ensure that the standards are suitable for the practice and that there is one source of oversight of any standards set. Standards in respect of independent advocacy organisations could potentially cover issues such as:

- Responsibilities of senior executive team & board;
- Recruitment, vetting and onboarding new staff;
- Training and maintenance of competence requirements;
- Supervision and mentoring requirements;
- Appropriate use of information by independent advocacy services;
- Safeguarding;
- Non-instructed advocacy; and
- Complaints handling.

In the first instance and in accordance with the concept of right touch regulation, it is important to get as close to the issues as possible in order to codesign the best regulatory solution. This will mean change for independent advocates, the organisations they work with, their clients, the public and other stakeholders. Given the implications it is important to get this right and Sage endorses the recommendation of the LRC that the issue of regulation is examined in a holistic way and not solely in respect of adult safeguarding.

This Discussion Document has been prepared at the request of Sage's Board in line with Sage's Statement of Strategy which refers to the need to prepare for the regulation of advocacy service providing organisations. In *Voice Matters*²⁶ (2025), Sage noted the need for continuous professional development of independent advocates and other professionals in the area of assisted decision-making. Sage called for the creation of a National Council for Advocacy which would address standards, training, continuous professional development, qualifications and pay and conditions for independent advocates.

Sage's Board is of the view that the issue of regulation now requires further consideration and discussion between stakeholders and this Discussion Document is intended to provide a basis for this further engagement. In addition to the key issues highlighted above, Sage's Board is calling for a balanced and considered approach from government which reflects the complexities of the practice of independent advocacy.

Sage looks forward to substantive engagement and collaboration with its stakeholders on the issues set out in this Discussion Paper to ensure that any future regulatory model is aligned with the concept of right touch regulation and the best solution is reached to support the practice of independent advocacy and the public it serves.

26 "Voice Matters, The Experience and Perspective of Sage Advocacy. The Operation of the Assisted Decision-Making Acts", Sage Advocacy, 2025 Voice-Matters-MAY-2025.pdf

Appendix

Documents Reviewed and Considered

- Law Reform Commission Report, A Regulatory Framework for Adult Safeguarding, 2024 Report Series: A Regulatory Framework for Adult Safeguarding
- “Voice Matters, The Experience and Perspective of Sage Advocacy. The Operation of the Assisted Decision-Making Acts”, Sage Advocacy, 2025 Voice-Matters-MAY-2025.pdf
- Sage, Submission to the Law Reform Commission, 2020 sage-advocacy-submission-to-lrc-200520-final.pdf
- Sage Annual Report 2024 Sage-Advocacy-Annual-Report-2024-for-web.pdf
- Sage Statement of Strategy 2025 – 2027 6707-Sage-Statement-of-Strategy-2024-v11.pdf
- Sage Quality Standards for Support & Advocacy with Older People (“Quality Standards”), Sage Advocacy, 2015 quality-standards-for-support-and-advocacy-work-with-older-people-final-061015.pdf
- Professional Standards Authority Corporate Report – Right-touch regulation (2025) Right-touch regulation - Corporate report
- “Independent Advocacy in Ireland – Current Context and Future Challenge”, Safeguarding Ireland, 2018 Advocacy-Scoping-Document-Final-310818.pdf
- “Identifying Risks, Sharing Responsibilities – the Case for a Comprehensive
- Approach to Safeguarding Vulnerable Adults”, Safeguarding Ireland, 2022 6439-Safeguarding-Risks-Resp-Report-FA4_lowres.pdf
- National Advocacy Service for People with Disabilities and Patient Advocacy Service Strategic Plan 2025 – 2027 Strategic Plan 2025–2027
- National Advocacy Service for People with Disabilities Annual Report 2024 Annual Report 2024
- Citizens Information Board Annual Report 2023 CIB Annual Report 2023
- National Standards for Adult Safeguarding, HIQA & Mental Health Commission, 2019 National Standards for Adult Safeguarding
- National Standards for Residential Care Settings for Older People in Ireland, HIQA 2016 national-standards-for-residential-care-settings-for-older-people-in-ireland.pdf
- National Standards for Residential Services for Children and Adults with Disabilities, HIQA 2013 Standards-Disabilities-Children-Adults.pdf
- Safeguarding Vulnerable Persons at Risk of Abuse – National Policy and Procedures, HSE 2014 www2.healthservice.hse.ie/files/188/
- Code of Practice for Independent Advocates, Decision Support Service 2023 9. COP_for_independent_advocates_0.pdf
- The Fundamentals of Advocacy in Health and Social Care, HIQA, 2023 The Fundamentals of Advocacy in Health and Social Care

- National Policy Framework for Adult Safeguarding in the Health and Social Care Sector, Department of Health, 2025 National Policy Framework for Adult Safeguarding in the Health and Social Care Sector
- Sage's initial response to the Policy Framework Response to launch of Department of Health 'National Policy Framework for Adult Safeguarding in the Health and Social Care Sector', 9.12.25 - Sage Advocacy
- Transcript of Oireachtas Joint Committee on Health hearing on 9 July 2025 main.pdf
- Epic, Amplifying Voices, Enshrining the Right to Independent Advocacy for Children in Care and Care-Experienced Young People in Legislation, 2023 Amplifying-Voices-Enshrining-the-Right-to-Independent-Advocacy-1.pdf
- Mental Health Bill 2024, b66bx24d.pdf
- Mental Health Reform, Press Release, February 2026 Mental Health Reform calls for stronger safeguards as Mental Health Bill nears final stage - Mental Health Reform
- Mental Health Commission, Annual Report 2024 MHC 2024 Annual Report FINAL.pdf
- Health (Amendment) (Home Support Providers) Bill 2025 b8425d.pdf
- Government Legislation Programme Spring 2026 Government_Legislation_Programme_Spring_2026.pdf







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