

6 January 2004

Commissioner Owens
DD Act Inquiry
Productivity Commission
Locked Bag 2
Collins Street East
MELBOURNE VICTORIA 8003

Dear Commissioner Owens

I appreciate receiving the draft report entitled "Review of the Disability Discrimination Act 1992."

In support of disabled students TAFE and the basis for my transcript presented at the public hearing, Hobart 5 June 2003, I wish to offer the following comments.

(1) **Complaints in Education** (Page 89 Text)

"DDA complaints increased in all education sectors except TAFE Colleges (Table 5.3). These numbers are very small in absolute terms and should be interpreted with caution (Source HREOC sub, 235 appendix H)."

The statistics are not a true reflection of complaints relevant to TAFE colleges. Students wish to pursue their studies in reasonable timelines and often do not consider the HREOC complaints mechanism.

Examination of statistics from the Ombudsman's office and the Anti-Discrimination Commission would demonstrate a more accurate result to justify or refute the claim that DDA claims had decreased at TAFE Colleges.

(2) **Harassment Provisions** (Page 57 of Text)

"The harassment provision of the DDA in education relates only to harassment by educational staff, not to harassment by other students."

Students can be disempowered if educational staff harass them limiting their academic performance. This in turn is reflected by other students' attitude towards disabled students.

Team leaders at TAFE Colleges can instruct staff "he or she has to go."

Disabled students can leave a TAFE facility without their complaint being considered. I believe this to be an injustice because their chance of success has been curtailed. This, inevitably, is a waste of government taxes.

I wish to attend the public hearing in Hobart on Wednesday 11 February at the Corus Hotel to discuss my submission.

Yours sincerely

Daryl McCarthy