

QLD
22 May 2003

Productivity Commission
Disability Discrimination Act Inquiry
LB2 Collins Street East
Melbourne VIC 8003

To Members of the Productivity Commission,

Re: Disability Discrimination Act Inquiry

I am a person who suffers from a disability which has deprived me of leading a 'normal' life. I was not born with this disability but it was acquired, and medical opinion does not know why it happened.

I would like to put forward the following issues.

Yours sincerely,

Dennis Denning

Submission to Productivity Commission

Disability Discrimination Act Inquiry

1. Education.

Since I have been on a disability support pension I have obtained the following qualifications: Certificate of Applied Science (Computer Aided Drafting), Diploma of Engineering (Civil) and Advanced Diploma of Engineering (Civil), graduating from Southbank Institute of TAFE in 2002..

There was never any form of discrimination against me at the college when I attended as a student. I found all the staff very helpful and if I needed extra time in an exam I was always given this time.

I never used my disability as an excuse if I failed in a test. But I would try to keep up with the speed of the other students.

In the 'Issues Paper', March 2003, under **3.2 Education**, there is a discussion about current educational outcomes for people with disabilities in different types of education and training.

With my disability I never found it a problem of meeting the criteria for entrance to my course of study. TAFE colleges have bridging courses which allows students to update their skills. Whether or not you have a disability, the Universities also have bridging courses. The term "unjustifiable hardship in education", could be interpreted by me to mean that I cannot do a subject because it requires a practical component. The problem I faced was

using surveying instruments in a subject; I do not have the necessary motor skills in my hands. I was able to re-enrol in a different subject where there was a pure theory of that subject for my course of study.

On page 32 of the issues paper, “The DDA prohibits the harassment of people with disabilities by education staff but not by other students (ss 37-8). However, an education provider might be held indirectly responsible for such harassment.”

This part of the Act needs to be changed. Any student who harasses people with a disability should be held responsible for their actions the same as it is for education staff. An education provider should investigate such harassment so as not to be held indirectly responsible.

I believe the issue of increased education for disabled people is a complex area. What am I going to do now, that I have got my qualifications. That is where the Federal and State Governments need to investigate if people with disabilities can really use those educational qualifications to improve their lives and be given a chance to contribute to society.

2. Employment.

Getting back into the paid workforce after being out of work for a long period of time is very hard for a disabled person. The legislation can only cover so much about discrimination.

If you were a person who had worked full-time in your previous job and then you had to cease work through illness your chances of entering other fields of work is limited.

A good example is what happened to me when I had to cease employment as a Boilermaker.. I developed weakness in my hands and could not use them to grip the tools that I had to do my job.

I had tried to apply for work with my disability in another area but had been told by companies that I haven't got any work experience. I have the qualifications to be a Design Draftsman.

I believe that no amount of legislation will change the attitude of some people when it comes to employing people with a disability. There is so many able bodied people who are looking for work. A disabled person has so much competition with able bodied people in the job market that it becomes frustrating for a person like me.

3. Government.

Government can put out all the rhetoric it likes but unless there is a lower unemployment rate than there is at present, it is very hard to gain employment for disabled people.

Government policies about disabled people appear to me to change like the wind.

Federal and State Governments (Queensland) might be able to provide funding for disabled people seeking to re-enter the workforce and enforce their respective laws onto employers,

but all their laws in relation to stopping discrimination cannot be enforced if they themselves decide to cut jobs in any of their departments.

In my opinion the Disability Discrimination Act would be useless. A question I would ask is: Do the three levels of government in this country provide a quota or set a target to employ disabled people on a part-time or fulltime basis within departments?

4. Employers.

It may not be easy for employers to employ disabled people now that we have become a very litigious society.

Workplace Health and Safety has become a legal minefield for employers.. You cannot expect to be employed if the job requires you to be physically fit.

5. Transport.

In Queensland the access on public transport has improved. Queensland Railways have and are still upgrading facilities at their stations where possible.

6. Public Premises.

The Building Code of Australia should be revised and meet the requirements of the Disability Discrimination Act. Representatives of Disability Groups and representatives from the committee who formulate the Building Code of Australia should meet to discuss what can be feasible.

There have been improvements made for access into and out of public premises.

7. Conclusion.

I will make a summary of the above topics at the scheduled time of my appearance at the hearing on Thursday 29 May 2003 in Brisbane.

Dennis Denning.