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## **Productivity Commission Disability Discrimination Act**

My wife and I have been very involved in campaigning for appropriate access with dignity for disabled people to various venues available to the public: reception centres, Cinema complexes, restaurants and theatres as well as equality in regard to the availability of efficient and effective taxi services for the disabled. During the past 13 years we have found that there has been generally an appalling lack of conformity in regard to the Australian Building Code and the Disability Discrimination Act by operators and owners of facilities/services as well as an apparent lack of awareness by local and state government departments.

- 1 . Resistance from councils and government departments to the extent that sometimes one might feel paranoid and think that there could be some collusion with the providers of the services; examples where difficulties had occurred and had included our personal involvement were the Princess Theatre (1990), the Jam Factory (1996), the Windsor Hotel (1998), Breezes restaurant (2001), the Classic Cinema (2002), but a very welcome different and responsible attitude in regard to the Dendy Cinema Complex by the Bayside Council (2002). Blake's restaurant at Southgate had steps in this very new centre and they proved to be resistant to change the access but did respond appropriately after we took them to the Equal Opportunity Commission in 1998. Even the state-owned Arts Centre has deficiencies particularly in regard to the Playhouse Theatre and could be improved upon- complaints were followed by a sympathetic response and a promise to improve things in the future but nothing happening as yet.
2. Strong resistance remains evident in the case of the Events Warehouse on Southwharf Road, Southbank although it may be that some moves are being made in a positive direction albeit slowly. Have not heard yet about any development at shed 9 having approached the operator about erecting a ramped entrance on Southwharf Road so that disabled people and those in wheelchairs would have the same equal dignity in gaining access. Although operated and managed by a private concern, this reception venue is actually owned by the state government. The

Melbourne City Council failed to respond to a copy of a letter we had written to the management whose response has been lacking. Permission would be required from the Heritage Council, the owners (presumably the government), and the Melbourne City Council and generally the response gave the impression that it may be very difficult to carry out such work.

3. Every now and then we pass a restaurant with steps to get in notwithstanding that it has obviously been extensively refurbished and we wonder how the council could have allowed the development take place even though it is in obvious breach of the Disability Discrimination Act.
4. I know of some pre 1992 reception centres that are quite large and well attended by many people but because they were built before the Disability Discrimination Act came into being there seems to be nothing that can be done either under this Act or the Australian Building Code as it is an existing structure. However, they are popular, large in size but the provision for access is lacking and usually there is no provision for access to disabled toilets for wheelchair-bound people. I understand that the Act does not allow for any action to be taken in regard to such venues or at least this is our impression.
5. For as long as we can all remember there has never been a proper taxi service for disabled people whereby they have access with dignity and equality, free of discrimination. Waiting for a taxi to arrive for up to an hour is still not uncommon for disabled people in wheelchairs. This despite continuing complaints to the Victorian Taxi Directorate and the Minister of Transport whose replies to letters are always along the same line: self congratulatory about the improvements to the taxi service and continuing efforts to improve it further for disabled people, usually involving increasing the number of available taxis. They keep missing the point, that it is the taxi drivers who are failing to comply. It is almost impossible to obtain the services by pre booking regular and permanent times whereby the taxi driver is fairly reliable although I have met up with a couple in my time who have tried to be responsive to the needs of the disabled.

### **Recommendations Suggested**

- 1 . It could be made compulsory, in regard to access issues, for premises that serve the public, such as theatres, cinemas, reception centres and restaurants and generally places of entertainment to provide access with dignity for disabled people in wheelchairs, and it should, if possible, be made conditional for all existing permits.

2. Except for small establishments where hardship may be involved there should be some requirement for an accessible toilet to be available.
3. So far as taxis are concerned the problem seems to be more with the drivers; generally they choose for themselves if and when to answer calls for wheelchair pickups, education I do not think would be enough, and the licence to drive the multipurpose/M 50 taxis should be linked to a renewal system based on performance, that is the number of wheelchair pickups they have made. It is noted however that in some countries, at least in the UK, where I have been given to understand that all taxis are available to take wheelchairs so that one just calls a taxi and whoever arrives would be required to take the passenger, able-bodied or wheelchair-bound. We can learn from that!
4. Overall, the emphasis should be on increasing the awareness of operators/owners of the relevant premises or services as well as governments, both local and state, of their responsibilities under the Disability Discrimination Act.

Harry New