

INQUIRY INTO THE DISABILITY DISCRIMINATION ACT 1992

Response from: The Housing Connection (NSW) Inc
31 Albert Avenue
Chatswood NSW 2067

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1. Before hearing about this inquiry, were you aware of the rights of people with disabilities?

Yes. The Housing Connection is a non-government organisation providing supported accommodation service for adults who have an intellectual disability and live on the Lower North Shore. We provide a range of community-based accommodation and support options for people with intellectual disabilities to meet their individual lifestyle needs.

The focus of the organisation is training, either to transfer to people the skills they need in their present situation, or to enable them to secure the accommodation option of their choice. The object is to reduce their need for long-term support services that encourage dependency, and the staff contact is primarily of a drop-in nature. Two projects of the organisation are, however, situations requiring more intensive support, and the residents are provided with overnight and week-end staff contact. The Housing Connection has, through its experiences with clients with dual diagnosis (intellectual disability and mental health problems), built up a body of expertise in supporting clients whose difficulties in independent living arise also from psychiatric conditions. In recent years, there has, in addition, been a focus on older clients of the organisation, and exploring options for how best to enable them to "age in place" in the coming years.

The organisation adheres to the NSW Disability Services Standards and the requirements of the NSW Disability Services Act of 1993. We seek to maintain an organisational culture that encourages creativity and the attitude that we will do "whatever it takes" to improve the quality of life outcomes for clients whom we support - within the boundaries of available resources and proper processes.

The Housing Connection supports people who have an intellectual disability, are over the age of eighteen, receive some form of income, and need help in learning, improving, maintaining and applying the skills they need to live an active, involved life in the local community of their choice. Preference is given to people who live with their families in the Municipalities of Lane Cove, North Sydney, Mosman, and Willoughby. The Housing Connection has been operating

within the lower North Shore for over twenty years. Board members, managers and employees are familiar with the policies, legislation and changing practices in the field, and hence also with the rights of people with disabilities, which lie at the heart of the entire enterprise.

2. Were you aware of the Disability Discrimination Act specifically?

Yes.

3. Do you think there is more or less discrimination now, than ten years ago?

It would be difficult to give a straightforward response to this. Different staff members have different experiences to draw upon, and differing understandings of 'discrimination'. On the whole, the level of discrimination would appear to be the same, but we may also be more aware of discrimination now, given the rights of people as enmeshed in the legislation.

One common experience is that when clients are being supported in the community, people speak to the staff person instead of the person right in front of them. Whether this is an example of discrimination, or something else like expedience, discomfort or prejudice on the part of the community member, is impossible to say.

When there are incidents of challenging behaviour, there is always the chance that neighbours, offended by the behaviour, turn to generalized critiques of people with intellectual disability, or of the movement of community living, in order to vent their frustration e.g. comments like "Can't they go and live with others like them!"

Of further relevance is the insight that people with intellectual disability can be discriminatory toward, and intolerant of, each other. This could be a consequence of trying to treat others as 'them', in order themselves to be considered part of the 'us' or 'normal' crowd. Hence, this can also be linked to general societal processes of discriminating between 'us' and 'them', a dynamic that doesn't, of course, operate only on the level of ability-disability.

On a more positive note, it is also the experience of staff that clients living fairly independently in the community are well received, welcomed, and even assisted by neighbours and other people in the community. This extends to many small acts of kindness (e.g. help with keys, telephone), friendly greetings, showing interest in clients' programmes, and helping out with repairs/tools.

4. Has it got easier or harder for people with disabilities at work?

Many organisations have sprung up in the past decades to assist people with intellectual disabilities to prepare for and be supported in assuming open employment. It is not a straightforward process, and not by any means successful across the board. For every loyal, hardworking and punctual worker, well liked and well treated in their place of work, there would be others who stay

for only short periods of time in employment, due to factors such as lack of support, prejudice, and intolerance on the part of managers and co-workers. Naturally, many of the difficulties are directly linked with limits brought on by the disability itself, and the limits to compensating for the disability in each specific workplace.

Some workers may not feel involved in aspects of work life, such as after-hours drinks and functions, and this is often linked to limitations imposed by transport arrangements. Many workers are channelled into work of disinterest to them, leading to poor motivation and performance, although this is something that sound management and support could conceivably deal with.

Various forms of sheltered employment remain important in the lives of many people with intellectual disability, and the several advantages and disadvantages of this type of employment are well known.

5. Has it got easier or harder for people with disabilities using public transport?

It would be bold to claim that public transport services are discriminatory at a general level. The transport companies cannot be held responsible for behaviours and incidents that smack of prejudice on the part of other passengers, and despite occasional lapses (for example, irritation of bus drivers at people having difficulties with tickets and money), most staff are courteous and helpful. Physical access to stations and vehicles is an issue that can and should be receiving ongoing attention.

6. Has it got easier or harder for people with disabilities when buying things or joining clubs and sporting groups?

There continue to be issues with banks, largely based on the intolerance of bank tellers, and some clients have complained that they find it difficult to use banking services because they are given a 'hard time'. There have been examples of banks not following protocols, for example withdrawals from accounts with one signatory, when two are specified.

Some of our clients have experienced closed doors when trying to access generic seniors' groups, with the message that such groups lack the expertise to cater for older people with disabilities. At the same time, the organisation has been participating in the process whereby the needs of people ageing with longstanding disabilities are gradually being addressed.

With leisure activities, some clients inevitably find themselves directed toward 'special needs' groups when desiring to (and capable of) participating in generic/mainstream groups. Others have experienced difficulties with gyms and RSL Clubs, which appear to stem from intolerance and lack of acceptance, perhaps linked to a concern that people with intellectual disability may keep other people away from the venue. For some, access is made difficult for those with limited literacy skills, such as when there is a requirement to sign in. Often clubs

and other joining activities ask for more information on a person with a disability that is not needed or appropriate.

7. Has it got easier or harder for people with disabilities in joining a superannuation scheme or buying insurance?

When trying to get quotes for home and contents insurance, it was almost assumed there would be issues with property damage from behaviour, and lack of home security, due to there not being 24/7 staff presence. Despite assurances, it is possible that such issues were factored into quotes.

8. Did you make a complaint under the Disability Discrimination Act? If you didn't, why not?

No. There has not been an incident involving discrimination of a kind that would warrant a complaint under the Act. The incidents that do occur, happen every day on mostly subtle levels, and complaints brought against what can be called 'indirect discrimination' could further isolate clients from others in the community, rather than further the aims of the DDA.

9. Have you had a complaint under the DDA made against you?

No.

10. How well do you think the DDA is working?

The Act and the publicity around it seems to have created awareness in relation to physical access in particular. However, more work needs to be undertaken in the area of intellectual disability. There is a level of prejudice in the community toward anyone who is different, and it is often a consequence of lack of information, unfamiliarity and hearsay, rather than outright acts of discrimination. On the other hand, there is a strong feeling of tolerance and even acceptance in many quarters.

The thrust of this Inquiry could be improved if there was consideration not only of discrimination, or even prejudice, but of how to better familiarise an already fairly tolerant public with the whole 'community living' movement, plus some information on intellectual disability itself.

11. Do you have any ideas to make the DDA work better?

This organisation works closely with Councils in Lower North Shore Sydney in relation to disability issues, and has involvement in access committees and their DDA plans. We have worked co-operatively with Councils in areas of community discrimination, which is one reason why complaints have not been lodged. It is difficult to address 'indirect discrimination'.

The Housing Connection supports, practices and participates in community awareness training, including the direct workers who role model appropriate interactions within the community and to community members (such as bank tellers), and the provision of training to council employees. Training and awareness-raising is one avenue to ensure that the DDA could work more effectively in the areas of direct and indirect discrimination. This could also fruitfully occur in schools, neighbourhood centres and other venues where information is shared with members of the community.