

James Justice Bond JP

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PAPER - FALLING BETWEEN THE CRACKS; How the System fails Dyslexics

For the Human Rights, Disability and Education Conference, 17 September 1999

I was born in 1959 in Gosford NSW. From 3rd class I first recognised that I was somehow different from the other children, who harassed me for reasons I didn't understand. Teachers were also impatient with me, marked me as a dummy and sat me at the back of the class, ignoring me. My parents tried to assist me by hiring extra tuition, but they did not have the knowledge or skills to help me beyond the most rudimentary learning. I had a speech impediment, which was not corrected until 1969 by Professor Delbridge of Macquarie University, who also the first to recognise my Dyslexia. You may be wondering how long has this mysterious condition been known about?

Well, Dyslexia was first identified in 1912 in England, and has had that name since then. The majority of the teachers then did not know what dyslexia was. I suspect many still don't. People in broad society still do not know what it is. Perhaps people like Kerry and James Packer could move mountains by publicly acknowledging their dyslexia? The list of famous and successful people with dyslexia would surprise many :

Thomas Eddison, Albert Einstein, Paul Erlich, the actress Susan Hampshire, William James, General George Patten, Nelson Rockefeller, the sculptor Auguste Rodin, US Presidents George Washington and Woodrow Wilson, and most poignantly perhaps the American celebrity Bill Cosby's son - who was completing a Masters in Education shortly before he was tragically shot and killed.

In addition to my attendance at Epping Boys High School, I also enrolled in the Macquarie University School of English in 1970 where for the next 2 to 3 years they attempted to teach me how to read write and use numbers. This did advance my education to a basic level, but not a competitive level compared to my peers at school. This was despite various tests and the opinion of professionals 'that I was above average intelligence. In 1973, at the ripe age of 14 years and 9 months, I received the school's "Citizenship Award" and completed school - with a letter to my father from the Principal stating that they could not teach me anything further given my condition, which they could not address, and that I should do better leaving school and seeking manual employment. They had no hope of giving me academic skills, and had instead concentrated on giving me labouring skill's and expected that to be my only option in the workforce.

My inability to read and write had a catastrophic effect on my employment prospects. I have applied for hundreds of jobs. Because I could not get jobs requiring literacy, like many thousands of people who cannot read and write I took on labouring jobs. As an indication of my frustration and increasing sense of alienation, and in order to get attention with employers I even went to the extreme of changing my surname - well, it worked, people remember the name!

Eventually I obtained work with the State Rail Authority where I did various labouring jobs - I had failed the Trainee Engineman Test (because I could not read) so instead I became a loco cleaner! I became an Acting Plumber by way of on-the-job training (because I could not take part in TAFE courses). Then in 1982 I injured my back at work and my employment was terminated. This left me with 2 disabilities - Dyslexia and a back condition. For someone who could only rely on labouring work, this effectively shut me out of the workforce and condemned me and my family to poverty.

I used to hide the fact that I could not read. But after X my injury, I needed help. More and more I "came out" admitting my Dyslexia, which I had previously hidden through embarrassment. Now I could not afford to do this anymore. CRS became involved. They assessed me and suggested that I tried for Security Work. The CRS and CES financially assisted me with training for this. However, my applications were unsuccessful with State and Federal Government agencies.

In 1994 I settled a long legal dispute with the NSW Government concerning employment discrimination in a public sector job that I had applied for in 1989. This received some publicity in local papers and Parliament. With wider public knowledge of my condition I immediately found rejection and alienation from people I had considered friends and neighbours. From then on our social life stopped. My family was snubbed and ceased attending social functions at schools and so on. My children suffered humiliation from mates at school who had heard about me from their parents. The legal battle was combative and stressful to me and my family, and though it came down in my favour, the settlement included a non-publicity clause that effectively stopped me speaking about my case. This further increased my alienation.

My solicitor recommended psychological help, particularly after the protracted legal dispute and associated alienation. After 12 months of intense psychological help, they recommended that I do a TAFE course in Small Business Enterprise. I completed this, with the assistance of a scribe, achieving a credit level certificate, proving that I was not stupid and could achieve academically at Tertiary Level.

My alienation turned around and I realised that I should become an active lobbyist for my rights and the rights of the 1 in 7 people with Dyslexia and the 1 in 5 with Learning Disabilities - incidentally these are Government figures. My life since then has been incredibly busy fighting ignorance and obstinacy, and the tendency of institutions to be confrontational and litigious rather than cooperative and pragmatic when confronted by citizens claiming their right to participation in society. I should point out that when I describe myself as a "lobbyist", I mean an unpaid lobbyist!

Dyslexia and associated "Learning problems" are contentious issues today in Education and Employment. The Department of Education carefully refers to "Learning Difficulties" rather than "Disabilities", presumably in order to exclude these conditions from special funding. In the US, they more confidently refer to Learning Disabilities, and expend a lot of money and academic energy trying to find remedial technology and teaching methods.

Some time in 1988 I was showing my kids the State Library of New South Wales, and almost accidentally I overheard a voice miraculously coming from a machine they had there called the "Kurzweil Reading Edge", reading out the text of a book that it had scanned. I was dumbstruck. In all my years of struggle, nobody had told me that such technology existed. I wept to think how this technology could have helped me in my education and employment and how different my life might have been. Since that day I have lobbied State Federal and Local Governments, Rights Groups, Employers, Libraries, Universities, Colleges and Schools to have this kind of technology instated to assist people with a literacy, learning or a vision disability, including Dyslexia. It has been a long struggle, with many successes and failures, but in that time technology has improved remarkably and the only excuse is political and institutional. The means are there. It is either ignorance or opposition that blocks the way.

The current Kurzweil technology is called Kurzweil 3000. It is a computer program that scans printed material onto the computer screen. This is an exact colour image of the original, which can include diagrams and photographs as well as text. The image can be magnified and spoken out loud by the computer. As the computer speaks, a coloured highlight tracks the spoken word, which can be magnified in a separate window. This complementary of speech and visual image is highly effective for people with reading disabilities. The colour of the text can be changed to suit,

as can the reading voice and rate of speaking, and at any time Dictionary definitions can be obtained as well as pronunciation. There are many other features, including using these tools to read the Internet, that are of proven benefit to people with reading disabilities including Dyslexia and learning disabilities, and even for people whose first language isn't English, which may be of help to our immigrant communities. There are scientific studies from the United States that show significant improvements in reading speed and comprehension for these people. Where this technology has been demonstrated to Special Education Teachers, they have all been convinced of its effectiveness. Their problem has only been access to funds to purchase it.

The problem is this; in theory, certain disabled children are allocated by the Department of Education, on a per head basis \$1800 per annum to meet their special needs. This money is pooled and administered to the schools on a proportional basis, but it is up to the schools to spend the money as they see fit. This does not necessarily result in direct spending on special education for individual children. For example, how is it that I was told at a recent meeting at Woy Woy High School that they have a budget of only \$500 for all remedial tools including books and software for 40 special needs students? The problem is partly mysterious budgeting but also partly definitions - the Department of Education is very careful to refer to Dyslexia as a "difficulty" rather than a "disability", and this extends to all "Learning Difficulties". In addition, The Department of Education advises that it cannot recommend, review or prescribe technology, that it is up to individual schools to find out about and decide upon themselves. Unfortunately, I don't have all the time in the world to personally visit every school to evangelise this technology, which seems to be the only way left open by the Department's attitude.

On another tack, the effectiveness of standing up for my rights has been demonstrated by legal rulings in my favour. For example, the establishment of Kurzweil 3000 at my local Library at Wyong Shire was only after legal dispute with the Council. I had tried everything short of legal action before this, two years of talking with committees, before I was compelled to use the sledgehammer of the law. The matter was settled by way of conciliation through the Human Rights Commission. The conciliation included the purchase of Kurzweil 3000 by the Library and a ruling that the technology be shown to local schools at a special demonstration with media publicity. This led to it being seen by Dr Michael Slattery, Principal of the Mater Dei Catholic College, Tuggerah, who immediately saw its application in remedial literacy. He raised funds for it and successfully established it at the school. Incidentally, despite the confrontational start, Kurzweil 3000 is, now considered a valuable resource at Wyong Shire Library.

On 17 September 1998, The Honourable Brian Vaughan (Chairperson Standing Committee Law and Justice) raised the issue of Dyslexia in State Parliament of New South Wales and recommended the Kurzweil 3000 system be adopted. He said:

"The use by Mater Dei college of this computer technology illustrates what all State schools and community libraries should possess to ensure that a comprehensive service and adequate education is provided to those who suffer, for example, a visual impairment, not only dyslexia ... bearing in mind that the Premier announced in a media release on 15 September that the Labor Government has implemented a \$2 million literacy strategy, it seems that this technology ought to be adopted. I agree that it cannot be purchased by every school or library, but surely it is up to this State, our Government, and the education system to provide this technology to regional schools and libraries."

(Hansard page 7603, Legislative Council of NSW, 17 September 1998)

The effectiveness of this speech and Mr Vaughan's involvement shows the importance of political leadership on these issues. Since then we have seen the beginnings of success - awareness of the needs of Dyslexics, new teaching methods and technology, and the will to implement solutions. My struggle to make people aware, in tandem with improvements in technology, the effectiveness of the law in protecting the rights of disadvantaged people, all in combination with political leadership over-riding bureaucratic inertia, has resulted in real solutions for people like myself.

So, where am I today? I am on the Board of the Mater Dei Catholic College and representative of the Broken Bay Diocese, advising on special education and other issues. My most recent success? Another legal case between myself and Public Recruitment Services Australia, over my long standing attempt over many years to enter the Public Service; I have taken the entrance exam 5 times over the last 10 years. Once again, I have had to use the sledgehammer of the law, taking the case to the Human Rights Commission, once again successfully. This will result in changes to the test Procedure taking into account the needs of Dyslexic applicants.

This is good news, but I should like to end on a sombre reminder of the appalling consequences of not helping Dyslexics - including social failure, depression, and suicide.

Thank you for giving me this opportunity to give a voice to the thousands of Dyslexic people who, like me, were never given the opportunities taken for granted by every other schoolchild.

I should like to acknowledge, in no particular order, and with apologies to those too numerous to mention:

Dr William Allport (Killarney Vale)
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Dr Paul Whiting (Sydney University)
Dr David Kemp (Minister for Education and Training)
Michael Lee (Shadow Minister for Education, Member for Central Coast)
Senator John Teeney (Chairperson Senate Standing Committee on Education)
Tim Fischer (ex Deputy Prime Minister)
Brian Vaughan (ex Chairperson Standing Committee on Law and Justice)
Kurzweil Educational Systems and their distributor in Australia and New Zealand, Optek Systems
Anna Cody Director of Kingsford Legal Centre, Faculty of Law University of NSW
Chris Public, President of the Anti Discrimination Board of NSW
Reverend Father Robert Brogan (The Entrance Parish)

1999-State Council Representative Broken Bay Catholic Schools
2001-Board Member St Peters Catholic College, Tuggerah
2002 Employment Workplace Relations and Education References Committee. Education of Students with disabilities
2003 Vis. Lecturer of Special Needs. Catholic Universities.
2004
There is no doubt in my mind that the DET disability criteria discriminates against dyslexic students. Recommendation that the disability criteria should recognise all disabilities, and adoption of the technology like the Kurzweil 3000, so special needs students can achieve their full potential
2003-Enquiry into early intervention for N.S.W. Learning Difficulties