

The Disability Discrimination Act Inquiry SUBMISSION.

With the enactment of The Disability Discrimination Act 1992, and the supplementary State legislation, compliance by some of the tiers, was slow in coming.

As a paraplegic confined to a wheelchair, I am vitally concerned with all aspects of access, accommodation, services, and facilities.

Anomalies exist in the requirement to provide the above, when a new building is constructed, and another building is gutted and rebuilt inside, the existing outside walls remaining intact. With the new building the Local Government Act, and its Regulations will apply, and the required disabled facilities are provided. With the gutted building its stated use, is the criteria as to the provision of disabled facilities.

A prime example of the above is the gutting of the building on the corner of Campbell and Liverpool Streets in Hobart, previously the offices of The Federal Police, and then purchased by a trio of Hobart medical specialists, who are using the rooms as surgical reception area, and consultants rooms. Yet these doctors were not required to install disabled facilities, as the Hobart City Council decreed that there is no change in use. Is this woolly thinking, or ignoring the requirements of the DDA.

As at the present time there are instances where new buildings do not comply with the Disabled Regulation Standards. Example, passage to facilities not wide enough for a wheelchair to turn into the toilet area, the door itself very hard to open, once inside, the toilet bowl is sited against the side wall, restricted access only for left handed transfers from ones chair to the bowl the hand rails are consequentially no use, one thing was a least was right, the hand basin was OK.

I mentioned these concerns to the proprietor, who was taken aback, and assured me that his architect had assured him that all these facilities were in compliance with the required legislation, and the plans were approved by the H.C.C.

One can only think what is the use of these laws and regulations, if the body required to ensure their implementation, adopts such an attitude??.

Another area of concern is the grading of the footpaths to the gutter, and then to the roadway, at intersections for the use of disabled persons confined to wheelchairs.

In three local council areas, I have experienced difficulty in the crossings, because of the angle of the cut through the gutter to the roadway, being not obtuse enough to stop ones footplates from digging into the road surface, and throwing the wheelchair patient into the gutter.

I have taken the matter to respective engineering officers of the councils, and all have said that there is a drawing for these cut-

tings, but it is obviously not being complied with in the majority of intersections.

The function of the Human Rights and Equal Opportunity Commission is to facilitate the resolution of complaints that may arise in disputes, that cant be resolved. This body can hear the matter and make a decision, and advise the parties accordingly, but it has no power to punish the offender, who will mostly take no action. It is then left to the complainant to proceed with a civil action The logical answer is for the HREOC to have the power to punish.

The composition of many committees and councils, set up by all the three tiers of Government, finds the membership comprised of persons of other interests, out of work politicians, and party faithfuls, with a very minor membership for disabled persons. One must ask "Are disabled persons regarded as inferior because of being disabled"

I was appointed to a State committee, being the only member in a total of eight persons, and when the chairperson, a lawyer decided he did not want to travel to Hobart from Launceston, to attend all future meetings, decided on a a small town hotel, with no disabled facilities, I pointed this out, and was promptly told it was not a necessity to have a disabled person as a member. I resigned after telling the then responsible Minister in no uncertain terms of what could be done in this instance. Make the disabled persons who are appointed to "disabled person committees" be in the majority as to its membership, providing that such persons are suitifully qualified.

In conclusion I must thank the Commissioners for the opportunity to present this submission, with the hope that at least some of the forgoing suggestions will considered, and hopefully acted upon to the benefit of all disabled persons.

K.F.PENNEFATHER.
RFD*RD.BCom.ASA.