



## Disability Discrimination Act 1992

### Second submission

Response by SANE Australia to the Draft Productivity Commission Review Report, November 2003

#### Psychiatric disability

is one of the largest areas of disability (approximately three times as prevalent as intellectual disability, for example) and also experiences high levels of misunderstanding, stigma and discrimination.

A number of the points made in SANE's original submission to this Review (attached) remain insufficiently addressed and we would be grateful if these could be examined before the final Report is published.

Other comments on the draft Report are as follows:

Page	Comment
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xxiv	'there is not enough information to quantify the costs and benefits' [of the DA].
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In view of the very low number of cases reported and followed-through (especially relating to psychiatric disability), it is imperative that HREOC commission research into the effectiveness, costs and benefits of the DDA — including the human and financial costs to disabled people of not having discrimination identified and rectified.

xxiv	mental disabilities'
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This term is used consistently through the Report, along with 'mental illness'. There is actually no such thing as 'mental disability' and mental illness is very definitely NOT the same thing as 'psychiatric disability'. Terminology therefore needs to be corrected and clarified.

,monitoring'

In view of the highly likely yet unquantified degree of unmet need for HREOC services in the DDA area, monitoring is an essential area for action.

xxvii	'to promote community acceptance'
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In view of the widespread ignorance and misunderstanding of the DDA and its operation, especially relating to psychiatric disability, a Marketing Plan with an appropriate budget to promote community acceptance of psychiatric and other disabilities is highly recommended.

xxvii 'indirect discrimination'

It would have a significant impact on discrimination against people with a psychiatric disability if 'indirect discrimination' could be defined to include discriminatory, vilifying language against a whole CLASS of persons with a disability - for example, an advert which implicitly invited mocking, disrespectful treatment of people with a mental illness.

'the DDA ... allows for public inquiries'

This would be a valuable and proactive step to take regarding the neglected area of discrimination against people with a psychiatric disability. Being over 10 years since the initial Burdekin Inquiry, we would strongly recommend a 'Burdekin 2' Inquiry - regardless of whether the Commonwealth government agreed.

xxx 'Only small numbers of complaints are made each year...'

The current level of complaints (approximately 400 per annum) contrasts with around three times that number when the DDA first came into existence and received more consistent media coverage.

As page xxxiii also notes, 'there is significant scope to improve awareness'. This is a highly important area and it is imperative the DDA is promoted to its target audience in an easily-understandable way, with easier, supported processes to make a complaint.

xxxvi 'amending the definition of indirect discrimination'

See point above re page xxvii: the need to include an implicit invitation to discrimination against a CLASS of persons, eg people with a psychiatric disability.

xxxvii allowing disability organisations to make complaints in their own right'

This would be a progressive and positive step, allowing CLASS type complaints to be made while at the same time being responsible and professionally prepared.

xli 'Inadequate resources for DDLS can undermine the effectiveness of DIDA'

Under-resourcing and under-promotion of these services is a key issue to be addressed. When people use DDLS we consistently hear good reports, yet very few people with a psychiatric disability or even workers in the field have actually heard of it.

#### **For more information**

Dr Paul Morgan  
SANE Australia  
PO Box 226  
South Melbourne Vic 3205

email [info@sane.org](mailto:info@sane.org)  
Tel (03) 9682 5933  
Fax (03) 9682 5944

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