

Victoria

8th April 2003

The Secretary
Productivity Commission
LB2 Collins St East
Melbourne Vic 8003

Dear Sir,

**DISABILITY DISCRIMINATION ACT INQUIRY
SUBMISSION**

We are parents of a man who has an intellectual disability. He is 43 years old, and has an older sister and two younger brothers. He has good relationships with his siblings, but they all have their own families. He currently lives in a community house and works in sheltered employment. He visits us for a weekend about every three weeks and has longer stays with us for holidays.

Our submission, therefore, relates generally to matters concerned with intellectual disabilities.

We have strong views on the matter of distinguishing between intellectual and other forms of disabilities. We believe that they should be handled differently for the following reasons :-

1. Generally people with physical disabilities would like other people to know about their disabilities. This is a matter of practical necessity to allow the general population to assist them when required and to make the necessary adjustments of their own actions to minimise embarrassment.
2. From our observations, most people with intellectual disabilities are not really aware of their condition. Our son for instance seems to know that he is different from his siblings, but does not express awareness of a disability. We think that is a good thing, and, while we hope that we are not in denial about his disability, we try to have a relationship with him similar to the one we have with his siblings. We acknowledge that there are people with intellectual disabilities who do know that they have disabilities. We see them as the group which needs a considerable amount of help. They are mostly mildly disabled, and often live independently in the community, and some hold down normal employment. We think that this group can benefit enormously from sensitive help from mentors.

As an example of this, we know a woman in her 60's who has an intellectual disability and lives alone in a small apartment. She has very little contact with the normal community, but when she does she seems to enjoy the company

immensely. Because of her isolation, we are not at all certain that she is better off than she would be in a congregate care situation.

She really needs professional help in such things as personal care and diet, but it does not seem to be forthcoming under the present system.

We consider that the ideal of elimination as far as possible of discrimination and ensuring equality between people must be pursued with caution in the case of those people who have intellectual disabilities. The concept of requiring people with intellectual disabilities to live in "the community" is laudable only when adequate support systems are in place.

We see the need to provide an occupation for any person with intellectual disability (this may not be actual paid employment). When it is possible to provide actual employment, we see problems in making sure that the employment arrangements do not restrict competition more than necessary. We have a real concern that efforts to increase wages for intellectually disabled people could cause some establishments to lose their financial viability.

We also see the need to protect the service providers and try to encourage them to take on marginal people. These people might require more supervision and might not be very productive, but they are likely to be the people who will get the most benefit from the work situation.

We also see a need for somebody to advocate on behalf of intellectually disabled workers. For instance, there is a need to fill a role that would otherwise be handled by a union, especially in areas of occupational health and safety. This includes facilities, e.g. lunch rooms, toilets, etc. Advocates are required also to try to monitor the atmosphere in the workplace to avoid any form of neglect by staff toward workers.

We think there is a possibility in the sheltered workplace situation for the service provider to lose sight of the fact that the facility is there for the benefit of the disabled person. It is possible that the easiest to handle, most reliable person will be preferred to somebody who sometimes exhibits challenging behaviour. Who needs help most?

Robert and Pauline Atkins.