

The background story to the attachments is.....

Since the establishment of supported accommodation group homes (CRUs) in the community, residents paid a nominal, coverall, hostel type fee. The residents were therefore living under the roof of the service provider, and had few rights.

As part of the user pays policy of the Kennett government, CRU residents were expected to pay their way like other members of the community. They became responsible for their board, and a rent component.

It was logical that if people pay rent, they should have rights under the Residential Tenancies Act. Given that the Department of Human Services categorically refused to consider this, as they clearly did not want to lose their power over people. Rights under the Act would of course provide the residents with control over their front door - they would have reasonable rights of determination in the home for which they were paying rent.

So, on behalf of our youngest son, we raised the issue of discrimination with EOCV. Because one act was Federal, the DDA, and one State, the RTA, the EOCV passed our case to HREOC.

HREOC did extensive examination and also decided it could do nothing, except to suggest we take the case to the Supreme Court...

Fortunately, the new State Government had an election platform to improve conditions for people with a disability, and subsequently set up a working party under the member for Bendigo to examine the possibility and need to amend the RTA through an amendment bill.

The working party sat for almost two years, finally recommending that the residents of CRUs be given residential tenancy rights under the RTA. However, just before the amendment bill was due to go before the Victorian Parliament in late 2002, the Department of Human Services forced the recommendations of the government party to be withdrawn, claiming these changes must wait to be included in other legislative changes being considered for the care of the residents of CRUs.

So the residents of CRUs are still denied similar rights to others in the community, just because they have a disability, and with no sign of the department providing a proposed date for their considered changes. Clearly, it is the case of the department ensuring that the residents have few rights. Especially the right to change their service provider!

Regards,

Tony & Heather Tregale.