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Presiding Commissioner
Public inquiry into the *Disability Discrimination Act 1992*
Productivity Commission
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ACT

DATE: Wednesday, 9 July 2003

SUBJECT: Main object of the DDA – Eliminating Discrimination

1. The Productivity Commission in its issues paper for this inquiry (*Disability Discrimination Act Inquiry Issues Paper*) asks people making submissions to reflect on the question, “Do the objects of the DDA adequately describe the social, environmental and economic problems that the legislation should address?”
2. The main objective of the *Disability Discrimination Act 1992* (DDA) is to eliminate discrimination¹ against persons on the grounds of disability in the areas of: accommodation, education, work, access to premises, clubs and sport; the provision of goods, facilities, services and land; existing laws; and the administration of Commonwealth laws and programs. Several areas of potential discrimination are excluded from the Act, including superannuation, insurance, social security and immigration. To this end, the effect of these provisions is the *incomplete protection* of the rights of people with disability.
3. It needs to be noted that the areas of disability discrimination presently covered by the DDA mainly focus on the *environmental* dimension of discrimination i.e. community infrastructure. While this focus is important, so too is the *personal/psychological* dimension of discrimination. This would encompass for instance dignity and respect, self-determination (decision making and choice), personal relationships, sexuality, marriage, parenthood, financial management, culture and religion. The inclusion of the *personal/psychological* dimension of discrimination in the DDA would go along way to offering better protection all round to people with disability, most notably in their immediate environment.
4. Moving on, because people with disability are currently the focus of national debates concerning complex social and ethical issues and practices to do with genetic engineering, stem cell research, abortion rights and assisted suicide, it seems logical to extend the coverage of protection under the DDA to the area of medical practice and research.

¹ Comprises direct discrimination, indirect discrimination, harassment and requests for information.