

Delwyn Rance
Disability Discrimination Act Inquiry
Productivity Commission
Locked Bag 2
Collins Street East
Melbourne 8003
20.1.04

Dear Delwyn,

Following is my personal contribution to the Productivity Commissions inquiry. I would like the opportunity to maybe speak about and answer questions in regard to my discrimination claim. I will be able to attend the Hearing in Sydney 16th February. Are there other dates in Sydney that hearings are being held?

The claimant, Yvonne Batterham (deaf).

The respondent, The Local Council (Name supplied if needed)

The claim, that the Council provide a PA/Audio loop system at the council meetings and any public meetings held by the council.

The PA/Audio loop system had been on the Council budget agenda for three years and had been deferred each year.

The Council Access Committee and myself had written letters regarding this matter with no success.

After notification of my complaint through HREOC the Council opted for the conciliation process.

December 2003 the Council agreed to install a PA/audio loop system. However as yet I have not received the final written agreement including the time frame for the system to be installed.

You never think you will have to do the hard yards as far as getting Local Councils to understand their responsibilities towards equal access issues. I always had maybe a naive idea that Councils should be the hub of the community, leaders on issues that affect their ratepayers and residents. I thought that the local council would be only too pleased to comply with the anti discrimination act of 1993, particularly since the Council access committee had recommend the installation of a PA/Audio Loop system for a number of years. Not so this Council.

The fact that the installation of such a system would benefit not just myself but every one who attended the meetings concerned me greatly. After all, topics discussed at these meetings are important and the information gained could have a dramatic effect on any decisions people might make, which may affect their daily lives.

The Council seems to ignore anything to do with access to information and certainly do not hold the access committee in high regard.

I didn't think this was a good enough attitude, as I could not access the information at the council meetings or any of the public meetings. So I decided to take my complaint to HREOC.

The staff was friendly and helpful but initially I didn't think the case would go to conciliation. I thought that a letter from HREOC would convince the council that they should comply with the DDA. But that was not the case.

The council's letters to HREOC were certainly worded to use the financial hardship excuse to not install a PA/audio loop. They included information about me in those letters that had no relevance to my personal claim. I certainly felt intimidating tactics were used by the Council including a phone call (more information if required).

So I knew I had a fight on my hands.

Mentally I had to think of the conciliation meeting in the same way as if I was going to court. This was such an important issue for me and so I felt I would have to convince the council that I was prepared to go to court otherwise they would not comply with my claim even through HREOC.

For me to go to Court meant I had to consider the possibility of selling my house to pay costs if I lost.

People with a disability are disadvantaged in this whole process. Most lack confidence in them selves at the out set, mainly because of the way they are

treated by society in general. So to take on a discrimination claim is a daunting task. People with a hearing loss are even more disadvantaged because, they don't have equal access to the information in the first place.

At the Court house where the conciliation meeting was held the audio augmentation was not suitable for me personally. The system, being an infrared might be the latest but not necessarily the best technology in hearing systems.

To use the system I had to sit pressing the headphones on to my ears for me to hear the people speaking. When I spoke I had to remove the headphones because all I could hear was the echo of my voice. Not satisfactory at all. I had to rely heavily on my lipreading skills to understand what was a very important discussion.

If a PA/audio loop had been installed I could have used my hearing aid together with my lipreading skills which would have meant I was not under so much stress and equal access achieved.

HREOC do a wonderful job however there seems to be something lacking in the process for people with a disability to have a fair chance of success. Yes, there are advocacy services that may help. But it still comes down to the fact that the individual has to have enough confidence in them selves to fight for their basic human right of equal access against, in some cases formidable opposition.

Yours faithfully

Yvonne Batterham