

DENN

DISABILITY EQUALITY NETWORK NEWS

4th Edition, May 2006

Welcome

Welcome to the fourth issue of Disability Equality Network News (DENN), the newsletter of the Disability Reference Group of the Equal Opportunity Commission Victoria. DENN is produced quarterly, on the second week in February, May, August and November. We release DENN by e-mail in .rtf and .pdf versions. Editions can be downloaded from the Commission's website at <http://www.eoc.vic.gov.au> under 'Publications'. We can supply print and large-print versions on request.

Enquiries, and to join mailing list: contact michael.uniacke@eoc.vic.gov.au

Difficulties facing people with disabilities in the private rental market

Some real estate agents work very well with people with disabilities. Others however are inclined to believe stereotypes about disability, making it difficult for tenants with disabilities to rent a property of their choice.

The Commission is preparing a submission to the Victorian Property Fund to obtain funds to support a major educational project. In conjunction with Consumer Affairs Victoria, and the Real Estate Institute of Victoria, we will work on a project that will provide better access for people with disabilities to the private rental market.

Some early consultations with stakeholders have revealed numerous problems quite apart from stereotypical beliefs about disability. These include the level of rental assistance, the capacity to understand rental leases, the shortage of affordable and accessible housing stock, and issues concerning repairs.

Stakeholders also made clear they want a project which will deliver real change, and not merely a one-off education forum. Plans include a targeted communications and education campaign; some practical assistance to all involved - landlords as well as tenants with disabilities; an estate agents incentive scheme, and the encouraging links between estate agents and people who support people with disabilities.

New workshop for disability advocates

The Commission is putting the finishing touches to a new workshop for advocates for people with disabilities.

This workshop takes a detailed look at the complaint handling process at the Commission and what happens when a complaint is lodged. It takes advocates through the inquiry stage and the putting together of the initial statement of complaint; it looks at the investigation of complaints; and reveals how to best advocate for a person with a disability in a conciliation meeting.

Advocates will learn about which areas of public life are covered by equal opportunity law, and the personal characteristics that are protected.

Disability advocates who take part on this workshop will be able to understand how equal opportunity law applies to their clients.

There will be a trial run of this new workshop in June, after which some refinement, will be made available for groups in the second half of the year.

For enquiries about this workshop, contact Ariella Markman, (03) 9281 7195, or e-mail ariella.markman@eoc.vic.gov.au

Commission's brochures in accessible formats

The Commission has developed a general information brochure in a number of accessible formats including: plain English, Braille and audio (on cassette and CD).

The brochure will also be available on our website - www.eoc.vic.gov.au in pdf, rtf, large print formats and as an audio file. An Easy English version of the brochure is also currently in production.

The Your Right to a Fair Go brochure includes basic information about equal opportunity rights and responsibilities, an explanation of the Commission's complaint handling role as well as the support we can provide people with disabilities and disability service providers.

After monitoring the response to this brochure, we will have other material produced in accessible formats to ensure people with disabilities are informed of their equal opportunity rights and responsibilities.

To order a free copy of the Your Right to a Fair go brochure in Braille, cassette and CD contact Paula Crimmins on (03) 9281 7122 or email paula.crimmins@eoc.vic.gov.au

Your questions answered

Do you have any questions about your rights in relation to discrimination against people with disabilities? In each edition we will publish one of your questions and the Commission's response. Please send your questions to michael.uniacke@eoc.vic.gov.au

Note that the replies to these questions are guides only for general interest and are limited to the information provided. Note also that the Commission takes an impartial stance when investigating complaints, and attempts to resolve them by mutual agreement from all concerned. If you have a specific query, contact the Commission Advice Line on 9281 7100, TTY 9281 7110, or your equal opportunity law legal adviser.

Questions on disability discrimination

I have a physical disability and use a wheelchair. I can't enter my local chemist because there are two steps at the entrance. Has this shop discriminated against me because of my disability?

It may be indirect discrimination, because to gain entrance into a shop you may be expected to walk up steps. In other words, whoever is responsible for the shop is imposing a condition which may appear to be reasonable but is one you can't meet because of impairment. If a complaint is lodged we would look at what needs to be done to the shop to allow access. If renovations can be done easily and cheaply, that is a good result. However in a great number of older buildings renovations can be extremely expensive, and may be an unfair financial burden on the building owner. This is another complex question, and each case has to be treated on its merits.

We didn't mean to discriminate

One kind of discrimination is easy to recognise. For example, a nightclub owner refuses entry to someone in a wheelchair because the person might "upset" other people. This is direct discrimination. The owner is treating the person unfairly because of disability. The owner would not normally refuse entry to someone not in a wheelchair.

There is also discrimination that is harder to see. This is hidden or indirect discrimination. This happens when someone expects certain requirements or conditions to be met before providing a service, but the conditions can't be met because of disability.

For example, imagine that a TAFE college requires students in a particular course to watch videos as part of their learning. This indirectly discriminates against deaf students because they cannot follow videos which do not have subtitles.

Of course, the TAFE college may not mean to discriminate like this. Indirect discrimination often happens this way - when planners and responsible people have little idea of the needs of people with disabilities. But the effect is the same. In this example, deaf students are excluded. It is still discrimination, and it is still against the law.

A student might make a complaint of disability discrimination to the Equal Opportunity Commission. In responding to this complaint the college might begin to understand what deaf students need. The college could then hopefully fix the problem and make sure it didn't happen again.

For more information contact Michael Uniacke Equal Opportunity Commission Victoria
michael.uniacke@eoc.vic.gov.au or ring the Advice Line on 9281 7100, fax 9281 7171, TTY 9281
7110, Country FreeCall 1800 134 142

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