



PDCN News

Volume 4 Number 1...April 1998

PRESIDENT'S REPORT

This year has commenced with a flurry of activity. Many of the issues are actually ones that have been with us for some time (DDA Standards, changes to HREOC, changes to the Building Code of Australia), and some are new (State-wide access strategy, accessible transport trials and access to the Showground).

This edition of the Newsletter has updated information about many of the issues of concern to people with physical disabilities. You will note that PDCN has been very active in putting forward our position on these issues.

The Committee of PDCN can do only so much. It is imperative that all members get involved in those issues that affect them. It may be as simple as writing a letter to your local politician or it could involve joining one of our working groups and really getting involved.

Can I ask you to read this Newsletter with an eagle eye as to how you might help. If you think you can help, phone the PDCN office and speak to Lou-Anne or Shann, who can advise you of the best ways to help.

Have a great Easter break! Make sure that if you go to the Show you phone and tell us of your experiences. Only by speaking out can we expect things to be improved next year.

Regards
John Moxon (President)

EASTER SHOW HOTLINE

Did you go to the Show? Great or disaster?!?!

PDCN will be operating an Easter Show hotline on April 15th to get feedback on your experiences – getting there and back, getting around, facilities, how it compared to expectations.

Call us on 1-800-688-831 or 9299 2822.

STAFF APPOINTMENTS

Our new staff appointments have been finalised following 84 applications, and both have been working at a furious pace to catch up on the backlog from November.

Lou-Anne Lind, the part-time Project Officer, has worked for two years as Administrator in the electoral office of Independent MP Clover Moore. Lou-Anne also ran community consultations, undertook case-work projects, and assisted in parliamentary negotiations. Lou-Anne is completing her Honours thesis in Women's Studies in the Politics Department at the University of New South Wales.

Shann Preece, part-time Administration Officer, is completing a Master of Fine Arts from Sydney University while she is working for PDCN. Shann has travelled and worked overseas extensively, and has partly finished a Law degree at Macquarie University, specialising in Environmental Law.



SUBMISSIONS

Employment Standards

The PDCN has made a critical submission on Employment Standards, arguing that the Draft Standards are too vague, do not address many important issues, and is more in the way of “protection” for the employer rather than a document promoting the rights of people with a disability in the work place.

Nothing is said about unlawful dismissal, requirements of an employer to remove or prevent discrimination, work safety or methods of judging the inherent requirements of a job. There are no examples of what constitutes harassment or appropriate adjustment, nothing to explain the range of determinants that can occur when discrimination takes place and no mention is made of enforcement procedures. In short, the draft does not address the issues which make the unemployment rate of people with disabilities more than 3 times the national average!

PDCN believes that the Draft extends the areas where the employer can use the unjustifiable hardship defence beyond that provided in the DDA, and that the Standards would therefore be illegal. We have sought a pro bono barrister’s opinion on whether this is so or not.

Building Code of Australia

PDCN has completed its assessment of the draft Regulatory Impact Statement for amending the Building Code of Australia. Its a pity that we always have to be critical, but the methodology and the language of the statement are flawed at best, and fundamentally biased at worst.

A benefit which increases the proportion of people who will not need assistance in using a building from 33% to 86% and where 48% of directly affected people surveyed believe the change will increase the opportunity to participate in socio-economic activities is described as of only “**moderate importance**”!!!.

The draft ignores the effects on parents, spouses and friends; it ignores the benefits to pram-users; it ignores the “insurance value” to the whole population; and it assumes fully informed respondents. But most importantly, it prejudices the total impact as adverse in its introductory

sentence on the basis of the costs alone – independent of the benefits.

And, finally, it overestimates costs. In one case study, for example, the cost of a refurbishment on 2 floors of a 15-floor building (where the other 13 floors will not require refurbishment in the future) is estimated in the draft RIS as being born totally by the 2 floors being refurbished in 1996 rather spread over all 15 floors. The effect of such a spreading could decrease the cost impact of improving access from the current 22% to as little as 3%.

All in all, the draft is based on poor or biased Economics, cloaks subjective personal evaluations in a mantle of objectivity, and prejudices its conclusion without examining the whole.

Human Rights Amendment Bill

The PDCN has together with PDCA and its member organisations lobbied to get the Australian Senate (via the Labour opposition, Democrats, Greens and Independents) to strike down that part of the Human Rights Amendment Act which will remove the right of the Federal Court to award costs.

This is a critical amendment because it could subject a person who loses a complaint about Disability Discrimination to the risk of bankruptcy if the case gets to the Federal court. Although complainants can control their own costs, they can’t control the costs of the barristers that defendants assemble to justify their discrimination. **This amendment could kill the DDA – which is all we really have.** If you want to fax a letter to a Senator, give the office a call and we’ll give you the information.

NRMA Seminar on Parking

The NRMA is planning to sponsor a seminar to explore the options for people with disabilities who need to park in the Sydney CBD.

A range of speakers from organisations such as Sydney City Council, Tourism Task Force and the Paralympics Organising Committee will address the issues surrounding both on-street and off-street parking

The seminar will be held in early June, with a firm date and venue yet to be decided.

MEETINGS

Minister for Disability Services: Faye Lo Po' M.P.

John Moxon, Mark Relf and Lou-Anne Lind met with the Minister for Disability Services to present PDCN to the new Minister and to present our position on the issues which most affect people with physical disabilities. The Minister was given a copy of PDCN's draft *Position Papers '98*, outlining the current situation and our concrete proposals for changes on the wide range of issues which have been canvassed at consultations last year. (A copy of Position Papers '98 will be distributed later in the year.)

Director-General of ADD: Jane Woodruff

The Director-General (D-G) of the Ageing and Disability Department, Ms. Jane Woodruff, came to the March Management Committee meeting to discuss issues important to PDCN, to get a sense of the concerns of people with physical disabilities and to discuss specific access issues in which the PDCN could be actively involved.

Management Committee members raised the issues which have come out of the Strategic Planning Process and Consultations reported on in recent newsletters. The most critical of these are Access to the Built Environment, Access to Buses, Home/Attendant Care, and Aids and Equipment.

The Director-General promised to follow up on several issues, three of which are outlined below. The Minutes containing a full report of the meeting can be made available to interested members by contacting the office.

Statewide Access Strategy Reference Group

The D-G invited PDCN to nominate members to join a Reference Group involved in developing clear access strategy statements to assist the Olympic Co-ordinating Authority, the Department of Local Government and the Department of Transport in its development of a statewide access strategy. In this regard, Ms. Woodruff noted that the Premier had offered that the disability process involved in the Olympic Park railway station would be a benchmark against which other projects should be judged.

PDCN has nominated John Moxon, Mark Relf and Alan Quirk as the PDCN representatives.

Access to the City of Sydney

The D-G also advised that the Sydney City Council access committee has had a revival in the face of the Olympics, and called on PDCN to be involved in this process. Whilst there was some hesitation and concern expressed by members in making Sydney accessible at the expense of other areas, the D-G identified the Olympics as an opportunity to provide a best practice process which would then be a model in the rest of the State.

PDCN has nominated John Moxon, Mark Relf and Kim Rowles as PDCN representatives to this Committee.



TAFE Accreditation – calls for interest

The D-G asked PDCN through its members to be involved in advising Government agencies about access. The D-G plans to develop a project which could call on a list of people expert in disability to advise designers, architects, developers, Local Councils, and builders.

The D-G announced forthcoming advertisements (reproduced below) asking for expressions of interest. Ms. Woodruff felt that there would be few people with expertise in the full range of disability issues, and that there would probably need to be a training program possibly run through TAFE which would train interested persons in the full range of disability issues. The end result will be accreditation to be a paid advisor.

The development of an accreditation process is one of the PDCN Building Access Working Group's goals, and the training process is one in which the PDCN wants to involve its members

School Integration Progresses

Action for the Macrae Report, a coalition of nineteen disability groups (including PDCN), had a meeting with the Director General of School Education, Ken Boston, to express its dissatisfaction with the slowness of the school integration process. A subsequent meeting was chaired by senior department advisor, Dr. Terry Bourke. At last it appears we are being taken seriously and changes to improve integration are slowly happening. More details next newsletter, but two positives were that:

- the department agreed to establish a reference group to act as an advisory group to guide and oversee the implementation of the McRae Report (PDCN will be represented on that group)
- the Department is now prepared to discuss the setting up of an independent appeals body and we've been asked to provide input.

We appear to be making some headway after years of reluctance, a lack of consultation and a lack of information.

CONSULTATIONS FOR THE YEAR

PDCN has finalised the dates of our consultations for the coming year, though we still have not finalised venues. We do need help in the rural consultations, so if you are interested in helping organise in your local area, please give us a call. Dates for consultations are as below.

Rural – Mondays

4 May	Goulburn
22 June	North West – Moree, Narrabri, Gunnedah, /Coonabarabran
10 August	Lismore
14 September	South Coast – Bega, Nowra

Metropolitan - Saturdays

23 May	Hornsby
13 June	Hurstville
5 September	Penrith
31 October	Crows Nest – AGM

EXPRESSIONS OF INTEREST

NSW ACCESS STRATEGY/REGISTER OF ACCREDITED ACCESS ADVISORS

As part of a project to develop a NSW Access Strategy, the Ageing and Disability Department (ADD) is establishing a register of Access Advisors who will be accredited by ADD to provide advice on access issues for people with disabilities to the Department and other Government agencies.

In terms of the Strategy, "access" refers to access by people with disabilities to communications, transport, buildings and the built environment and covers all types of disabilities.

To become an Accredited ADD Access Adviser, applicants will be required to demonstrate

- personal experience of disability;
- a broad understanding of disability issues;
- knowledge of access requirements in building codes, Australian Standards, the NSW Anti-Discrimination Act 1977 and the Disability Discrimination Act (and associated standards);
- appropriate experience in assessing and/or monitoring access requirements in accordance with relevant Australian Standards and legislation; and
- an ability to work co-operatively with difference levels of government.

It is also desirable that applicants have a knowledge of the review of the Building Code of Australia.

Closing date 24 April, 1998. For further information and an application package please contact Maria Katrivesis by phone on (02) 9364 6961 or by TTY for people with hearing impairments on (02) 9364 6868.

Physical Disability Council of NSW provides a statewide representative voice by being the communication link between people with a physical disability and service providers, decision makers in government, the community and the business world.

For information on membership telephone 1800 688 831

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Contributions Welcome. NEXT EDITION DEADLINE: May 5th