

# Australian Council of Human Rights Authorities

## Communiqué

The Australian Council of Human Rights Authorities (ACHRA), which comprises the State, Territory and Federal human rights and discrimination authorities, have met in Sydney to consider a number of issues of common concern and interest.

A primary focus of the meeting is the continuing, systemic and serious barriers to equality of opportunity for people with disability across Australia. The Authorities identified the following issues, which require urgent and sustained attention:

- barriers to employment and work opportunities, including a failure to implement adjustments;
- barriers to the built environment and, as a result, limits on community participation;
- barriers to justice and equal protection before the law;
- negative attitudes towards people with disability that impact in all areas of life; and
- barriers to education, particularly at the compulsory school level.

The Authorities noted the following matters of particular concern:

### Employment and work opportunities

People with disability in Australia are significantly underemployed despite their capacity and merit. They face attitudinal barriers in recruitment and selection processes. Employers (including governments) not only fail to understand the capacity of people with disability, they are often unaware of their own obligations under discrimination laws. Having more inclusive recruitment practices and better understanding the level of support available nationally to implement workplace adjustments would mean people with disability are not excluded from the workforce.

### Built environment

Some progress has been achieved through the adoption of the *Disability (Access to Premises-Buildings) Standards 2010* (Cth). The 2015 review of those standards and their implementation is an important opportunity to consider what further work needs to be undertaken to ensure that the standards are being implemented effectively and achieving their capacity to make real and enduring positive changes for people with disability.

The Authorities noted the vital need to extend the work on accessible buildings to include universal design requirements for housing across Australia. The Authorities seek to ensure that the review is inclusive of people with disability and looks at the issues of access to the built environment beyond the technical coverage of the Premises Standards and considers the benefits of inclusive design for the community, including for children, older people and parents.

## Justice and rights

The Authorities noted the progress that has been achieved in South Australia in the development and implementation of its Disability Justice Strategy and the work of the Federal Disability Discrimination Commissioner on access to justice. Barriers to access to justice and equality before the law are significant for all people with disability, and in particular for people with cognitive impairments. The failure to ensure that people with disability experience equal protection and equal rights before the law and the formal support needed to achieve this reflects very poorly on Australian justice systems and requires urgent attention.

Specific justice issues discussed included access to the disability support pension for people in forensic psychiatric care.

## Education

Concerns were raised across the authorities about the experience of students with disability. All authorities continue to receive complaints on issues that are clearly covered by the *Disability Standards for Education 2005* (Cth). These complaints reflect a lack of attention to obligations under those standards and on ensuring that everyone involved in the provision of education understands the needs and rights of people with disability and adopts an inclusive approach to students with disability.

## Attitudes

The prevalence of negative stereotypes of people with disability results in prejudice and discrimination. These stereotypes therefore undermine our progress on achieving genuine and sustained equality of opportunity for people with disability. National leadership is required to promote understanding that everyone must challenge these attitudes.

Good societies are those that recognise inequalities and seek to ensure that the economic and social costs of inequality are removed.

## Other issues

The Authorities also discussed:

- respective roles in court and tribunal proceedings to assist with the development of discrimination law; and
- a co-ordinated information campaign to assist employees and employers to understand rights and obligations in relation to pregnancy and return to work after parental leave;
- impacts of institutionalisation and detention on vulnerable people, whether children or adults.

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