



# Women With Disabilities Australia (WWDA) Update Report July/August 2006

*Women With Disabilities Australia (WWDA) is the peak organisation for women with all types of disabilities in Australia. It is a not-for-profit organisation constituted and driven by women with disabilities. It is the only organisation of its kind in Australia and one of only a very small number internationally. WWDA is inclusive and does not discriminate against any disability. WWDA is unique, in that it operates as a national disability organisation; a national women's organisation; and a national human rights organisation (more information about WWDA can be found at the organisation's extensive website: [www.wwda.org.au](http://www.wwda.org.au)). Please find below a brief Update Report from WWDA for the months of July/August 2006. If you have any questions, or would like more information on anything in this report, please email Carolyn or Angela at: [wwda@wwda.org.au](mailto:wwda@wwda.org.au).*

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## **1. Submission to the Senate Inquiry into the Commonwealth/State/Territory Disability Agreement (CSTDA)**

On 11 May 2006 the Australian Senate announced an Inquiry into an examination of the funding and operation of the Commonwealth-State/Territory Disability Agreement (CSTDA). The Inquiry, being undertaken by the Community Affairs References Committee, is to report its findings to the Senate by 7 December 2006.

The Commonwealth State Territory Disability Agreement (CSTDA) provides the national framework for the delivery, funding and development of specialist disability services for people

with disabilities. Under the three agreements signed to date (the first being in 1991) all parties are responsible for funding specialist services for people with disabilities:

- the Australian Government has responsibility for the planning, policy setting and management of specialised employment assistance;
- state and territory governments have similar responsibilities for accommodation support, community support, community access and respite; and
- support for advocacy and print disability is a shared responsibility.

WWDA provided a detailed Submission to the Senate Inquiry. WWDA's Submission demonstrated that the CSTDA has failed, and continues to fail, women with disabilities in Australia. WWDA's Submission provides a detailed picture of the human rights situation of women with disabilities in Australia, in the context of the CSTDA. WWDA's Submission makes the following recommendation:

*Women With Disabilities Australia (WWDA), representing more than 2 million disabled women in this country, strongly recommends that the CSTDA make explicit recognition of the impact of multiple discriminations caused by the intersection of gender and disability by emphasising that women and girls with disabilities suffer particular disadvantages, including marginalisation and multiple discrimination, and that specific, targeted measures are needed to ensure full and effective enjoyment of their human rights and fundamental freedoms and full participation on the basis of equality. These specific measures should be reflected in the CSTDA policy priorities, priority issues, and bilateral activity 'themes'.*

A copy of WWDA's Submission to the 'Commonwealth State Territory Disability Agreement (CSTDA) Senate Inquiry' will soon be made available on WWDA's website. If anyone would like a copy of the Submission emailed to them, please contact the WWDA Office via email on: [wwda@wwda.org.au](mailto:wwda@wwda.org.au)

## **2. Submission to the Senate Inquiry into Women in Sport and Recreation in Australia**

The Australian Government recently undertook a Senate Inquiry into Women in Sport and Recreation in Australia. The Inquiry, conducted by the Senate Environment, Communications, Information Technology and the Arts Committee, is to be reported on to the Australian Parliament by September 2006. In late May, WWDA provided a written Submission to this Senate Inquiry. WWDA addressed the Terms of Reference in the context of women with disabilities and sport/recreation in Australia.

As a consequence of WWDA's written Submission to the Senate Inquiry, WWDA was asked to appear before the Senate Committee to discuss the issues raised in our Submission. Sue Salthouse (WWDA Vice President) represented WWDA at the Senate Inquiry. As first witness on 4 August, the full complement of committee members did not appear. However, Senator Kate Lundy and Senator Andrew Bartlett (Chair) gave an opportunity for more detailed discussion of the matters raised in the submission. The Hansard transcript of the meeting will be available in September.

A copy of WWDA's Submission to the 'Senate Inquiry into Women in Sport and Recreation in Australia' will soon be available on WWDA's website. If anyone would like a copy of the Submission emailed to them, please contact the WWDA Office via email on: [wwda@wwda.org.au](mailto:wwda@wwda.org.au)

### **3. WWDA Meeting with UN Special Rapporteur on Adequate Housing**

In early August, WWDA participated in a Roundtable meeting with the United Nations Special Rapporteur on Adequate Housing, Miloon Kothari. WWDA was represented at the meeting by Annie Parkinson (WWDA President) who gave a presentation on '*Gender, Disability & Housing in Australia*'. WWDA's presentation addressed a range of issues relating to women with disabilities and housing, including: Lack of Income and Vulnerability to Poverty; Discrimination; Lack of Low Cost Housing; Safety/Location; Women With Disabilities Escaping Violence; Additional costs of living with a disability; Deinstitutionalisation; Lack of data.

Throughout his visit and consultations, the Special Rapporteur identified a serious hidden national housing crisis in Australia. Whilst he took note of some positive initiatives and programs from the part of the Government (such as the Supported Accommodation Assistance Program (SAAP) or the 'fixing houses for better health' initiative), the Special Rapporteur noted the lack of recognition in policies and legislations and government planning of economic, social and cultural human rights at federal and state levels.

A Copy of the UN Press Release (23 August 2006) on the Special Rapporteur's visit and findings, is provided as an Appendix to this Bulletin. If anyone would like a copy of WWDA's paper on '*Gender, Disability & Housing in Australia*' emailed to them, please contact the WWDA Office via email on: [wwda@wwda.org.au](mailto:wwda@wwda.org.au)

### **4. Resource Manual on Violence Against Women With Disabilities Project - Update**

Much of WWDA's work over the past couple of months has concentrated on its national project under the Domestic and Family Violence and Sexual Assault funding program (Australian Government, Department of Family, Community Services and Indigenous Affairs). WWDA's project is focusing on the development and production of a Resource Manual on Violence Against Women With Disabilities.

The information WWDA is incorporating into the Resource Manual includes:

- Information for women's refuges and crisis services about how to develop accessible services and programs;
- Information about violence against women with disabilities – for women with disabilities; service providers; and the broader community;
- A comprehensive literature review, including an annotated bibliography of published literature on the issue;
- An annotated bibliography of resource materials worldwide;
- Narratives, poetry, and artwork from women with disabilities who have experienced violence including strategies they used to break the cycle;
- A guide to services and support at national, state/territory and regional levels.

The Resource Manual is being developed into a series of four Booklets (with accompanying CD Rom). The four Booklets are almost completed to draft stage. WWDA has received contributions from women with disabilities which are being incorporated into a Booklet of Narratives, Poetry and artworks. It is anticipated that the Resource Manual will be available by the end of the year.

If anyone would like more information on the Project, please contact Carolyn Frohmader (Project Manager) at the WWDA Office via email on: [wwda@wwda.org.au](mailto:wwda@wwda.org.au).

## **5. Advancement through Advocacy for Women With Disabilities Project - Update**

As previously reported in WWDA's last Update Bulletin, the Advancing through Advocacy for Women with Disabilities Project (funded by the Australian Government through the FaCSIA Women's Leadership & Development Programme), is developing a Register of women with disabilities who are available to undertake representative work on behalf of WWDA.

The overall aim and long term goal of this project is to improve the status of women with disabilities through systemic advocacy. The major objective of the Project is: 'to enhance WWDA's capacity to promote the participation of women with disabilities in all aspects of social, economic, political and cultural life.' Specifically, the Project will:

- Develop systems and processes whereby women with disabilities can be identified, trained and recruited to act as advocates to improve the status of women with disabilities;
- Develop the necessary tools to support women with disabilities in their representative and advocacy roles;
- Research and identify representation, leadership and systemic advocacy opportunities for women with disabilities.

The Registration Proforma was finalised in early August and sent out to the 80+ women already on a fledgling Register. The Proforma is accompanied by a *Curriculum Vitae* Proforma. These two Proforma will enable the Register Administrator to keep information in a standard form on a data base, and they form an essential tool for managing the Register as it increases in size. The Proforma seems to have disappeared into the ether – with only a few returned after the passage of a couple of weeks.

**WWDA appeals to those who have already received the Proforma to complete and return them to Sue Salthouse. This can be done by email to [sudata@optusnet.com.au](mailto:sudata@optusnet.com.au), or by snail mail to 4 Dietrich Place, Chisholm ACT 2905.**

It is certainly not too late to register. Women with disabilities should contact Sue Salthouse for further information (Ph: 02 6291 6842).

In addition, a Register of Advocacy Bodies is being developed by committee member Sheila King. The Project is liaising with the Administrators of State/Territory/Commonwealth Registers for Women, and is encouraging all its registrants to put their names down at this level too. In this way we can maximise the possibility of making effective placements of women with disabilities on advisory boards and committees.

## **6. Young People with Disabilities in Residential Aged Care**

Minister for FaCSIA, The Hon. Mal Brough convened a fourth consultation meeting with representatives of non government organisations with members who are young people living in Residential Aged Care facilities. The purpose of the meeting was to report on progress with bilateral negotiations with the States/Territories since the last meeting in March of this year of this

group. Sue Salthouse represents AFDO on this group. AFDO has had additional talks with other representatives on the consultative group in the interim. Funding for the programme amounts to \$122 million over 5 years, subject to matching commitments from State/Territory governments, plus funding for administration costs. The COAG February meeting agreed in principle to matching this amount, thereby raising the total to \$244 million dedicated to this initiative.

In a press release of 8 May 2006, Mr. Brough said the Australian Government will be working closely with state and territory governments to reduce the number of younger people with a disability in residential aged care.

*"Younger people with a disability in residential aged care, with an initial priority given to those under 50, will be able to have their needs assessed and appropriate alternative arrangements, including accommodation, will be offered where care can be made available,"* Mr. Brough said. The choice to move from an aged care facility will be voluntary.

In his latest Media Release on the subject (15 August 2006) Minister Brough announced the finalisation of bilateral agreements with South Australia, Queensland and Victoria.

## **7. WWDA Presentation to National Conference on Women & Industrial Relations**

WWDA was invited to participate in a national conference on women and industrial relations, organised jointly by the Queensland Women's Working Service (QWWS) and the Griffith Business School of the Griffith University and held in Brisbane in mid-July. Sue Salthouse participated in a panel *"Women, Work and Welfare"* along with the Hon. Sharman Stone (Minister for Workforce Participation), Julia Perry (Social Analyst) and Marie Coleman (National Foundation for Australian Women and coordinator of the What Women Want consortium).

Sue Salthouse presented a paper entitled *"Constant Bridesmaids"*. The intersection of the Work Choices and Welfare to Work legislation may coincide to effectively lock out of meaningful work young women with disabilities who will be placed into the Newstart income support stream from 1 July this year. Time will tell if they are to become the *"Constant Bridesmaids"*, always wanting, but never getting the work placements they aspire to. At this stage it is impossible to know what the outcomes of the legislation will be for women with disabilities.

A copy of WWDA's paper *"Constant Bridesmaids"* will soon be made available on WWDA's website. If anyone would like a copy of the paper emailed to them, please contact the WWDA Office via email on: [wwda@wwda.org.au](mailto:wwda@wwda.org.au)

A synopsis of the paper was printed in the Community Newspaper for the Brisbane area.

## **8. Monitoring the new workplace environment**

All Ministers and a large number of community organisations are currently interested in monitoring the affects of the twin legislations of Welfare to Work and Work Choices. Most monitoring processes involve the collection of case studies outlining the experiences of people looking for and working under the new system. WWDA is a part of the What Women Want

(WWW) consortium of more than 60 women's organisations, and is participating in deciding on the direction the current WWW monitoring of industrial relations changes will take.

In 2005, the WWW consortium commissioned the National Centre for Social and Economic Modelling (NATSEM) to look at the distributional impacts of the industrial relations legislation on single parents and on people with disabilities. In 2006, WWW has teamed with HREOC and the Women's Electoral Lobby (WEL) to commission Women in Social and Economic Research (WiSER) to undertake the first part of the monitoring process. WiSER have a report on the Women's Employment Status Key Indicators at a draft stage already.

The WWW consortium needs additional funds to enable us to commission the larger long term research project which will use these indicators to shape a comprehensive study of the affects of the legislation on women. The present proposal is to include case studies of 100 women.

Anyone or any organisation interested in contributing to the research fund (tax deductible through donations to the National Foundation of Australia Women) should contact Sue Salthouse for further information ([sudata@optusnet.com.au](mailto:sudata@optusnet.com.au)).

## **9. UN Convention on the Rights of Persons with Disabilities - Update**

As reported in WWDA's last Update Bulletin, the eighth session of the Ad Hoc Committee negotiating the UN Convention on the Rights of Persons with Disabilities is scheduled for 16-25 August 2006. The Chair has made it clear that the eighth session will only deal with articles that have issues remaining, and settled matters will not be revisited for discussion. The articles with 'difficult' issues remaining include:

- Article 12 – Equal recognition as a person before the law;
- Article 17 – Protecting the integrity of the person;
- Article 25 – Health;
- Article 34 – International monitoring

The revised working text of the UN Convention on the Rights of Persons with Disabilities can be found at:

<http://www.un.org/esa/socdev/enable/rights/ahc7ann2rep.htm>

Women With Disabilities Australia (WWDA) has concerns regarding the Australian Government's position on Article 34 – International monitoring. The position of Australian delegations to sessions of the Ad Hoc Committee to date, has been to NOT support a complaints mechanism in the final Convention. This position is on the basis that *'many of the rights are duplicated in other Conventions with existing complaints mechanisms, and the establishment of an additional complaints mechanism is not in accordance with Australia's treaty body reform objectives'* (Attorney General's Department & Department of Families, Community Services and Indigenous Affairs, June 2006).

Women With Disabilities Australia (WWDA) believes that the final UN Convention on the Rights of Persons with Disabilities MUST contain a complaints mechanism, and has communicated this in writing to the Australian Government (to both the Federal Attorney General and the Minister for Families, Communities & Indigenous Affairs).

WWDA recently received a response from both the Federal Attorney General (Philip Ruddock) and the Minister for Families, Communities & Indigenous Affairs (Mal Brough). Both letters

expressed the same position. A copy of the response from the Attorney General Philip Ruddock is attached in Appendix 2 of this Bulletin.

## **10. WWDA Presentation to ACTCOSS Conference**

The ACTCOSS conference - *"Lifting the Chill: Rights and Reform in a Cold Climate"* - held in Canberra in mid-August looked at a range of social capacity and human rights issues. Sue Salthouse (WWDA Vice President) participated in the panel *"Welfare to Work: Resistance and Repercussions"* with Andrew Johnson (ACOSS) and Marie Coleman. The WWDA paper *"Ice Maidens"* was an updated and adapted version of the paper presented in Brisbane. It expanded on the conference title and examined the situation likely to affect young women with disabilities, whom the Job Capacity Assessors will deem eligible for the Newstart Allowance under the Welfare to Work system. The panel paid particular attention to the trends which are leading to increased rates of failure to meet Newstart Allowance obligations, and the long term consequences of being without any form of income for 8 weeks. It is impossible to predict the actual outcomes for women with disabilities at this stage.

## **11. Telecommunications Consumer Representation Grants**

WWDA has been successful in obtaining a grant from the Department of Communication, Information Technology & the Arts (DCITA) for the 2006-07 financial year to enable it to support representatives on the TEDICORE Project Advisory Board and the Telstra Disability Forum. It also enables members of the WWDA Telecommunications Group to make submissions to government and the various communications bodies on matters of concern to women with disabilities, and to conduct action research.

In addition WWDA has been successful in obtaining a separate small grant from DCITA for the 2006-07 financial year to enable it to participate in the Australian Communication Industry Forum (ACIF) Disability Council (DC). ACIF has recently formalised its registration process for consumer organisations which have representatives on the Disability Council and its Consumer Council. Sue Salthouse (WWDA Vice President) was elected as the Vice Chair of the ACIF Disability Council at its August meeting.

WWDA has also completed a submission to the Allen Consulting Group (ACG) for its review of the operation of the Telecommunications Industry Ombudsman Scheme.

In response to individual enquiries received via *wwda-discuss*, WWDA Telecommunications Group members have given information on where to get advice on broadband services.

## **12. WWDA Radio Interviews: 3CR Melbourne & 2XX Canberra**

WWDA Industrial Relations spokesperson, Sue Salthouse, was interviewed in early July by the Melbourne Community Radio station 3CR as part of their National Women's Current Affairs Programme. The discussion centred on the likely affects on women with disabilities of the Work Choices and Welfare to Work legislation and the new workplace environment.

In early August, Sue was the guest of the regular weekly Community Affairs programme hosted by ACTCOSS on the ACT Community Radio station 2XX. The discussion here also touched on the

work and job search scenario for women with disabilities, but also encompassed a run down on the activities of the ACT women with disabilities group (WWDACT).

### **13. WWDA Presentation to the Workplace Training Advisory of Australia 'Australian Women & Leadership Forum'**

Sue Salthouse (WWDA Vice President) presented a talk on leadership at the mid-August Forum conducted by WTAA in Canberra. Coping with day to day life for many women with disabilities means that they develop many of the characteristics sought in leaders in the workplace. Experts in planning, tenacious in problem solving, resolute in seeing tasks through to completion are just some of the skills held by women with disabilities. Ironically, they are often overlooked for promotion and leadership development in the workplace. The women leaders, mostly from the Territory or Australian Public Service, had an opportunity to consider giving women with disabilities a chance to participate to capacity in the workplace.



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## **Appendix One: United Nations Press Release by Special Rapporteur on Adequate Housing**

**23 August 2006 -- The Special Rapporteur on adequate housing as a component of the right to an adequate standard of living, Miloon Kothari, concluded his visit to Australia on 15 August 2006.**

During his visit, which started on 31 July, the Special Rapporteur visited various urban and rural locations, in the Australian Capital Territory, New South Wales, Queensland, Northern Territory, South Australia and Victoria to examine the status of realization of the right to adequate housing in Australia, with particular attention to aspects of gender equality and non-discrimination. Throughout his visit, the Special Rapporteur held extensive talks with representatives of the Australian Government at federal and state level, and with representatives of the civil society, including social workers, support services, academics, women groups and Indigenous representatives.

On the last day of his mission, the Special Rapporteur shared his preliminary observations with the Australian authorities. Whilst he took note of some positive initiatives and programs from the part of the Government (such as the Supported Accommodation Assistance Program (SAAP) or the "fixing houses for better health" initiative), the Special Rapporteur noted the lack of recognition in policies and legislations and government planning of economic, social and cultural human rights at federal and state levels.

Throughout his visit and consultations, the Special Rapporteur identified a serious hidden national housing crisis in Australia. This crisis affects many sections of the population, and though having a critical and direct impact on the most vulnerable groups of the population, it also impacts on other segments of Australian society, including middle and low-income households. The Special Rapporteur also pointed to the lack of reliable disaggregated data on the number of people affected by these issues

Mr. Kothari pointed out the widespread problem of homelessness, the lack of affordable housing, a dwindling public housing stock, long waiting periods for access to public housing, and inadequate government provisions for long term safe housing, particularly in rural areas, was affecting a wide range of people and vulnerable groups across Australia. The Special Rapporteur identified a number of vulnerable groups for which there is an urgent need to address the situation including homeless people, Indigenous peoples, children, people with disabilities and health problems (including mental health), peoples with low income, refugees and asylum-seekers, migrants, prisoners and persons released from detention, youth, elderly, persons with complex needs (e.g. HIV/AIDS, sexual minorities), single parents and individuals and communities in rural and remote areas. The Special Rapporteur also noted the particular negative impact of the housing situation on women, including women affected by domestic violence, women in rural and regional Australia, pregnant women, women with new-born children and single women with elderly children.

According to the Special Rapporteur, the problem of affordability and the home-ownership model has left aside all those sections of society that do not have enough means for purchasing their homes and those that face serious discrimination, especially in the private rental housing market.

The Special Rapporteur expressed his concerns on the poor housing conditions in the Indigenous communities he visited. In this regard, he noted that legislations affecting Indigenous peoples land rights, including the recently adopted amendments to the Aboriginal Land Rights Act (Northern Territory) 1976 may have negative impacts on the right to adequate housing of the concerned communities.

The Special Rapporteur was equally troubled by information that some civil society organizations having raised criticisms toward the state policy or engaged in advocacy on housing issues have been or may be defunded in the future.

In his preliminary observations, the Special Rapporteur issued several recommendations, including:

- A human right to adequate housing approach with the primary task of meeting the needs of the most vulnerable should be adopted. The principles of non-discrimination, gender equality and indivisibility of human rights need to be rigorously applied.
- A national housing policy based on human rights should be put into place. Given the critical importance of housing in the lives of Australians, the Government at the Federal level may wish to consider having a Ministry with a portfolio solely on housing,
- Addressing Homelessness and its causes should be listed as a priority for the Government,
- The Special Rapporteur suggests that Indigenous Peoples are given a genuine participatory role in their affairs, through an independent, well-resourced, national body or an organ representing all communities. This constitutes the only way to achieve the required social goals, especially in the area of housing and land rights,
- He recommends the Australian Government to urgently address what can be considered as a humanitarian tragedy of the lack of housing and civic services areas belonging to Indigenous Peoples.

The final report on this visit will be presented to the Human Rights Council.

The document containing the Special Rapporteur preliminary observations can be found at:  
[http://www.ohchr.org/english/issues/housing/docs/preliminary\\_observations\\_230806.doc](http://www.ohchr.org/english/issues/housing/docs/preliminary_observations_230806.doc)

## **Appendix Two: Letter from Federal Attorney General re UN Convention**

Attorney General  
The Hon Philip Ruddock MP

Ms Annie Parkinson  
President  
Women With Disabilities Australia  
PO Box 605  
ROSNY PARK TAS 7018

9 August 2006

Dear Ms Parkinson

Thank you for your letter regarding the United Nations Draft Convention on the Rights of Persons with Disabilities and expressing WWDA's support for the inclusion of international monitoring provisions in that Convention.

A delegation from Australia will attend the eighth session of the Ad Hoc Committee from 14 to 25 August 2006 in New York. As you note in your letter, the Chair of the Committee has noted that the purpose of the eighth session will be to focus on the issues which remain unsolved, one of which is consideration of any international monitoring mechanism.

The Ad Hoc Committee itself has not considered the issue of international monitoring in detail. However, several options have been put forward recently by other States. The Australian Government is considering these proposals and is participating actively in informal sessions to create a draft text which will be used as the basis for discussion at the Ad Hoc Committee meeting in August.

Australia's position is that any international monitoring mechanism should be consistent with its treaty body reform objectives. In recent years, Australia and many other States have been actively pursuing a treaty body reform agenda in the UN to improve the treaty bodies' effectiveness and efficiency in monitoring and presenting concluding observations and recommendations on human rights abuses. Whilst there have been improvements in the workings of the treaty bodies in the last four years, further work still needs to be done. The Australian Government retains some concern that to add an additional treaty body to the current seven UN bodies would place more pressure on an already inefficient and under funded system.

The Australian Government's position is that many of the rights in the draft Convention are duplicated in existing human rights treaties. Australia already reports under six of the seven treaties, including in relation to the corresponding rights of persons with disability.

The Australian delegation will, however seek to work cooperatively with other delegations to that Ad Hoc Committee in exploring possible options for some form of international monitoring mechanism that both protects the rights of persons with disability and also recognizes the inherent problems that exist with the current UN human rights treaty body system.

Thank you for your raising your views on this important issue. I trust this information is of assistance to you.

Yours sincerely

Philip Ruddock