



# Women With Disabilities Australia (WWDA) Update Report January/February/March 2007

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 January/February/March 2007. 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. Sterilisation of Children with Intellectual Disabilities -Update

In previous Bulletins, WWDA reported on its systemic advocacy work in relation to the Federal, State & Territory Government's proposal to develop draft national, uniform legislation which sets out the procedures that jurisdictions could adopt in authorising the sterilisation of children who have an intellectual disability. In November 2006, the Standing Committee of Attorneys General (SCAG), (the national ministerial council made up of the Australian Attorney-General and the State and Territory Attorneys-General), released for consultation with selected stakeholders, its draft Bill (*Children with Intellectual Disabilities (Regulation of Sterilisation) Bill 2006*).

Over the past few months, in response to the draft *Children with Intellectual Disabilities (Regulation of Sterilisation) Bill 2006*, WWDA has actively sought to re-iterate its recommendation to the Australian Government and the Standing Committee of Attorneys-General (SCAG) that:

**the Federal Government develop universal legislation which prohibits sterilisation of children except in those circumstances which amount to those that are a serious threat to health or life. In the case of adults, WWDA also strongly recommends that sterilisation be prohibited in the absence of the informed consent of the individual concerned, except in those circumstances where there is a serious threat to health or life.**

WWDA wrote formally to a wide range of stakeholders, both within and outside Australia, to not only raise awareness of the development of the *Draft Children with Intellectual Disabilities (Regulation of Sterilisation) Bill 2006*, but also to seek endorsement and support of WWDA's position on the issue.

WWDA has received a large number of responses to our advocacy campaign, and these continue to come in to the WWDA office. WWDA has been heartened by the level of support we have received for our position, and our work, on this issue. WWDA's position has been supported by a number of organizations and individuals, including for example the United Nations Children's Fund (UNICEF) and the United Nations High Commissioner for Human Rights. Part of UNICEF's response, when discussing Australia's commitment to the Convention on the Rights of the Child (CRC), makes it quite clear that:

*'Children with disabilities, like all children, should enjoy all the rights set forth in the CRC. In this context, UNICEF believes that measures, including discriminatory laws which fail to consider children with disabilities on an equal basis with other children represent a profound violation of the Convention (January 7, 2007).*

The response from the United Nations High Commissioner for Human Rights, states (in part):

*In its 2006 General Comment No. 9 on the Rights of Children with Disabilities, the Committee on the Rights of the Child expressed its deep concern about "the prevailing practice of forced sterilisation of children with disabilities, particularly girls with disabilities." The Committee emphasized that forced sterilization "seriously violates the right of the child to her or his physical integrity and results in adverse life-long physical and mental health effects." The Committee urged States parties to "prohibit by law the sterilisation of children on grounds of disability." (January 19, 2007).*

And,

*Australia is also a party to the International Covenant on Economic, Social and Cultural Rights. The Committee on Economic, Social and Cultural Rights in its 1994 General Comment No.5 on Persons with Disabilities referred to the Standard Rules on the Equalization of Opportunities for Persons with Disabilities, adopted by the General Assembly on 20 December 1993, stating that "persons with disabilities must not be denied the opportunity to experience their sexuality, have sexual relationships and experience parenthood". The Committee emphasized that "[b]oth the sterilization of, and the performance of an abortion on, a woman with disabilities without her prior consent are serious violations of article 10 (2) [of the International Covenant on Economic, Social and Cultural Rights]". (January 19, 2007).*

(A copy of both these responses from the United Nations are attached as an Appendix to this Update Report and are also available on WWDA's website, along with the Committee on the Rights of the Child Concluding Observations of Australia's report to the CRC under Article 44 of the Convention).

WWDA understands that the Standing Committee of Attorneys-General (SCAG) next meets in April 2007, where the draft (*Children with Intellectual Disabilities (Regulation of Sterilisation) Bill 2006*) and the outcomes of the consultations, will be on the agenda. In recent correspondence to WWDA from the Victorian Department of Justice (Civil Law Policy) WWDA has been advised that:

*'An outcome of the consultation process is that a number of stakeholders have raised important issues in relation to the draft model Bill which will require the Working Group to revisit certain key aspects of the draft Bill. While it is our view that the draft Bill provided to WWDA for comment has been superseded due to the issues raised by stakeholders in relation to it.....' (22 March 2007).*

WWDA is continuing our systemic advocacy work in this area, and has recently updated the WWDA website so that information relating to our current campaign is available. The following information can now be found on the WWDA website:

- WWDA Systemic Advocacy on the Unlawful Sterilisation of Minors with Disabilities - Background, Context & WWDA Position;
- Draft Children with Intellectual Disabilities (Regulation of Sterilisation) Bill 2006 [PDF version only];
- Standing Committee of Attorneys General (SCAG) Issues Paper on the Sterilisation of Intellectually Disabled Minors (September 2006);
- Responses to WWDA's Sterilisation Advocacy Campaign (includes: Responses from the United Nations; Responses from Politicians; Other Stakeholders; Government Departments/Agencies; Submissions from Other Organisations/Bodies to the Draft Bill);

Go to: <http://www.wwda.org.au/steriladv07.htm>

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

Following the adoption of the United Nations Convention on the Rights and Dignities of Persons with Disabilities (CRPWD) on 13 December 2006, WWDA wrote to the Prime Minister, John Howard, urging the Australian Government to show its leadership and commitment to Human Rights by being one of the early signatory nations to the UN Convention on the Rights and Dignities of Persons with Disabilities. This cannot be done until after 30 March 2007. Copies of WWDA's letter to the Prime Minister were distributed widely including all current members of Parliament. To date, WWDA has not received a response from the Prime Minister to our correspondence. The Australian Government has not yet indicated whether it intends to sign the Convention.

WWDA was pleased to see action taken early in the new parliamentary year when, on 6 February, Greens Senator Rachel Siewert from WA, tabled notice of a motion to be brought on the second sitting day of the Senate. The motion asked that the Senate:

*a) Welcomes the adoption in December 2006 by the United Nations of the Convention on the Rights and Dignity of Persons with Disabilities; (and)*

*b) Asks the government to show leadership at home and to the international community by being one of the first countries to be a signatory to the convention when this is possible after 30 March 2007.*

The question was put and passed. The Hansard record may be viewed at:

[http://parlinfoweb.aph.gov.au/piweb/view\\_document.aspx?TABLE=JOURNALS&ID=107188](http://parlinfoweb.aph.gov.au/piweb/view_document.aspx?TABLE=JOURNALS&ID=107188)

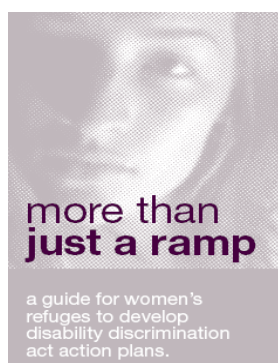
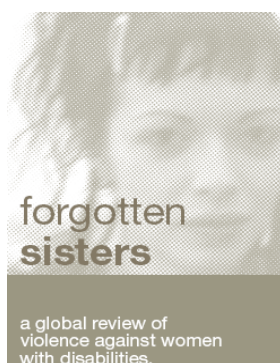
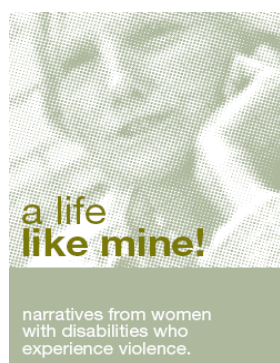
WWDA thanks Senator Siewert for this support of people with disabilities in Australia.

## 3. WWDA Violence Resource Manual - Update

Much of WWDA's work over the past few 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 Manual is made up of a series of four Booklets which are also being provided on an accompanying CD Rom in audio format. WWDA completed the four Booklets to final draft stage prior to December 2006, and is still awaiting final approval from the Office for Women (Commonwealth Department of Family, Community Services and Indigenous Affairs).

WWDA has already received a large number of pre-orders for the Manual. If you would like to register your interest in receiving an Order Form for the Manual, please contact Angela at the WWDA Office via phone (03 6244 8288) or email [wwda@wwda.org.au](mailto:wwda@wwda.org.au)



## 4. Advancing through Advocacy for Women With Disabilities Project - Update

The Project "Advancing Through Advocacy for Women With Disabilities" has now officially finished. The Project was conducted from April to December 2006 with funding from the Australian Government through FaCSIA's OfW Women's Leadership and Development Program. The three primary Project objectives were to build a database Register of WWDA constituents capable of, and willing to do representative work; to build a database of potential representative positions, and to develop the guidelines which would promote and support high standards of representative work. Particular focus was on areas identified in the WWDA Strategic Plan 2004-2009.

As a result, WWDA now has a functioning Register, and is regularly sending information about representative opportunities to register members. A number of women who have not previously undertaken representative work for the organisation have been invited to do so. WWDA's capacity to fulfill invitations to represent our constituents has been substantially increased. We expect to build on this capacity, to increase our representative base, and through this to assist in improving the status of women with disabilities in Australia.

The final report for the project was finalised at the end of January 2007, and is ready for FaCSIA approval. Its Executive Summary will be published widely, including via *wdda-discuss*, and a hardcopy will be included in the mail distribution of the next WWDA Update Bulletin. Complete electronic copies will be available on request. Hardcopies of the report will be distributed to relevant Australian parliament, state and territory politicians as well as to government officers and a number of interested community organisations.

The WWDA Guide for Representatives which was developed as part of the Project is ready for distribution to Register members. As noted above, we ask existing Register members who have not already sent their postal address to us to do so as soon as possible so that a Representatives' Kit can be forwarded.

At the end of December there were 108 women on the Register. Expressions of interest have continued to come in during January this year, and it is hoped that we will continue to build our numbers during 2007. WWDA also continues to build its database of advisory body positions, and welcomes enquiries for representatives from all sectors of the community. As noted in the November-December 2006 Bulletin, contact has been made with all government Women's Register Administrators. This contact is one of the methods WWDA is using to obtain notification of position vacancies. During the course of the Project, 60 representation opportunities were canvassed to Register members. Forty-four percent of the positions offered were with NGO organisations. Naturally, although the Register system is now in place, there will be ongoing challenges in having the capacity to administer the Register and keep it up to date, and to ensure that we maximise the number of placements of our Register members into significant representative positions.

**NOTE:** Women with disabilities who have already registered on the WWDA Register, but who have not yet forwarded their snail mail address are urged to contact the Register Administrator on 02 6291 6842 or send the relevant address details direct to [sudata@optusnet.com.au](mailto:sudata@optusnet.com.au).

Any woman with disabilities who is interested in representation work with WWDA should register by contacting the Register Administrator on 02 6291 6842 or [sudata@optusnet.com.au](mailto:sudata@optusnet.com.au).

## 5. Communications Representation Project - Update

The Communications Alliance (CA) Disability Council (DC) had its quarterly meeting in mid February. Matters under consideration included:

- (a) **defining the role of people who may act as advocates** in the signing of phone contracts for people with disabilities. Difficulties have arisen particularly with people with intellectual disabilities, who may be vulnerable to making errors of judgement in this area. At present Telecommunications Companies (Telcos) have a different interpretation of who can fulfill this role compared to disability organisations such as the National Council for Intellectual Disability.
- (b) **developing a Single Consumer Code** which will operate for Telcos. Currently there are 6 Consumer Codes in operation, and this exercise will combine them into a single Telecommunications Consumer Protection Code (TCPC). To view the existing Communications Alliance published Codes go to:

<http://www.commsalliance.com.au/documents/codes>. The scheduled publication date for the TPCP is mid year to coincide with the 10<sup>th</sup> anniversary of the Telecommunications Act.

- (c) **VoIP information - low-cost computer to computer telephony.** The CA has produced a VoIP Booklet "*So you want a VoIP Phone Service*" for Customers. This may be viewed at: [http://www.commsalliance.com.au/data/page/13230/VoIP\\_Booklet\\_Dec06.pdf](http://www.commsalliance.com.au/data/page/13230/VoIP_Booklet_Dec06.pdf). WWDA has a limited number of hardcopies available. Please ask for a copy via [sudata@optusnet.com.au](mailto:sudata@optusnet.com.au) or [wwda@wwda.org.au](mailto:wwda@wwda.org.au) and it can be forwarded to you.
- (d) **Priority Assistance for Life Threatening Medical Conditions.** This Code, ACIF C609:2007, specifies the minimum requirements for the provision of the highest level of service practically available to customers who suffer from a diagnosed life threatening medical condition. It includes consideration of connection and fault rectification for **residential Standard Telephone Services**.

If you are a person with a life threatening medical condition and are not yet registered for Priority Assistance with your phone service provider (e.g. Telstra, Optus), please contact them for further information. You will have to get medical verification of your condition. However, this now only has to be done every 3 years.

Not all problems are solved. Competition and the proliferation of Telcos has meant that there may be up to 3 service providers involved in the delivery of your Standard Telephone Service. You may only be aware of the company to whom you pay bills. All these Telcos have to coordinate with each other in order to fix your phone service when a fault occurs. In most cases Telstra actually owns the infrastructure. DO NOT let this deter you from registering. The Code may be viewed at: <http://www.commsalliance.com.au/documents/codes/C609>.

- (e) **Information on Accessibility Features for Telephone Equipment** (ACIF C625:2005). This Code was mentioned in the last Update Bulletin of 2006. It continues to be of great importance, requiring equipment importers and manufacturers to provide information to Carriage Service providers (CSPs) on features of their equipment that will meet people's communications needs. There is a uniform matrix of information to be filled out. A CADC concern is that some manufacturers have already begun to supply this information to the Telcos but it is not yet reaching those who deal with customers with disabilities. PLEASE ask your retailer how to contact the equipment supplier so that you can get a copy of the matrix.

## 6. What Women Want - Work Choices Update

The What Women Want (WWW) Project, Phase II, continues to also collect information from individual interviewees. This research will continue throughout 2007. The WWW Project is supported by the more than 60 women's organisations affiliated with the 4 Secretariats of the OfW. At present, as outlined above, a series of Roundtable discussion groups are being held in various locations around the country. Notification of the dates, times and places for these will continue to be sent out as it comes to hand via wwda-discuss network, as well as the networks of all the Secretariats, and all member organisations. Coordination of the results of the Roundtable meetings will be done in mid April, with a full report due after the middle of the year.

Although it is still early days since the introduction of the WorkChoices legislation there have been many research reports published in the last couple of months which do point to a quantifiable, negative impact on workplace payment and conditions, especially for women. Notable among these is the report from Dr Alison Preston of Curtin University and from Dr David Peetz of Griffith University. Dr Peetz has found that women with disabilities (and sole mothers) are particularly disadvantaged by the inter-action of WorkChoices and the Welfare to Work changes. The Newstart Allowance is already \$20-\$40 a week less than a Disability Support Pension, and carries extremely high Effective Marginal Tax Rates. On top of these hardships there is the risk of *'breaching'* Mutual Obligation conditions. For instance a woman with disabilities who is offered, but refuses to take, a job on an AWA risks being *'breached'* and without income for eight weeks. It is immaterial that the job offered may be impossible for her to do given the constraints of her disability, or that it may have punitive conditions such as no penalty rates, no overtime pay, no meal breaks, no shift allowances, no leave loading, no redundancy pay and only pays minimum wage.

Dr Peetz' research is showing that in retail and hospitality real wages have diminished by 1% in the time since the introduction of WorkChoices, and that the percentage of AWAs which have poorer workplace conditions has risen markedly.

Already, between 2002 and 2004, Dr Alison Preston, has found that the gender wage gap amongst non-managerial employees on AWAs deteriorated by 19.6 percentage points to 79.6%, compared to a lesser wage gap of 87.5% for non-managerial employees on Registered Collective Agreements. It is clear that an analysis of non-managerial positions must be kept separate from that of managerial positions. Moreover analysis of areas where there is an over representation of women employees, e.g. hospitality, retail, carer employment, must be looked at separately to male dominated and professional areas of employment.

In addition on 15 February, Sue Salthouse and Marie Coleman (National Foundation for Australian Women) were invited to be witnesses at the ACT Legislative Assembly Select Committee on Working Families' Inquiry into the '*Impact of the commonwealth industrial relations legislation on working families in the ACT*'. The transcript of proceedings may be viewed at:

<http://www.hansard.act.gov.au/hansard/2005/comms/work03.pdf>. The WWDA submission to the Inquiry can be obtained from the WWDA Office. The Committee's report is due in October 2007, and further updates on conditions for women with disabilities and their families can be given to the Committee. If you have any information please forward to the WWDA Office. It does not have to specifically be an ACT example.

**NOTE:** Roundtable Meetings to discuss the affect of WorkChoices legislation on women were held in March. Please contact either WomenSpeak ([womenspeak@ywca.org.au](mailto:womenspeak@ywca.org.au)) or [sudata@optusnet.com.au](mailto:sudata@optusnet.com.au) for information about the Roundtable meetings.

## 7. Appointment of new WomenSpeak Coordinator

WWDA congratulates Kathy Richards on her appointment as the new National Coordinator for the WomenSpeak Secretariat and welcomes the opportunity to liaise with her on women's issues. Kathy takes over the reins at the end of February. She has a strong and diverse background working with research and community organisations in both a paid and voluntary capacity. This work has been done at a national and international level. Her work has included time with Amnesty International, the Australian Council for International Development, and the Australian Reproductive Health Alliance.

At the same time it is with reluctance that we farewell Alexis Tindall, who has been instrumental in fostering the development of the WomenSpeak Secretariat. We wish her well in her new curatorial role with the Museum of South Australia.

## 8. Support for UN Gender Reform

The four secretariats of women's organisations, WomenSpeak, Security4Women, the Australian Women's Coalition and the National Rural Women's Coalition wrote to the Hon Alexander Downer MP, Minister for Foreign Affairs in January to express their support for the recent United Nations recommendations which called for the creation of a stronger agency for women at the UN, and to urge the Australian government to take a similarly supportive role. WWDA gave its endorsement of the letter.

The letter noted the recommendations of a Report from the Secretary-General's High-Level Panel for UN System-wide Coherence which was handed down in November 2006. One of the key recommendations is the development of an independent women-specific entity, which would combine the three existing women's units within the UN. Currently these are:

1. Office of the Special Adviser to the Secretary-General on Gender Issues and Advancement of Women (OSAGI);
2. Division for the Advancement of Women (DAW), and
3. UN Development Fund for Women (UNIFEM).

As yet the proposed new entity is unnamed. Further recommendation is for the new entity to be headed by a newly created Under-Secretary General. This ranking would give the new body significant standing within the UN itself. Backing this recommendation is the belief that *gender equality is central to the delivery of effective development outcomes. Radical changes are needed to improve performance and outcomes for women. Gender needs to be strengthened, with normative and advocacy roles combined, and boosted with full funding.*

The national women's secretariats have thus urged the Australian government to support this new commitment to addressing women's rights at the highest level by endorsing the Coherence Panel's recommendations.

WWDA reiterates the call for the Australian Government to endorse the findings of the Panel, and to support the formation of a single, strong, integrated UN Agency for Women.

## **9. National WomenSpeak Secretariat Face-to-Face Meeting**

The first WomenSpeak Face-to-Face meeting for 2007 was held in Canberra on 23 & 24 February. Vicki Alipasinopolous and Sue Salthouse attended as WWDA Representatives. The meeting was attended by about 30 representatives/20 organisations of the 37 member organisations of the Secretariat (each organisation is able to send 2 delegates, one from the city in which the meeting is held and one from another location). Louise Bannister joined the WWDA team for the conference dinner on the Friday evening.

In the opening stages of the meeting, a report was given by each organisation present. Friday continued with a series of reports and updates - ARHA progress on the Young Women's Gathering on Sexual and Reproductive Health; Aboriginal Legal Rights Movement (ALRM) report on the Young Indigenous Women's Forum (held in Adelaide 15 February 2007); and an Office for Women (OfW) explanation of aspects of the last completed Personal Safety Survey.

Importantly there was also a forum on women, development and international work, with presentations from Dr Suzette Mitchell (International Women's Development Agency); Chris Richards (ARHA) and Sally Moyle (AusAID). In this latter there was a focus on the last Australian development White Paper, and a foreshadowing the soon to be released Aus AID gender policy.

The second day of the conference saw a detailed forum on the outcomes of Australia's reporting on gender policies and programmes designed to address its obligation as a signatory to the UN Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW). The methodology of the Women's Rights Action Network of Australia's (WRANA's) compilation of an Australian NGO report, as well as its findings, were also reviewed.

This was followed by an update on the What Women Want (WWW) Project; current WomenSpeak priorities and planning for the June Face-to-Face meeting to be held in Melbourne. The final part of the Forum was devoted to discussion and planning of the next stage in a consultation and research process where WomenSpeak is evaluating the effectiveness of the Secretariat Model for consultation with Australian women, development/implementation of women's policy and programmes, and the empowerment of women on an individual and collective basis.

## **10. Launch of the Australian Disability and Development Consortium**

The Australian Disability and Development Consortium (ADDC) is a national network focusing attention, expertise and action on disability issues in developing countries. The ADDC was launched at Parliament House on Monday 26 February 2007 with the opening of a photographic exhibition '*Access for All: Disability in Development*' which showcases vignettes of life for people with disabilities in developing countries. Senator Gary Humphries, Chair of the Senate Standing Committee on Community Affairs did the official launch. Guest speaker was Mr. A. S. Dulal, Executive Director of Bangladesh Protibandhi Kallyan Somity (BPKS) a disability NGO in that country. He gave an outline of the situation for people with disabilities in the developing world. Australian Foreign Affairs was represented by the Hon. Greg Hunt MP, Parliamentary Secretary to the Minister for Foreign Affairs.

Following this, the inaugural meeting of ADDC was held at ACROD House the home of the newly renamed National Disability Services. The need is stark. People with disabilities comprise 20% of the world's poorest people (600 million); 70% of them live in developing countries, with 80% below the poverty line. 50% of disabilities in developing countries are preventable. Women with disabilities in developing countries are relatively worse off than their male counterparts, regardless of the measure examined. (It should be remembered though that much of what was highlighted at the meeting is still also applicable in Australia.) The lack of focus on disability in Australian Aid programmes was discussed, as were ways of interacting with AusAID to address this. Key areas for cooperation, collaboration and activity were mapped out.

The ADDC has been brought into being by a group of committed people working in a variety of disability (e.g. National Disability Services [formerly ACROD], and People with Disabilities Australia) and development (e.g. Australian Council For International Development, World Vision Australia) organisations. More detailed information is available on the new ADDC website at [www.addc.org.au](http://www.addc.org.au).

WWDA is already involved in advocacy in the developing world, but capacity limitations mean this is done in an *ad hoc* way, with frequent enquiries for assistance and advice being received by the Executive Director. It

is an identified part of our Strategic Plan for 2004-2009, with our First Goal being to *promote and protect the rights of women with disabilities internationally, nationally and locally*. Having the capacity to address our international role has been challenging, but WWDA sees the possibility of partnerships within ADDC being of assistance in meeting this goal. We will examine ways in which we can be involved in and contribute to ADDC.

## 11. Launch of Vinson Report on Disadvantage in Australia

At Parliament House on the last day of February, Sue Salthouse represented both WWDA and the Australian Federation of Disability Organisations at the launch of a report entitled *'Dropping off the Edge: The distribution of Disadvantage in Australia'*. The report was commissioned by Jesuit Social Services ([www.jss.org.au](http://www.jss.org.au)) and Catholic Social Services Australia ([www.catholicwelfare.com.au](http://www.catholicwelfare.com.au)), and was researched and written by Professor Tony Vinson (Honorary Professor, Faculty of Education and Social Work, University of Sydney).

Presenters at the launch, (Frank Quinlan, Executive Director of Catholic Social Services Australia and Fr. Peter Norden, Associate Director of Jesuit Social Services) emphasised that the findings were without party political agenda. The entrenched locations of disadvantage in Australia require bipartisan political remedy with input at community level, aimed at making long term societal changes.

The statistics themselves are daunting, and it is well to remember that the numbers describe the lives of real people. The top 3% of the most disadvantaged communities in Australia (68 in all) have sobering characteristics compared to other communities:

2 times rate of unemployment	2.5 times rate of long term unemployment
2 times rate of disability support	2 times rate of psychiatric admissions
2 times rate of criminal convictions	3 times rate of imprisonment
3.5 times rate of confirmed child maltreatment.	

The case for sustained early intervention in these communities is well founded. Post natal outreach, parenting support programs, children's diagnostic services, and adolescent health services were listed as essential for vulnerable communities. In addition, affordable community transport is essential so that people can take advantage of community facilities and services. All too often intervention initiatives are funded for insufficient time. Entrenched disadvantage cannot be overcome by a 2-3 year boost of funding on one facet of the problem.

It was not surprising to learn that the indicators used by Professor Vinson to measure disadvantage were all characteristics of the households of many people with disabilities. Indicators included: low income, rental stress, poor health, domestic violence, unemployment, lack of workforce skills, incomplete education, few post school qualifications, isolation within communities which themselves lack cohesion.

Of particular note, was a new indicator singled out by Vinson - lack of access to the internet and/or low levels of computer use. The economic repercussions of the Digital Divide are far reaching.

The report includes a set of maps which show the degrees of disadvantage in a number of capital cities and states, with research highlighting the stability of areas of major disadvantage over the past 30 years. Further information can be obtained by contacting either of the commissioning organisations.

## 12. New on the WWDA Website

Over the past few weeks the following documents/information have been added to the WWDA website at [www.wwda.org.au](http://www.wwda.org.au)

### **Sterilisation**

WWDA Systemic Advocacy on the Unlawful Sterilisation of Minors with Disabilities (2003 - current)  
Go to: [www.wwda.org.au/steriladv07.htm](http://www.wwda.org.au/steriladv07.htm)

Standing Committee of Attorneys-General (SCAG) Sterilisation Issues Paper 2004  
Go to: [www.wwda.org.au/scagpap1.htm](http://www.wwda.org.au/scagpap1.htm)

SCAG Issues Paper on the Sterilisation of Intellectually Disabled Minors 2006  
Go to: [www.wwda.org.au/scagpap2.htm](http://www.wwda.org.au/scagpap2.htm)

SCAG Issues Paper on the Sterilisation of Intellectually Disabled Minors 2006 [PDF version]  
Go to: [www.wwda.org.au/scagpap3.pdf](http://www.wwda.org.au/scagpap3.pdf)

## **Responses to WWDA's Sterilisation Advocacy Campaign**

Response from UNICEF  
Go to: [www.wwda.org.au/unicef1.htm](http://www.wwda.org.au/unicef1.htm)

Response from United Nations High Commissioner for Human Rights  
Go to: [www.wwda.org.au/unhighcomm1.htm](http://www.wwda.org.au/unhighcomm1.htm)

Submissions from Other Organisations/Bodies (to SCAG Sterilisation Bill 2006)  
Go to: [www.wwda.org.au/steril06subs1.htm](http://www.wwda.org.au/steril06subs1.htm)

Responses from Politicians  
Go to: [www.wwda.org.au/poliresp1.htm](http://www.wwda.org.au/poliresp1.htm)

Responses from Other Stakeholders  
Go to: [www.wwda.org.au/sterstake1.htm](http://www.wwda.org.au/sterstake1.htm)

Responses from Government Departments/Agencies  
Go to: [www.wwda.org.au/stergovresp.htm](http://www.wwda.org.au/stergovresp.htm)

## **WWDA Submissions**

Submission to the Senate Community Affairs References Committee 'Inquiry into the Funding and Operation of The Commonwealth State/Territory Disability Agreement'  
Go to: [www.wwda.org.au/cstdasub06.htm](http://www.wwda.org.au/cstdasub06.htm)

Submission to the Senate Environment, Communications, Information Technology and the Arts References Committee Inquiry into Women in Sport and Recreation in Australia  
Go to: [www.wwda.org.au/sensport06.htm](http://www.wwda.org.au/sensport06.htm)

Submission to the Department of Families, Community Services and Indigenous Affairs (FaCSIA) on the 'Reducing Red Tape Initiative'  
Go to: [www.wwda.org.au/redtape06.htm](http://www.wwda.org.au/redtape06.htm)

## **Conference Papers**

'The Constant Bridesmaid: Will Work Choices and Welfare to Work changes help to get more women with disabilities into the workforce?'  
Go to: [www.wwda.org.au/consbride06.htm](http://www.wwda.org.au/consbride06.htm)

## **WWDA Update Bulletins/Annual Reports**

WWDA Annual Report 2005/2006  
Go to: [www.wwda.org.au/annrept06pdf.pdf](http://www.wwda.org.au/annrept06pdf.pdf)

WWDA Update Report November/December 2006  
Go to: [www.wwda.org.au/bulldec06.htm](http://www.wwda.org.au/bulldec06.htm)

WWDA Update Report September/October 2006  
Go to: [www.wwda.org.au/bulloct06.htm](http://www.wwda.org.au/bulloct06.htm)

WWDA Update Report July/August 2006  
Go to: [www.wwda.org.au/bullaug06.htm](http://www.wwda.org.au/bullaug06.htm)

WWDA Update Report May/June 2006  
Go to: [www.wwda.org.au/bulljun06.htm](http://www.wwda.org.au/bulljun06.htm)

WWDA Update Report April 2006  
Go to: [www.wwda.org.au/bullapr06.htm](http://www.wwda.org.au/bullapr06.htm)

## Reports from Government/Parliamentary Inquiries

The Senate Final Report 'Women in Sport and Recreation in Australia' (Sept 2006)

Go to: <http://www.wwda.org.au/sportfr06.pdf>

The Senate Final Report: Funding and Operation of The Commonwealth State/Territory Disability Agreement' (Feb 2007)

Go to: <http://www.wwda.org.au/cstdafr06.pdf>

Erebus International Final Report of the Evaluation of the Commonwealth Disability Strategy (Sept 2006)

Go to: <http://www.wwda.org.au/cdsfr06.pdf>

More material will be added to the WWDA website over the coming weeks.

## 13. South Australia Domestic Violence Laws Options for Reform Paper

In November 2005, The Rann Government pledged to reform comprehensively rape, sexual assault and domestic violence laws in South Australia. A review of the South Australian rape and sexual assault laws was undertaken by Liesl Chapman and her report has now been completed. The South Australian Government has now commenced the second stage of the independent review and has asked for a review of the South Australian domestic violence laws so that it can hear a range of views and consider the interests of those affected by these laws.

A Discussion Paper has now been developed for the South Australian Government by Adelaide barrister Ms Maureen Pyke QC. The South Australian Government is seeking comments on the Discussion Paper (entitled *South Australian Domestic Violence Laws Discussion and Options for Reform Paper*). The deadline for submitting comments is 21 May 2007. A copy of the paper is available from the Sa Department of Justice website at: [http://www.justice.sa.gov.au/publications\\_index.htm](http://www.justice.sa.gov.au/publications_index.htm) or alternatively, you can email WWDA for a copy (please note: the discussion paper has only been made available in PDF format).

Comments on the Discussion Paper can be sent via post or email to:

Review of SA Domestic Violence laws  
c/- Justice Strategy, Policy, Planning & Legislation Division  
Attorney-General's Department  
GPO Box 464  
Adelaide SA 5001  
Email: [ppld@agd.sa.gov.au](mailto:ppld@agd.sa.gov.au)

## 14. New Book: Recovery after childhood sexual abuse and domestic violence



A compelling new book *Point Last Seen: a road to recovery after childhood sexual abuse and domestic violence* was officially launched in November 2006. This release is Book One of a two part series. Book Two will be released late 2007. Ricky Hunter, new Australian author, lowers her veil of privacy to provide the reader a first-hand view of what it means to live life after being abducted as a child, suffering domestic violence in her marriage and coping with a mental illness. Seen predominately as a first-person story and written as self-help therapy to recover from the trauma of decades of denial, this rich and substantive narrative is carefully crafted to walk the reader through an intimate journey with the writer - who viewed the world through a lens of self doubt, shame and denial.

More information about the Book, including ordering details, can be found at: <http://www.geocities.com/pointlastseen/>

Or ring order hotline 1800 625 399 (Australia Only)

## **Appendix 1: WWDA Systemic Advocacy on the Unlawful Sterilisation of Minors with Disabilities - Responses from the United Nations High Commissioner for Human Rights, and the United Nations Children's Fund (UNICEF).**

Ms Annie Parkinson  
President  
Women With Disabilities Australia (WWDA)  
P.O. Box 605, Rosny Park, 7018 TAS  
Australia

Dear Ms Parkinson,

Thank you for your letter to the High Commissioner dated 2 November 2006 concerning the Australia Government's draft legislation on the sterilization of children with intellectual disabilities.

As you are probably aware, the United Nations General Assembly adopted the Convention on the Rights of Persons with Disabilities and its Optional Protocol on 13 December 2006 - a landmark in the protection of the human rights of all persons with disabilities. The Convention is not yet legally binding; it will be open for signature and ratification on 30 March 2007 and will enter into force once it has been ratified by 20 States. The full text of the Convention is available at: [www.ohchr.org/english/issues/disability/index.htm](http://www.ohchr.org/english/issues/disability/index.htm)

In particular, I would like to draw your attention to article 23 on "Respect for home and the family". Article 23 (1) reads:

"1. States Parties shall take effective and appropriate measures to eliminate discrimination against persons with disabilities in all matters relating to marriage, family, parenthood and relationships, on an equal basis with others, so as to ensure that:

(a) The right of all persons with disabilities who are of marriageable age to marry and to found a family on the basis of free and full consent of the intending spouses is recognized;

(b) The rights of persons with disabilities to decide freely and responsibly on the number and spacing of their children and to have access to age-appropriate information, reproductive and family planning education are recognized, and the means necessary to enable them to exercise these rights are provided;

(c) Persons with disabilities, including children, retain their fertility on an equal basis with others."

In addition to article 23 of the new Convention, I would draw your attention to article 7 on "Children with disabilities", including a reference to concern for "the best interests of the child", article 22 on "Respect for privacy", and article 25 on "Health", all relevant in the context of sterilization.

While Australia has not yet signed or ratified the new Convention, it is a party to the Convention on the Rights of the Child. In its 2006 General Comment No. 9 on the Rights of Children with Disabilities, the Committee on the Rights of the Child expressed its deep concern about "the prevailing practice of forced sterilisation of children with disabilities, particularly girls with disabilities." The Committee emphasized that forced sterilization "seriously violates the right of the child to her or his physical integrity and results in adverse life-long physical and mental health effects." The Committee urged States parties to "prohibit by law the sterilisation of children on grounds of disability." Since the final edited version of the General Comment is not yet available, you will find attached to this letter an advance unedited version. However, the final edited version will be made available at: [www.ohchr.org/english/bodies/crc/comments.htm](http://www.ohchr.org/english/bodies/crc/comments.htm) in due course.

Australia is also a party to the International Covenant on Economic, Social and Cultural Rights. The Committee on Economic, Social and Cultural Rights in its 1994 General Comment No.5 on Persons with Disabilities referred to the Standard Rules on the Equalization of Opportunities for Persons with Disabilities, adopted by the General Assembly on 20 December 1993, stating that "persons with disabilities must not be denied the opportunity to experience their sexuality, have sexual relationships and experience parenthood". The Committee emphasized that "[b]oth the sterilization of, and the performance of an abortion on, a woman with disabilities without her prior consent are serious violations of article 10 (2) [of the International Covenant

on Economic, Social and Cultural Rights]". The General Comment is available at: [www.ohchr.org/english/bodies/cescr/comments.htm](http://www.ohchr.org/english/bodies/cescr/comments.htm).

I would like to take this opportunity to encourage you and your organization in your work defending the rights of persons with disabilities.

Yours sincerely,  
Ibrahim Wani  
Chief  
Research and Right to Development Branch  
United Nations  
High Commissioner for Human Rights  
Palais des Nations  
CH-1211 GENEVE 10

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Ms Annie Parkinson  
President  
Women With Disabilities Australia  
P.O. Box 605  
Rosny Park, 7018 TAS  
Australia

Dear Ms Parkinson,

UNICEF strongly supported the drafting of the Convention on the Protection and Promotion of the Rights and Dignity of Persons with Disabilities. Throughout the drafting process, UNICEF submitted several statements to the Ad Hoc Committee (June 2003, 2004 and 2005) advocating for the need to incorporate specific provisions with the aim of strengthening the rights of children with disabilities in the Convention. UNICEF, together with the International Disability Caucus, argued for the inclusion of an article on protection of children from sterilisation on the basis of their disability. While the final text of the Convention does not explicitly refer to sterilisation, several articles amount to a prohibition of such practice, particularly Article 23 (1) which calls upon States parties to ensure that "persons with disabilities, including children shall retain their fertility on an equal basis with others".

As you may know, UNICEF's mission statement clearly states that the organisation is "guided by the Convention on the Rights of the Child (CRC) and strives to establish children's rights as enduring ethical principles and international standards of behaviour towards children". Guided by its mission statement, UNICEF has consistently promoted the position that children must live free of discrimination of any kind. Children with disabilities, like all children, should enjoy all the rights set forth in the CRC. In this context, UNICEF believes that measures, including discriminatory laws which fail to consider children with disabilities on an equal basis with other children represent a profound violation of the Convention.

For UNICEF, the principle of the best interests of the child (Article 3 of the CRC) is the test provided by the CRC against which governments can measure their actions in favour of children. This principle requires that in all actions concerning children, the best interests of the child shall be a primary consideration. In addition, UNICEF believes that all children should be given the opportunity to participate in decisions affecting them. This is especially true for children living in situations that hamper their ability to exercise their rights. Children with disabilities, like any other children, must be treated as human beings with human rights. They have the right to express their views in matters concerning them, as well as having their views given due consideration (Article 12 of the CRC). UNICEF views children with intellectual disabilities as having the capacity to contribute to decision-making. We deem it crucial to challenge the lack of belief in children with restricted capacities to participate in the community. Participation should be considered as a central part of the learning process, enabling those with disabilities to make decisions, take responsibility for their decisions, as well as to develop self-esteem and confidence. Denying children with disabilities the right to participate in decision-making, is denying their status as subjects of rights.

UNICEF strongly believes that children with disabilities have the right to be protected from all forms of violence, including sexual exploitation and abuse. Children with disabilities are indeed particularly vulnerable to violence and abuse. However, governments should avoid supplanting the protection to which children with disabilities have a right, by measures that are likely to expose them to more violence. Indeed the sterilisation of children with disabilities has no other effect than ensuring [and reassuring eventual perpetrators] that a child's sexual activity will not result in pregnancy. For children, this measure does not mitigate or prevent the

emotional trauma and physical harm, including sexually transmitted diseases that they are likely to experience due to violence.

UNICEF believes that measures which aim at protecting children with disabilities should in their essence be respectful of children's rights and dignity as human beings. Preventive approaches aimed at ensuring realisation of children's rights have proven successful in diminishing chances of sexual exploitation and abuse of children and have reduced the likelihood of their being exposed to sexually transmitted diseases. These measures include and promote access to support structures and services, as well as to information and education; and other health care programmes.

UNICEF believes it important to remind countries who have ratified the CRC of their obligation to ensure the rights of all children, including children with disabilities, and to refrain from enacting legislation that raises concerns of compatibility with the object and purpose of the Convention.

Sincerely yours,  
Elizabeth Gibbons  
Chief Global Policy  
Division of Policy and Planning  
United Nations Children's Fund  
Three United Nations Plaza  
New York, New York 10017



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