

WA

12 March 2003

Disability Discrimination Act Inquiry
Productivity Commission
Locked Bag 2
Collins Street
MELBOURNE VIC 8003

To Whom It May Concern

I wish to make the following submission in reference to **'Ensure equality of people with disability before the law'**.

My personal experience has been the law does not make provision for disabled persons. I was placed on a full disability pension due to being given experimental spinal injections while I was a public patient in one of Western Australia's main public hospitals. The administered drug given in the spinal injections had never been passed by any Australian Drug Authority for spinal use, and were given as **'Off Label'** use by my treating doctors, **without my knowledge or consent**.

When I became aware of the cause of my inquiry, I applied for Legal Aid to assist with a claim through the courts.

The Office of the Trade Practices Commission wrote to the Director, Office of Legal Aid and Family Services, Attorney-General's Department, to recommend that I be assisted with Legal Aid.

Legal Aid was refused, due to the fact that I own my home.

I have further been informed Legal Aid is not granted to anyone who own's their own home.

My submission is, anyone who is in receipt of a full disability pension and owns their own home, but does not have the ability to fund their own legal expenses, should be assisted by Legal Aid if their case has merit.

As previously stated my case had the recommendation from the Office of the trade Practices Commission that Legal Aid should be granted, **it was not.**

Article 26, of the United Nations International Covenant on Civil and Political Rights, states: **'All persons are equal before the law and are entitled without any discrimination to the equal protection of the law'**

The present situation in Australia is **'Equality of people with disability before the law'** is not in place, and therefore is in contravention to **Article 26 of the United Nations International Covenant on Civil and Political Rights'**.

I hope my submission assists in ensuring **'equality of people with disability before the law'** is put in place throughout the legal system of Australia.

Yours sincerely

PETER HESSE