
10 Promoting community recognition and acceptance

People with disabilities can confront physical and attitudinal barriers. The third object of the *Disability Discrimination Act 1992* (DDA) in part seeks to address attitudinal barriers, aiming:

... to promote recognition and acceptance within the community of the principle that persons with disabilities have the same fundamental rights as the rest of the community. (s.3(c))

Recognition implies an awareness or knowledge of the rights of people with disabilities, but acceptance goes further, implying that the community agrees such rights apply to people with disabilities. Thus, the two aspects of this object suggest two broad indicators of its achievement: changes to community awareness (recognition) and changes to attitudes (acceptance).

This chapter examines the extent to which the DDA has successfully promoted community recognition and, to the extent possible, acceptance. Based on this examination, it discusses potential improvements that can be made. It outlines how the DDA has been applied in this area (section 10.1), and the extent to which community awareness and attitudes have changed since the enactment of the DDA (section 10.2). Section 10.3 examines the effectiveness of the current approach to promoting community recognition and acceptance, while section 10.4 discusses options for improving the effectiveness of this approach, focusing on the education and information provision functions of the Human Rights and Equal Opportunity Commission (HREOC).

10.1 The approach so far

Many factors can influence awareness and attitudes (see Vaughan and Hogg 2002), including:

- direct experience with people from a particular group—the Mental Health Legal Centre commented ‘one of the key benefits of maximum social participation of people with disabilities is that it ... dispels people’s misconceptions about reduced capacity or increased cost of such participation’ (sub. 108, pp. 1–2)

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- legislation—Nicholson (1996) commented that ‘laws outlawing discrimination should serve as more than a source of enforceable rights and protections; they should also provide a basis for shifting prejudicial community attitudes’
 - repeated exposure to a message or people
 - reinforcement of behaviour (such as rewarding certain behaviour), which may shape attitudes towards that behaviour and lead to long-term behavioural change
 - accumulation and integration of information about ‘attitude objects’, with sources of learning including family, friends and peers, and the mass media.

Various aspects of the DDA have the potential to contribute to promoting community recognition and acceptance through several of these attitude-influencing channels. Under s.67 of the DDA, for example, HREOC must:

- promote an understanding and acceptance of the Act (s.67(1)(g))
- undertake research and educational programs to promote the objects of the Act (s.67(1)(h))
- prepare and publish guidelines for the avoidance of discrimination (s.67(1)(k)).

HREOC is also required to undertake educational and other programs under the *Human Rights and Equal Opportunity Commission Act 1986* (HREOC Act). It conducted a number of educational activities (such as distributing an information paper to peak organisations) during the DDA’s first year (HREOC 1993a, pp. 72–3). Hastings (1997) commented, however, that a ‘substantial part’ of HREOC’s work and budget in that year was allocated to developing the National DDA Awareness Campaign, which had been foreshadowed in the second reading speech of the DDA (Australia 1992a, p. 2755). The campaign, launched in March 1994, aimed to increase community awareness of the DDA. Despite some positive impacts, it was generally perceived to be constrained by a lack of resources, although Hastings (1997) suggested that even a much larger scale campaign in the United States resulted in ‘disappointingly low levels of awareness’.¹

HREOC has not conducted this type of large scale information campaign since the 1994 campaign. Instead, it has focused on: regional visits; public speaking by commissioners; media releases and newsletters; staff participation in informal and formal educational events, conferences and workshops; and provision of

¹ During the first year or so of its operation, various methods were used to inform people of the Americans with Disabilities Act 1990 (US), including a grants program, information hotlines and publications, involving the input of various bodies. According to the National Council on Disability (NCD 1993), these efforts to disseminate information were ‘extraordinary’. Despite this, awareness remained low—a survey cited by NCD (1993) found 14 per cent of Americans were ‘very familiar’ with the Act, and 42 per cent were ‘unfamiliar’ with it.

information on a website, in publications of various formats, and through the media and community networks. In 2003, it also conducted forums in cities across Australia to celebrate and promote the tenth anniversary of the DDA.

Other aspects of the DDA have also been used as educative tools.

- Public inquiries have aimed to help parties immediately involved in a particular complaint or issue, as well as to disseminate information more widely. Consultation has been an important aspect of inquiries.
- Guidelines and advisory notes have been prepared to clarify aspects of the DDA's operation (see chapter 14).
- Other research and policy work has been conducted in areas such as the sterilisation of girls with intellectual disabilities, accommodation and abuse, and mental health projects.
- Complaints resolved through court decisions (or previously through HREOC determinations) can, according to HREOC, achieve 'national media publicity ... which is otherwise difficult to generate for disability discrimination issues' (sub. 143, p. 54). HREOC also publishes summaries of conciliated complaint outcomes in its annual reports and website, but noted 'more high profile publicity' of these outcomes 'is only undertaken or attempted with the agreement of the parties so as not to discourage parties from entering into conciliated agreements' (sub. 143, p. 54).
- The development of disability standards has involved wide consultation.
- Action plans registered with HREOC are made available on its website (see chapter 14). Jones and Bassar Marks (1998, p. 63) commented that both action plans and disability standards 'are designed to play a role in ... value formation', with educative effects stemming from the development process.

Other bodies have also been involved in awareness-raising activities, of both the DDA and disability issues. HREOC noted specifically:

... the significant community education and awareness activities on rights and responsibilities undertaken by disability community groups, State and Territory anti-discrimination bodies, industry and government organisations and in particular through the network of Disability Discrimination Legal Services. (HREOC 2003d, p. 24)

The publication *Using Disability Discrimination Law*, produced jointly by Victoria's Disability Discrimination Legal Service, Victoria Legal Aid and the Villamanta Legal Service, is one example of activities undertaken by other bodies. Now in its second edition, it describes in 'plain English' (and by using case studies and other everyday examples) what constitutes disability discrimination under the law, differences between Victorian and federal legislation and processes, and how

to go about making a complaint. Work is also underway to develop editions for other States and Territories, including New South Wales and Western Australia (in conjunction with legal assistance providers in those States), and to produce brochures of the document in community languages (Disability Discrimination Legal Service, sub. 76, att. 1). The involvement of such groups can help improve the relevance of information to target groups.

In some cases, HREOC has provided input to the activities of other groups. A manual to assist Disability Discrimination Legal Services educate people with disabilities about their rights was developed under the supervision of HREOC, which also conducted training for staff of advocacy services (HREOC 1994).

Not all awareness raising about disability issues has been conducted within the framework of the DDA or the HREOC Act. Major campaigns to raise awareness of mental illness (through television, cinema, outdoor advertising and education of key groups), for example, have been undertaken under the National Mental Health Strategy (an agreement between the federal and State and Territory governments that aims to improve the lives of people with mental illness).

Changes proposed under the Australian Human Rights Commission (AHRC) Legislation Bill 2003 would increase the emphasis on education. Some participants (such as the Anti-Discrimination Commission Queensland, sub.119) were nevertheless concerned about the possible negative impacts of some aspects of this Bill. This concern related particularly to the possibility that the AHRC would not have a disability-specific commissioner, which some felt would lower the profile of disability issues. (A related issue is the desirability of having separate disability discrimination legislation—see chapter 7.) Reviewing the Bill is beyond the scope of this inquiry (see chapter 1).

10.2 Changes in community awareness and attitudes

One step in assessing the effectiveness of the DDA in this area is to measure changes in community awareness of disability issues and attitudes towards people with disabilities over time. Measuring attitudes is not easy because they are essentially unobservable. Most measurement techniques are based on asking people for agreement or disagreement with particular ‘attitude positions’ (Zimbardo and Leippe 1991; Vaughan and Hogg 2002). Problems with these approaches include their reliance on the willingness of survey participants to reveal their true feelings. Comparison across studies is also difficult because they define and measure attitudes differently (Vaughan and Hogg 2002).

A lack of baseline data compounds the difficulties of assessing changes in attitudes towards people with disabilities in Australia, and the possible influence of the DDA. The following discussion thus draws on direct and indirect, qualitative and anecdotal, indicators. This approach is the only option given available information, but has problems. If, for example, the DDA has changed expectations of what is acceptable, then people's perceptions of changes in community attitudes might have been affected.

Inquiry participants presented a mixed picture of community awareness and attitudes, and how these have changed over time. Some positive changes in a range of areas were noted, but significant scope for further improvement (even where there have already been some positive outcomes) was also emphasised. Perceived improvements included:

- generally improved attitudes towards people with disabilities (Anti-Discrimination Board of New South Wales, sub. 101; Mansfield Community Forum, sub. 202)
- the reduced social stigma of people with disabilities (Kaerest Houston, sub. 19)
- progress in community acceptance of the rights of people with disabilities (Public Advocate in Victoria, sub. 91; Mental Health Coordinating Council, sub. 84)
- improved knowledge of what disability is (that is, that it means more than 'wheelchair user') (Independent Living Centre NSW, sub. 92).

Positive changes have been highlighted in relation to specific types of disability and areas of activity. Blind Citizens Australia (sub. 72) noted improved awareness of issues for blind people, particularly in relation to accessible information and the use of guide dogs. Housing Connection NSW noted positive attitudes towards people with intellectual disabilities who live independently in the community:

... clients living fairly independently in the community are well received, welcomed, ... assisted by neighbours and other people in the community. This extends to many small acts of kindness (eg. help with keys, telephone), friendly greetings, showing interest in clients' programmes, and helping out with repairs/tools. (sub. 161, p. 3)

Some improvements in attitudes were also noted in sport, recreation and the arts at a local level (SPARC Disability Foundation, sub. 15). The Mental Health Coordinating Council commented on an apparent wider acceptance of people with disabilities in education and other areas of the community, particularly in large organisations (sub. 84). Australian Parent Advocacy Inc. noted a 'paradigm shift' in open employment (sub. 164).

Some commentators and inquiry participants suggested that these perceived positive changes have been reflected in changed behaviours of people with disabilities. Davis et al. (2001) commented that there appears to be greater exposure to, acceptance of, and openness about, disability issues, which might have contributed to increased self-reporting of ‘severe restriction’. Similarly, Becky Llewellyn referred to an increased willingness to seek help:

The difference in attitude I feel from one of virtually begging is that now I feel supported by benefits of citizenship in a democracy that cares about involving all its members. I no longer feel ashamed of needing to ask for something ‘special’ and ‘different’. (sub. 9, p. 3)

However, significant scope for further improvement in awareness and attitudes was noted by others, including the City of Melbourne (sub. 224) and National Disability Advisory Council (NDAC, sub. 225). Comparing Australia with other countries, ParaQuad Victoria commented that anecdotal evidence from Australians visiting the United States, Canada and the United Kingdom suggests ‘the feeling of acceptance and respect, the awareness [in those countries] ... is much superior to what they experience here’ (sub. 77, p. 3).

In particular, some participants suggested awareness and attitudes remain a problem for people with ‘invisible’, ‘hidden’ or ‘new/emerging’ disabilities, such as multiple chemical sensitivity (Australian Chemical Trauma Alliance Inc., sub. 152; Stella Hondros, sub. 167; Ann Want, sub. 194; Dorothy Bowes, sub. DR286; Barbara Prideaux, sub. DR340); intellectual disabilities (NSW Council for Intellectual Disability, sub. 117); dyslexia (Maureen Mastallone, sub. DR302); and mental illness (Pete Casey, sub. 3; Mental Illness Fellowship of Australia, sub. DR283). Apparent negative attitudes and continuing stereotyping of people with mental illness within the medical profession have also been reported (Mental Health Council of Australia, sub. 150; Groom, Hickie and Davenport 2003). Many inquiry participants—including Pete Casey (sub. 3), Arafmi Hunter (sub. 36); SANE Australia (sub. 62); and the Mental Illness Fellowship of Australia (sub. DR283)—pointed to the media’s role in perpetuating stereotypes through its continuing negative portrayal of people with mental illness.

The Media Entertainment and Arts Alliance (MEAA, sub. 60, trans., pp. 2287–9 and pp. 2291–4), Souraya Bramston (sub. 33), Sally Martin (sub. 239) and Idilko Auer (sub. DR298, trans., pp. 2156–7) noted continuing exclusion and lack of acceptance of people with disabilities in various areas of life, including the arts, shopping, and recreational and social activities. The MEAA, for example, commented that, even in rare cases where roles are written specifically for characters with a disability, there is only a ‘slight chance’ that an actor with the disability is used for the role (trans., p. 2288; see appendix D).

For the most part, problems with inclusion and acceptance do not appear to have been translated into hostility and aggression towards people with disabilities. Data from the 2001 Household, Income and Labour Dynamics in Australia (HILDA) survey, for example, suggest that a high proportion of people with disabilities do not commonly experience hostility and aggression in their local neighbourhood (table 10.1). Nonetheless, a slightly higher proportion of people with disabilities than of people without disabilities reported such experiences as ‘fairly’ or ‘very’ common. Long term time-series data are not available to assess trends over time.

Table 10.1 How often people experience hostility and aggression in the local neighbourhood, 2001^a

	<i>People with a disability</i>			<i>People without a disability</i>		
	<i>All</i>	<i>Rural^b</i>	<i>NESB^c</i>	<i>All</i>	<i>Rural^b</i>	<i>NESB^c</i>
	%	%	%	%	%	%
Never	29	29	31	27	28	33
Very rarely	35	37	32	40	40	33
Not commonly	23	21	22	23	22	22
Fairly commonly	5	5	6 ^d	4	5	5
Very commonly	3	3	4 ^d	2	2	2
Don't know	5	5	5 ^d	3	3	5

^a Percentages are calculated as the proportion of the people in each category who responded correctly to the question. ^b Rural excludes major cities of Australia, but includes inner regional Australia, among others. ^c Non-English speaking background: excludes people born in Australia, New Zealand, the United Kingdom, the Channel Islands, Ireland and Eire, Canada, the United States and South Africa. ^d The relative standard errors on the data from which these percentages are calculated are just over 25 per cent. These estimates should be used with caution—see ABS (1999d, pp. 60–2) for a discussion of relative standard errors.

Source: Productivity Commission estimates based on unpublished data from the 2001 HILDA survey.

Employment was the area of activity that elicited the most concern from inquiry participants. The Australian Chamber of Commerce and Industry (ACCI, sub. DR288) suggested widespread employer understanding of anti-discrimination laws and active recruitment of people with disabilities by some employers. However, others—including the Council for Equal Opportunity in Employment (sub. 204); the Australian Association for the Deaf (sub. 229); Sally Martin (sub. 239); Blind Citizens Australia (sub. DR269); the Australian Federation of Deaf Societies (sub. DR363); Tasmanians with Disabilities Inc. (trans., pp. 2166, 2168); and the National Diversity Think Tank (trans., p. 2583)—suggested that there were problems in employer awareness of disability issues, adjustment options and perceptions of people with disabilities as workers. Tasmanians with Disabilities Inc. (trans., p. 2168) argued that this was the cause of most discrimination in employment.

FINDING 10.1

In general, community awareness of disability issues and attitudes towards people with disabilities appear to have improved in the past decade. Significant scope for further improvement remains, particularly in areas such as employment, and for certain disabilities, such as mental illness.

Awareness of the DDA, which may underpin community awareness of disability issues, is discussed in the next section.

10.3 Effectiveness of the current approach

The next step in assessing the effectiveness of the current approach is determining the extent to which the DDA has generally contributed to the perceived positive changes (or is ‘responsible’ for any lack of change) in awareness and attitudes identified in section 10.2. Particularly important is the effectiveness of information provision under the DDA, given its possible influence on attitudes in the longer term (section 10.1).

Many difficulties confront such an assessment. First, attitude change is a long term process. The ACT Discrimination Commissioner noted:

... 10 years in the life of legislation like the DDA—which seeks to redress major social imbalance and alter centuries of belief about people with disabilities—is not a long time. (sub. 151, p. 7)

Further, the DDA was enacted at a time of significant social change, both in Australia and abroad. Consequently, attitudes about human rights, including disability rights, were already changing. Becky Llewellyn noted that the 1981 International Year of Disabled Persons ‘was a huge catalyst to awaken community attitudes and begin the process of hearing the voices of people with disabilities’ (sub. 9, p. 1). It is difficult, therefore, to identify the extent to which changes in awareness and attitudes are attributable to these earlier changes or to the DDA.

Other factors might also have contributed to any perceived change, or lack of change, in awareness and attitudes. The Anti-Discrimination Commission Queensland stated:

... it is both inappropriate and impractical to quantify the DDA’s effectiveness in ... promoting recognition and acceptance within the community ... No doubt the DDA has played its part ... in effecting cultural change but it is not possible to ascribe such change totally to the DDA nor even to quantify the changes. Many other factors are at work, including State and Territory anti-discrimination legislation, de-

institutionalisation, educational changes, employment schemes and international developments. (sub. 119, p. 10)

Inquiry participants also identified the following influences since 1992 on community attitudes towards people with disabilities:

- the ageing population
- lobbying and other work by people with disabilities
- State and Territory anti-discrimination legislation and government initiatives, such as disability service plans in Western Australia, State disability action plans in Victoria, and initiatives to promote inclusion in sport in South Australia
- the 2000 Paralympics in Sydney.

The fact that other factors have had an influence does not mean the DDA has had no effect. Furthermore, some of these other factors may themselves have been influenced indirectly by the DDA. This section examines current awareness of the DDA as this can underpin a general awareness (recognition) of the legal rights of people with disabilities. It also examines the extent to which the DDA might have contributed to attitude change.

Awareness of the Disability Discrimination Act

Awareness of the DDA would mean that people (including people with disabilities, those with responsibilities under the DDA and the general community) are aware of the legal rights of people with disabilities. However, as already noted, mere awareness is not the same as 'acceptance'. Moreover, widespread awareness of the DDA and its provisions might not be necessary for the DDA to influence community attitudes. Awareness by some people may be enough to encourage change, which has indirect effects on others. Some inquiry participants, however, suggested the importance of awareness of the legislation for attitude change:

... if rights-creating legislation is to positively alter community attitudes—and we believe it can—it must at least be something that people know exists. (Women's Health Victoria, sub. 68, p. 4)

The education campaign accompanying the DDA's enactment (section 10.1) produced mixed results in terms of awareness, even though it incorporated many elements of successful campaigns (section 10.4). It initially generated many inquiries to a hotline and an increase in complaints, but Hastings noted:

... the campaign had only patchy success in generating awareness of the existence or effect of the Act [DDA], even among the disability community, and less still among some important sectors of people with responsibilities. (Hastings 1997, p. 13)

HREOC submitted:

... [while this campaign was effective] in increasing awareness of the existence and application of the DDA, this increase was from a very low base and awareness remained low even among specific target audiences including employers and people with a disability. (sub. 143, p. 54)

Many participants noted a continuing lack of community awareness and understanding of the DDA—including Women’s Health Victoria (sub. 68); Queensland Parents for People with a Disability (sub. 103); participants in the Mansfield Community Forum (sub. 202); DDA inquiry regional forum (regional forum notes); and the Guide Dogs Association of SA and NT Inc (sub. DR292). Others suggested a perceived lack of awareness among specific groups or sectors, including:

- people with disabilities (Equal Opportunity Commission Victoria, sub. 129; Deafness Forum of Australia, sub. 71; NDAC, sub. 225; Stella Hondros, sub. DR281; Guide Dogs Association of SA and NT Inc, sub. DR292). Some inquiry participants suggested that awareness is especially low among specific groups of people with disabilities, such as those with a psychiatric disability (Mental Health Council of Australia, sub. 150; SANE Australia, sub. DR264), people with disabilities from non-English speaking backgrounds (National Ethnic Disability Alliance, sub. 114), and Indigenous people with disabilities (ATSIC, sub. 59).
- people with responsibilities under the DDA, such as the legal profession (Disability Justice Advocacy Inc., sub. 5; DDA inquiry regional forum notes)
- people in regional areas (DDA inquiry regional forum notes)
- those involved in sports clubs (Leichhardt Council Disability Access Committee, sub. 75).

This lack of awareness does not mean necessarily that people with disabilities are unaware of having rights, however. Some inquiry participants were aware that people with disabilities had ‘rights’, although they were not specifically aware of the DDA (DDA inquiry regional forum notes).

Moreover, to the extent that key organisations—such as advocacy groups and the Disability Discrimination Legal Services—are aware of the DDA or have been empowered by its introduction, this awareness might be sufficient to allow reasonably effective protection of people’s rights under the DDA. The Public Advocate in Victoria argued that the number of complaints made—particularly in employment and goods and services, which are ‘key indicators of the level of community access, acceptance and participation’—suggests the DDA is ‘well utilised’ (sub. 91, pp. 1–2). However, it also noted:

... it will take time to reach the level of community acceptance and understanding of the DDA that the *Sex Discrimination Act 1984* and the *Race Discrimination Act 1975* currently have. (sub. 91, p. 2)

General impact of the Disability Discrimination Act on community awareness and attitudes

The apparent lack of widespread awareness of the DDA, highlighted above, suggests that 'direct' awareness of the details of the Act might not have been a major influence on the positive changes in attitudes that have occurred in the past decade. Some of the perceived positive changes identified in section 10.2 have, nevertheless, been attributed to the DDA, both by inquiry participants and others (box 10.1). This suggests that the DDA has, to some extent, worked through channels other than just direct awareness of it in promoting change.

Box 10.1 Inquiry participants' views on the impact of the DDA on awareness and attitudes

Some inquiry participants and others have attributed the changes in community awareness and attitudes to people with disabilities to the DDA:

One of its greatest benefits is that it has raised the profile of the rights of people with disabilities and expectations about those rights. (Joe Harrison, sub. 55, p. 12)

... the DDA has done much ... to dispel the vision of people with a disability as denizens of backwaters ... the full impact of the DDA is to be seen in the many subtle and immeasurable ways in which it is helping to shape attitudes and replace the paradigm of benevolence with one of equality. (Bruce Maguire in HREOC 2003d, pp. 67–8)

The DDA has literally increased the visibility of people with disabilities ... It is arguable that it is this visibility, more than anything else, which has had the greatest impact on community attitudes to people with disabilities, and the introduction of the DDA, and the shift to a rights based approach to access for people with disabilities which it represented, was fundamental to this. (Blind Citizens Australia, sub. 72, p. 11)

To a certain extent, the DDA contributed to increasing awareness regarding the rights of people with disabilities. (Women with Disabilities Strategic Consumer Advocacy Project and Women's Health Victoria, sub. DR296, p. 3)

The DDA's impact appears to have been more significant in certain areas of activity and for people with particular types of disability. David Buchanan considered that the DDA had contributed to the decreased stigma associated with HIV/AIDS, for example (sub. 163). Similarly, other inquiry participants noted the DDA's contribution to improved attitudes in employment (Recruitment and Consulting Services Association, sub. 29; Mental Health Coordinating Council, sub. 84), sports, art and recreation (SPARC Disability Foundation, sub. 15), and education (Australian Association of Special Education South Australian Chapter, sub. 38).

The DDA was also seen to have contributed to an increased awareness about access issues for people with disabilities (Housing Connection NSW, sub. 161; Blind Citizens Australia, sub. 72).

In contrast, some inquiry participants asserted that the DDA has had little effect on attitudes towards mental health issues (Western Australian Office of Mental Health, sub. 94) and people with an intellectual disability (NSW Council for Intellectual Disability, sub. 11; Housing Connection NSW, sub. 161), and that the pace of change generally had been slow (NDAC, sub. 225).

Impact of aspects of the Disability Discrimination Act

Specific aspects of the DDA have contributed, to varying degrees, to the DDA's overall impact on awareness and attitudes, and thus to promoting community recognition and acceptance.

Education, research and other policy work

HREOC's education and information provision role elicited considerable inquiry participant comment. Some inquiry participants, including the Anti-Discrimination Commission Queensland (sub. 119), Blind Citizens Australia (sub. 72) and ASEHA Queensland (trans., p. 2067), considered that HREOC has been an effective educator, given its resources. Others, such as ParaQuad Victoria (sub. 77) and Leichhardt Council Disability Access Committee (sub. 75), commented on the usefulness of its disability rights website, which attracts about 50 000 hits per month (HREOC 2003d, p. 24). The website provides general information about HREOC's disability rights work and includes resources targeted at students and teachers.

By contrast, other inquiry participants argued that too little effort is put into educating the community, as evidenced by:

- continuing negative attitudes towards people with disabilities (Marrickville Council, sub. 157)
- a lack of awareness about the DDA and its processes (Mackay Regional Council for Social Development, sub. 87)
- a lack of information on, and the low profile of, HREOC in some States and Territories (Job Watch Victoria, sub. 215; SPARC Disability Foundation, sub. 15; ACT Discrimination Commissioner, sub. 151).

HREOC has acknowledged both the strengths and the shortcomings of its approach. The current Acting Disability Discrimination Commissioner (Ozdowski 2002a, p. 3) suggested that the DDA ‘has had a bigger impact because we [HREOC] have not tried to change community attitudes head on’—that is, HREOC had ‘not spent most of its money on advertising campaigns attempting to change attitudes, or lecturing people about what to think or say’. Hastings (1997) suggested that focusing on ‘system change rather than attitude change ... is the best way to win ... hearts and minds’.

Hastings (1997) also noted that ‘informing and catalysing activity by other agencies in government and organisations’ can help to increase HREOC’s effectiveness. This effect appears particularly important given that education about disability issues needs to reach a large, dispersed and heterogeneous group. However, she pointed to the problems HREOC experienced trying to do so in the first five years of the DDA’s operation, commenting that information ‘simply did not filter from the [peak organisations] through the system’.

HREOC continues to communicate with other organisations and actively cooperates with State and Territory anti-discrimination bodies about education and public information activities (HREOC, sub. 143; Equal Opportunity Commission Victoria, sub. 129). The extent to which these links have overcome the problems experienced during the DDA’s first five years is unclear, but a continuing perceived lack of awareness suggests improvement is possible.

HREOC’s general research and policy work did not receive as much comment from inquiry participants. The Anti-Discrimination Commission Queensland stated that it ‘relies on the research and policy work done by the specialist units at HREOC’ (sub. 119, p. 5), and the Intellectual Disability Services Council commented on the benefits of HREOC’s sterilisation report (sub. 162). The Guide Dogs Association of SA and NT Inc (sub. DR292) and Barbara Prideaux (sub. DR340) noted the importance of HREOC’s research in general. Research and policy work is an important aspect of HREOC’s education role, informing policy makers and others about important issues, and potentially influencing future research, attitudes and policy. A particular benefit has been its highlighting of issues that otherwise might not have arisen through the DDA. The number of projects conducted has not been large, possibly reflecting resource constraints (see chapter 15).

FINDING 10.2

The Human Rights and Equal Opportunity Commission’s education and research function is an important aspect of promoting community recognition and acceptance.

Public inquiries

HREOC viewed public inquiries as ‘one of the major means for promoting awareness and compliance with the DDA’ (sub. 143, p. 55). This view was supported by inquiry participants such as Blind Citizens Australia (sub. 72), the Equal Opportunity Commission Victoria (sub. 129), the Intellectual Disability Services Council (sub. 162), and NDAC, which described them as ‘vitaly important’ (sub. DR358, p. 4). Such benefits have been highlighted by, for example, the inquiries into captioning and e-commerce (see appendix D). Some inquiry participants perceived the educative value of inquiries to outweigh that of complaints. The Anti-Discrimination Commission Queensland noted ‘the scope of inquiries to achieve systemic change and to have an educational value which confidential individual complaints can never have’ (sub. 119, p. 7) (see chapter 13).

Blind Citizens Australia (sub. DR269) suggested inquiries should be used more frequently, but several inquiry participants—including Disability Action Inc. (sub. 43) and the Equal Opportunity Commission Victoria (sub. 129)—noted that resource constraints limit HREOC’s ability to conduct inquiries. HREOC also commented on this issue, particularly on its ability to conduct inquiries in non-complaint contexts (sub. 143).

FINDING 10.3

Public inquiries appear to have had positive impacts on promoting community recognition and acceptance in specific areas. Their overall impact has, however, been limited by the small number that have been conducted.

Complaints

The impact of complaints on public awareness and attitudes has been mixed. Some high profile cases, such as *Maguire v SOCOG* (1999) (HREOC H99/115) and *Scott v Telstra* (1995) (HREOC H95/3), have been very effective in raising awareness of access issues for people with disabilities across a range of areas (see appendix D). However, few cases have generated as much publicity as these. Several inquiry participants—such as the Northern Territory Disability Advisory Board (sub. 121) and ParaQuad Victoria (sub. 77)—suggested there is insufficient publicity of complaint outcomes. Scope to increase publicity may be limited somewhat because most complaints are settled by conciliation and are subject to confidentiality agreements (although HREOC publishes some conciliated outcomes in a non-identifying way—see chapter 13). As a result, complaints generally provide less scope than do inquiries for promoting widespread recognition and acceptance.

Some inquiry participants suggested the complaints-based approach even had the potential to stimulate negative community attitudes towards people with disabilities, by presenting this group as aggressive and overly litigious. The Disability Coalition, for example, commented:

... the legislation places people with a disability in the position of being the aggressive party. This does not create a positive image of people with a disability ... In many ways it perpetuates the idea that people need 'special' treatment and are making themselves different by demanding something 'extra' ... (sub. 67, p. 6)

Queensland Parents for People with a Disability (sub. 103) expressed similar views.

FINDING 10.4

Some complaints, particularly high profile cases proceeding beyond conciliation, appear to have helped promote community recognition and acceptance across a range of areas. However, the educative impact of complaints is limited by the confidentiality of many conciliated agreements.

Disability standards and action plans

The process of developing disability standards and action plans has the potential to have some positive effect on awareness and attitudes, at least in those sectors to which they apply. The Equal Opportunity Commission Victoria noted:

... provisions relating to voluntary action plans and disability standards ... have encouraged a greater level of attention, communication and consultation in relation to disability discrimination issues than would otherwise have occurred. (sub. 129, p. ii)

The Australian Building Codes Board (sub. 153), National Catholic Education Commission (sub. 86), Association of Independent Schools of South Australia (sub. 135) and NDAC (sub. DR358) expressed similar views about the impact of standards development in particular sectors and the community generally.

Consultation, to the extent that it involves a broad range of parties, is crucial in contributing to the educative effect of the standards development process. However, unless draft standards are widely available to the public during their development, the educative potential of the process is limited. Bruce L. Young-Smith commented:

During the development of the current [education] standards, draft copies ... were difficult to obtain ... Such an important document/process should be available to the public to enable valuable discussion by the community. (sub. 80, p. 4)

Moreover, the real benefit of standards—in terms of creating systemic change and certainty (see chapter 14) and awareness raising—comes from their introduction. The time taken to develop standards, along with the fact that only one (the

Disability Standard for Accessible Public Transport) has been introduced, has therefore severely limited their overall impact.

FINDING 10.5

The process of developing disability standards appears to have had a positive impact on promoting recognition and awareness in some sectors, largely due to the consultation involved. Their overall educative impact has been limited because only one has been introduced.

In relation to action plans, the Equal Opportunity Commission Victoria argued that the number lodged ‘illustrates that some service providers have turned their attention to the needs and rights of people with disabilities’ (sub. 129, p. 10). Disability Rights Victoria argued that ‘benefits are most evident in [the] public sector where [the] implementation process has done more to raise awareness about the DDA and its intent than any other process’ (sub. 95, p. 4).

Nonetheless, some inquiry participants (including Blind Citizens Australia, sub. DR269) expressed concerns about the overall impact of action plans, especially given the low number of plans lodged by business organisations (see chapter 14). This low number would have moderated the overall educative effect of action plans. Further, because action plans are voluntary and do not apply industry-wide, the extent to which they can increase awareness on a large scale is limited relative to the effectiveness of disability standards.

FINDING 10.6

Action plans have raised awareness among those ‘service providers’ that have introduced them but their overall educative impact has been limited by the relatively small number that have been lodged.

Guidelines and advisory notes

Guidelines and advisory notes can have many awareness raising benefits. Carers Australia stated that they ‘perform an educative role and clearly set out expectations to eliminate discrimination’ (sub. 32, p. 4). Industry appears to have found guidelines and advisory notes useful sources of information, although there has been some issue about how they apply in practice (see chapter 14; appendix D). The Insurance and Financial Services Association, for example, welcomed the life insurance and superannuation guidelines as providing clear guidance on the types of information that industry could rely on in making underwriting decisions (see chapter 12 and appendix D). The National Association of People Living with AIDS (NAPWA, sub. DR314, p. 1) also submitted that these guidelines ‘can play an

important role in educating both industry and consumers about the existence of obligations and rights under the DDA'. Innes (2000b) noted that these guidelines received about 60 'hits' per month on the HREOC website, although the number of hits does not indicate who was using the guidelines or how useful users found them. Although guidelines and advisory notes can have similar content, guidelines might have a greater potential impact because they are recognised in the DDA (see chapter 14).

FINDING 10.7

Guidelines and, to a lesser extent, advisory notes appear to have raised awareness of disability issues and Disability Discrimination Act 1992 requirements.

An overall assessment of effectiveness

It is impossible to quantify the effectiveness of the DDA in promoting community recognition and acceptance. Even a qualitative assessment is difficult, given the conflicting views of inquiry participants, as well as problems such as limited information, the need to isolate the DDA's impact from that of other influences, and the relatively short period of time for which the DDA has operated.

The DDA does appear, however, to have made some contribution to improved community awareness and attitudes towards people with disabilities. HREOC's education and general research functions, public inquiries and guidelines, appear to have made contributions. So, too, has the development of disability standards and action plans. The consultation involved in these processes has helped. The impact of complaints appears to have been more variable—although having effects across a broad range of areas, their impact has been constrained somewhat by the confidentiality of conciliated agreements, and the often specific nature of complaints.

Awareness of the DDA appears low in some sectors, suggesting there is scope to improve the way in which information is disseminated, such as through HREOC's links with other organisations. Notwithstanding scope for improvement, outcomes so far appear to have been reasonably effective, given resource constraints (see chapter 15) and the relatively short period over which the DDA has operated.

FINDING 10.8

The Disability Discrimination Act 1992 appears to have contributed to improvements in community awareness of disability issues and attitudes towards people with disabilities, but there is scope for further improvement.

10.4 Improvements to the current approach

The difficulties of assessing the DDA's effectiveness also make it difficult to identify areas for improvement. Nonetheless, a number of inquiry participants raised the need for improved education by HREOC as a way of improving community awareness and attitudes (although some, including Disability Action Inc. (sub. 43) and Blind Citizens Australia (sub. 72), also cautioned against HREOC's education role diverting attention from other work, such as complaints). Ways of improving education were suggested, ranging from general awareness campaigns to programs targeted at particular groups or types of disability (box 10.2). Whatever approach is taken, there is a need to recognise that:

- it is inherently difficult to achieve the object of promoting community recognition and acceptance, particularly in short timeframes (see for example, the Intellectual Disability Review Panel, sub. 207; ParaQuad Victoria, sub. 77)
- gaps are likely to remain, regardless of the appropriateness of the options chosen, and how effectively these are implemented (box 10.3)
- resources significantly affect what can be done and what results can be expected
- awareness raising must be considered in a broader context, specifically the extent to which this object should take precedence over, and resources from, other priorities, such as complaints handling.

General public awareness campaign

Many inquiry participants supported the use of general public awareness and education campaigns (box 10.2).

Public awareness campaigns using mass media can provide many benefits. They potentially reach a broad audience, can influence individual behaviour by creating a favourable climate of community opinion, and have had positive impacts on attitudes and behaviour in many areas (box 10.3).

However, advertising campaigns alone do not tend to change attitudes, although they can increase awareness and the level of information, and sensitise the audience to other forms of communication. They appear best suited to conveying particular types of information—such as specific, simple messages with specific behavioural implications (see, for example, South Australian Equal Opportunity Commission, trans., pp. 1001–2).

Box 10.2 Inquiry participants' views on improving education

Comments on public awareness campaigns included:

More publicity promoting the dignified treatment of the disabled and the public's responsibility within the Disability Discrimination Act not only legally but morally is needed. Campaigns such as those ... that educate on the issues of drug, alcohol abuse and driver responsibility are prime examples of ... ongoing public education designed to alter unacceptable social behaviour. This same type of awareness campaign could be initiated to overcome the social issues faced by the disabled. (Souraya Bramston, sub. 33, p. 2)

... a real push in mental health education in the public and in the media would help alleviate discrimination towards mental health ... It is this type of education, in schools, public, and in the media, that ... should be adopted ... (Arafmi Hunter, sub. 36, p. 7)

... perhaps it is timely to conduct another community information and education campaign. (Mental Health Council of Australia, sub. 150, p. 19)

Comments on strategies targeting particular groups included:

... [is it possible to] incorporate an educational unit within the school system that would teach and promote tolerance, empathy, justice and consideration for all the many diverse communities within Australia including the disabled ... ? (Souraya Bramston, sub. 33, p. 2)

... we recommend the government provide more resources for community education ... with a particular emphasis on ... employers with less than 20 staff. (Job Watch, sub. 90, p. 2)

Training and awareness raising ... could ... fruitfully occur in schools, neighbourhood centres and other venues where information is shared with members of the community. (Housing Connection NSW, sub. 161, p. 5)

Comments on accessible information included:

... HREOC ... [should] develop concrete and relevant multilingual information and resources about disability, rights and the DDA ... provide more education and accessible information to people from a NESB with disability about the DDA and its availability to those who have been discriminated against. (National Ethnic Disability Alliance, sub. 114, pp. 6–7)

... A plain English booklet on the DDA should be distributed through Centrelink and provided directly to clients ... [it] needs to be clear, concise, user friendly and available in a variety of formats eg. talking books, Braille and through a variety of outlets eg. libraries, local governments, service providers etc. (Mansfield Community Forum, sub. 202, p. 1)

Comments on the type of information needed included:

... [there is a need for] awareness/education of where to find skilled employees with disabilities ... (Recruitment and Consulting Services Association, sub. 29, p. 2)

... community education ... could cover raising awareness of invisible disabilities, and the impact of disability on families and carers. In addition to ensuring people are aware of their obligations to all groups under the DDA, education could look at flexible approaches to inclusion ... (Disability Coalition, sub. 67, p. 3)

... [there is] a need for improved information ... regarding the differences between the DDA and relevant State or Territory legislation. (Equal Opportunity Commission Victoria, sub. 129, p. 36)

... in Victoria, HREOC does not have a high profile ... The function and work of HREOC must be publicised extensively so that there is a nationwide understanding of its existence, purpose and accessibility. (Job Watch, sub. 215, p. 2)

Box 10.3 Characteristics of successful education campaigns

Education campaigns to change community attitudes have been used in various areas, including health and road safety. These show that various characteristics contribute to the effectiveness of education campaigns, although they do not guarantee success.

- Research and planning are essential before implementing a strategy. This helps set goals/desired outcomes, assess options for achieving those goals and assess what feasibly can be achieved. It also provides a basis for later review and adjustment.
- Both 'what' and 'who' to target need to be identified. 'What' might include precursors to behaviour, the behaviour itself, or the consequences of behaviour. 'Who' could involve the general public or specific groups. In influencing what the public thinks about, general campaigns can be beneficial by helping to create a 'supportive climate of opinion in the community' since 'public opinion ... can act as a potent influence on the beliefs and behaviour of individuals' (Henderson 1991, p. 16).
- A multifaceted approach tends to be most effective. Education and information only tend to be effective as part of a broader range of measures, possibly including legislation and economic incentives. Although advertising campaigns alone may not change attitudes, they can increase awareness and the level of information, help form beliefs, and sensitise the audience to other forms of communication. Using the mass media can be useful, but other approaches—such as school and community-based programs—may also be effective, either as complements to or substitutes for broader scale campaigns.
- Collaborative approaches—across levels of government and with non-government groups—enhance effectiveness. Involving local and regional groups can help to identify any specific local issues and to ensure a message reaches the local level.
- Campaigns need to be ongoing or maintained for extended periods, although they need not be continuous—a series of campaigns (perhaps each with a different focus), with 'campaign free' periods between each, can be effective. Repetition helps reinforce initial gains and prevent the message being forgotten, and provides an opportunity to educate others over time. This needs to be managed carefully, however, to prevent 'message fatigue' setting in, which could offset earlier gains.
- Ongoing evaluation—during and after implementation—is required. This helps identify areas of need, what is likely to work, and what has been successful.
- Large scale campaigns tend to be expensive, especially if involving extensive media advertising. For example, \$8 million in federal funding alone was allocated to the National Tobacco Campaign (launched June 1997) in its first six months. More than half of this was for advertising. Eight million dollars over four years was allocated to a National Community Awareness Program (launched 1995) under the National Mental Health Strategy. Two weeks of prime-time television advertising in Victoria during SunSmart Week cost \$140 000, while airing free national Community Service Announcements saved a six-month Anti-Cancer Council campaign (focused on children) an estimated \$500 000 in 1998.

Sources: Anti-Cancer Council of Victoria 1999, 2003; Borland and Balmford 2003; Donovan et al. 2003; Harrison and Senserrick 2000; Henderson 1991; Hill and Carroll 2003; Kent and Fildes 1997; Lawrence 1995; Vaughan and Hogg 2002; Wakefield et al. 2003.

Lessons from successful campaigns in other areas also suggest they need to involve extensive research and evaluation, be one part of a broader approach, and be well resourced and ongoing (box 10.3). One way to illustrate the potential magnitude of resource requirements is through comparison with HREOC's funding. Funding for its 1994 DDA campaign, for example, was \$619 000, including funds HREOC reallocated from other purposes (HREOC 1994). The \$8 million allocated to the first six months of the National Tobacco Campaign in 1997 (box 10.3) was equivalent to about half of HREOC's total appropriations (budget) across all its functions in 1997-98 (HREOC 1998d). The desirability of ongoing campaigns to promote long-lasting attitude change also means funding is required on an ongoing basis (although later funding requirements may be lower than in the initial stages of a campaign).

A new advertising campaign by HREOC could focus on increasing awareness of the DDA and/or changing attitudes. However, experience suggests that major public education campaigns in this area do not necessarily provide the desired results. HREOC's 1994 campaign and US attempts to promote awareness had relatively poor results (section 10.1; NCD 1993, 1995a). Similarly, there appears to be still significant prejudice in Australia against people with mental illness, despite large scale campaigns conducted under the National Mental Health Strategy. Slow progress in relation to mental illness might reflect unrealistic expectations and the fact that it takes time to observe changes, but it might also reflect the inherent difficulty of raising awareness in this area. The South Australian Equal Opportunity Commission suggested that many disability issues are too complex to be amenable to mass media public education campaigns, and that 'unless you target, you can waste an awful lot of money' (trans., p. 1001). It pointed specifically to the following important disability issues as being especially difficult to promote through general campaigns:

- how much adjustment is enough and what exactly is the behaviour you want people to stop, noting the difficulty even the courts have in grappling with these issues, as evidenced by the Purvis case (trans., pp. 1001-2)
- equality and difference, and what equal treatment means, commenting:
It doesn't mean the same treatment ... I don't think it's that complicated, but a lot of people, when we talk about that issue in our training ... we get absolute resistance. I'd hate for this to be a public message because by and large the bulk of the population does not agree with special assistance; they don't like it ... Unless it's a very obvious reason why ... (trans., p. 1003)

The use of large scale advertising campaigns for disability issues might best be reserved for conveying messages that are relatively clear and simple, and/or focus on a particular issue. If significant changes are made to the DDA as a result of the recommendations of this inquiry, then a one-off campaign by HREOC to publicise

these changes might be warranted, for example. There might also be benefits from undertaking campaigns to address specific issues, such as mental illness, but HREOC should not necessarily be responsible for all disability related campaigns. Mental illness, for example, might be better addressed directly by other organisations under the National Mental Health Strategy.

Targeting specific groups

Several inquiry participants suggested that more could be done to target awareness strategies to specific groups, including employers, the media and schools (box 10.2). This type of approach can have several benefits. It has had positive impacts in the past on attitudes and behaviour in areas such as health promotion, as well as in relation to people with disabilities (see, for example, Anti-Cancer Council of Victoria 1999; Vaughan and Hogg 2002; Robinson et al. 2001). It can be tailored to deliver information that is most relevant to these groups, using the most appropriate medium (such as the Internet, brochures and training materials). If carefully targeted, it can also be less resource intensive for HREOC than a major advertising campaign, although it would still require fairly significant funding. As with other approaches, it could be undertaken in conjunction with other groups, including State and Territory anti-discrimination bodies.

Employers

A range of inquiry participants—individuals, disability representatives and employer groups—highlighted the need to do more to target education efforts to employers. This reflects both continuing perceived deficiencies in, and the importance of, this area. Suggested information needs related to topics such as the benefits and role of people with disabilities in the workforce; adjustment options; government programs and types of assistance that are available, and the benefits that have been achieved by them so far; and relevant (especially new) legislative obligations.

Inquiry participants overwhelmingly supported a more collaborative approach to developing and delivering education and information to employers—involving various organisations but, critically, employers themselves (see, for example, ACCI, sub. DR288; Australian Industry Group (AIG), sub. DR326; ACE National Network, sub. DR361; National Diversity Think Tank, trans., p. 2574). As an example of such an approach, AIG pointed to its ‘extensive’ and ‘successful’ work with the Department of Employment and Workplace Relations, in developing publications and initiatives for employers in the industrial relations area (trans., p. 2608). It also noted that it had already ‘done some things with HREOC and the

state bodies' (trans., p. 2608) but suggested that more could be done:

HREOC should devote more resources to working with [AIG] and other employer groups to educate their member companies about the issues in a positive way, rather than just focusing on legal obligations. Joint seminars and publications would be worthwhile. (sub. DR326, p. 5)

It suggested further that:

... a lot more could be done by working through industry groups like ours ... where we have a close relationship with our 10 000 or so member companies. This is ... likely to be far more successful than putting an ad on television, for example, where it's a very broad brush and extremely costly way of going. (trans., p. 2615)

Employer representatives (AIG, sub. DR326, trans., pp. 2607–8 and pp. 2614–6; ACCI, sub. DR288; Victorian Automobile Chamber of Commerce, sub. DR369) and the Department of Employment and Workplace Relations (sub. DR299) suggested a greater emphasis on educating employers would be more effective than legislative approaches in promoting positive attitudes (and preventing negative attitudes) towards, and improving employment outcomes of, people with disabilities. AIG, for example, referred specifically to a conference where:

... we had 150 or so senior managers ... at typically the HR director level ... and a very motivational speaker ... spoke about the ... benefits of employing people with disabilities and why this makes sound business sense ... That has a much greater impact than a law that may or may not be well directed. (trans., p. 2608)

Similarly, in relation to small business, the Victorian Automobile Chamber of Commerce commented:

Our members do not have the resources to deal with extra regulatory burden in the workplace.

... Education is a more appropriate vehicle to ensure the participation and inclusion of people with a disability both in the community and, ultimately, in small business ... Only through education and training programs will change in society and, ultimately, the workplace be effected. (sub. DR369, p. 3)

Others, though supportive of education of employers, questioned how much it would do on its own. Tasmanians with Disabilities Inc. suggested that attending a seminar about disability issues may not educate an employer 'nearly as much as ... having an employee with a disability would educate you' (trans., pp. 2180–1). The Equal Opportunity Commission Victoria also commented that there will always be employers 'who aren't convinced by educative measures and who aren't convinced to comply proactively', and referred to the Canadian experience, where:

They had purely and simply voluntary mechanisms; they had education. It wasn't enough. It was clearly shown not to be enough, and that's when they added the auditing and added their compliance regime. (trans., p. 2599)

Overall, given perceived continuing issues in employer awareness and attitudes, the Productivity Commission considers educating employers to be a priority, and an important component of the broader approach reflected in this inquiry's recommendations. Such targeting would be particularly important if employer obligations under the DDA were to change as a result of this inquiry, such as through the introduction of an explicit duty to make reasonable adjustments (see chapter 8).

That employer groups seem particularly willing to work with HREOC in developing and delivering such programs is encouraging, given the importance of cooperative approaches and the need for the target group to be receptive to the messages conveyed, as well as the potential to share resources and costs. Moreover, employer involvement can provide a double benefit—changing the perceptions of employers as they gain a better understanding through program development and delivery processes, and changing the awareness of employees as this information is disseminated through organisations.

FINDING 10.9

Significant benefits would derive from the Human Rights and Equal Opportunity Commission targeting education and information provision to employers.

FINDING 10.10

Actively involving employer groups in the development and delivery of education strategies would provide a double benefit—educating both employers and their employees.

RECOMMENDATION 10.1

The Human Rights and Equal Opportunity Commission should work with employers and employer groups to develop and deliver targeted education campaigns.

Professional development

Some inquiry participants thought HREOC should take a more active approach to targeting professional development of groups such as the media, teachers, architects, and legal community (see, for example, Marrickville Council, sub. 157; Mansfield Community Forum, sub. 202; Blind Citizens Australia, sub. DR269; Office of the Public Advocate Victoria, sub. DR290; Action for Community Living, sub. DR330). HREOC could take one or more of three broad approaches to influencing professional development: (1) directly providing education; (2) developing course material, in conjunction with educators and/or professional

associations; and (3) informally raising awareness of DDA requirements, by publicising them to educators (or making *ad hoc* presentations to classes).

HREOC does not generally favour having direct involvement in professional education, arguing that it lacks the resources and authority to conduct education for professionals (sub. 219). The Productivity Commission agrees. However, a more informal education role for HREOC—such as running occasional short courses or seminars—might be appropriate in some circumstances. This could be the case, for example, where lack of awareness has been identified as a particular problem but other organisations do not have sufficient knowledge of the subject matter to conduct their own courses. This strategy might also involve trying to develop the expertise of other organisations so they can eventually take on the education role.

HREOC could also use its expertise and understanding of human rights issues to encourage educators or professional associations to develop appropriate curricula. In a limited number of cases (those considered to be of particular importance or need), joint production of course material may be warranted, resources permitting.

Schools

Several inquiry participants suggested focusing on schools (box 10.2). There are many ways of doing this, not all of which would involve HREOC directly. HREOC has, for example, already prepared (in 1997) and updated (most recently in 2003), a dedicated schools' resource for race discrimination issues, which teachers can then deliver to their classes. Consideration could be given to developing a similar dedicated resource for disability issues.

This type of material, which otherwise might not be included in school curricula, has the potential to provide several benefits. It could increase students' understanding of, and improve attitudes towards, people with disabilities. Students could then take those improved attitudes into other areas of life, both in the short and long term. The resource could also encourage schools to adopt other community-specific strategies related to disability issues, and help to improve the experience of inclusion for school communities. Such a resource would be particularly valuable given the increasing inclusion of students with disabilities in mainstream schools and the possible implementation of the education disability standard (see appendix B).

Availability of information

Inquiry participants suggested a range of issues about which more information is needed, including differences between the DDA and State/Territory legislation, and

where to find skilled employees with disabilities (box 10.2). This raises the related issue of how such information is made available. One aspect of this, which can be especially important for targeting some groups, is how the information is presented. HREOC already provides information in a variety of formats and community languages to try to make information accessible to people with particular disabilities, and people with disabilities who are from non-English speaking backgrounds. Despite this, some participants commented on the need for more information and resources to be made available in accessible forms, including in community languages and ‘plain English’ (box 10.2).

The accessibility of information also depends on how it is distributed. HREOC’s website has been an important source of information for many people, and it is one way of reaching those who are not part of formal disability networks. However, many people with disabilities (and other groups, particularly those in rural areas) do not have access to the Internet so that medium alone cannot be relied on for information distribution.

The Mansfield Community Forum highlighted the importance of multiple distribution channels, suggesting Centrelink, libraries and local governments as possible outlets through which to distribute information (box 10.2). Research by the Communication Project Group also suggests that various distribution channels are required; the most appropriate depending on the target group (trans., pp. 2057–8 and p. 2064). Daryl McCarthy suggested that disability liaison officers in tertiary institutions could be a more useful ‘distribution channel’, especially during orientation weeks, than pamphlets that are not read (trans., p. 2195). Fostering links with other organisations may also help to improve the effectiveness of information dissemination. Overall, the best approach to information distribution can be assessed only on a case-by-case basis, considering the benefits and costs, and factors such as the needs of particular groups and the extent to which generic information can meet these needs.

Research and information gathering

While most inquiry participants were concerned about the distribution of information, some suggested the need for further research and information gathering (effectively finding and/or producing new information) in some areas. The Disability Council of NSW (sub. 64) and Joe Harrison (sub. 55) suggested more statistical data are needed. They argued that such data could form the basis of a ‘state of the nation’ report that provides valuable information, stimulates public debate and enhances community awareness of disability. HREOC stated that it was:

... not itself in a position to conduct a ‘state of the nation’ audit but agrees that

improved indicators of a range of disability issues would be highly useful to inform policy and program activity and to inform public and media discussion of disability. (sub. 219, p. 4)

A comprehensive integrated data source about people with disabilities is not available (see chapter 3), but there are a number of existing sources of data on people with disabilities (many of which have been drawn on in this report). As well as the annual reports and occasional research of HREOC, information sources include the Survey of Disability, Ageing and Carers (SDAC), the HILDA survey, the *Report on Government Services* (which includes a chapter on services for people with disabilities), and publications by the Australian Institute of Health and Welfare and the Australian Housing and Urban Research Institute.

The Productivity Commission considers that HREOC's research function does not extend to an ongoing role in collecting and publishing general disability-related data. Rather, HREOC should continue to provide data within the context of its core duties, such as fulfilling its annual reporting requirements (by collecting and publishing complaints data) and undertaking specific research projects. Problems with existing data sources are best addressed by the relevant data collection agencies. The Productivity Commission recognises the efforts of agencies such as the ABS to improve the quality and quantity of data about people with disabilities.

In terms of general research, HREOC (2003d) indicated a desire to do further work in the psychiatric disability area, while Barbara Prideaux (sub. DR340) suggested chemical illness and unsafe products as an area for HREOC research. The Productivity Commission acknowledges that HREOC cannot deliver all the research needed to help change community attitudes, given its resource constraints, but considers that its contribution is valuable.

Links with other organisations

The importance of cooperation and the development of links with other organisations was noted earlier. Some inquiry participants, including HREOC (sub. 143), the Equal Opportunity Commission Victoria (sub. 129) and NDAC (sub. 225 and sub. DR358), highlighted the scope for, and desirability of, further cooperation with various organisations in education and information provision. NDAC argued that the 'ability for HREOC to expand its inquiry role, especially in conjunction with other bodies such as the State and Territory anti-discrimination bodies could be encouraged' (sub. DR358, p. 4). HREOC also expressed interest in pursuing 'expanded cooperation with business, disability community organisations, local government, or other agencies', in recognition of 'limits on its own resources, expertise and ability to reach people with appropriate information' (sub. 219, p. 29).

Enhancing links with other anti-discrimination bodies and other groups could produce benefits by:

- helping to identify, and address, particular issues and needs of specific groups, and the most appropriate ways of disseminating information in the respective States and Territories—for example, fostering further links with State and Territory governments may enhance access to disability groups formed by those governments (such as Victoria’s regional access project groups)
- enhancing awareness of, and reducing confusion about, the federal and State systems
- consolidating knowledge, making the best use of the particular expertise of each group
- reducing duplication, which may free up resources that can be used in other areas or to increase the scope of educational activities (improving the efficiency of overall resource use)
- encouraging involvement by government departments and organisations that do not currently perceive such involvement as their responsibility (see, for example, the comments of the National Ethnic Disability Alliance (trans., p. 1447))
- enhancing the perceived strength of the message, by presenting a ‘united front’ on disability issues.

The effectiveness of the cooperative approach depends on its implementation. Leichhardt Council Disability Access Committee suggested HREOC may have ‘a leadership role ... to advise all levels of government and the community where discrimination is taking place’ (sub. 75, p. 4), while the Anti-Discrimination Commission Queensland noted the need for HREOC’s current research and policy work to be done at the national level (sub. 119).

Even to the extent that HREOC takes a ‘leadership’ role in some areas, the active involvement of other groups remains crucial. The importance of involving employer groups in the development and delivery of education programs targeted at employers was noted above. ParaQuad Victoria (sub. 77) suggested HREOC encourage other government departments and non-government organisations to produce education and training materials. Similarly, the Physical Disability Council of Australia argued:

... there’s enough national and State-based organisations to actually take on the role of educating people on their rights. There’s advocacy organisations; there’s the Disability Discrimination Legal Services ... it’s about time that the power was shared between some of those organisations so that it’s not just HREOC’s role. (trans., pp. 180–1)

Links with other anti-discrimination bodies would be enhanced by HREOC becoming a member of the Australian Council of Human Rights Agencies, which was established by the Commissioners/Presidents of State and Territory anti-discrimination bodies. Introducing HREOC to an existing structure has the advantage of not creating additional administrative layers. The Council's main focus—which has been on racial and religious vilification issues—could then be expanded to encompass disability, and possibly other, discrimination issues.

The Council could become a clearing house for ideas, and provide a means for discussing research priorities and programs for disability discrimination issues and their funding. It would also be the appropriate body to take ultimate responsibility for providing information about differences in, and the application of, relevant laws at the federal and State/Territory level. This does not mean that other groups should not be involved in such work. However, the Council would be in the best position to coordinate efforts to keep information regarding legislative changes up-to-date. Actual production could be contracted out to other parties. As well as being the vehicle for coordinating education and awareness raising, the Council could oversee efforts to provide a coordinated approach to complaints handling in each State and Territory, including through a 'shop front' presence in each jurisdiction (see chapter 13).

Overall, the Productivity Commission considers that further cooperation between HREOC and other organisations dealing with disability discrimination issues will help to identify areas of need in each region, reduce duplication and enhance awareness of, and reduce confusion about, the federal and State systems.

FINDING 10.11

There is potential for the Human Rights and Equal Opportunity Commission to expand cooperation with State and Territory anti-discrimination bodies and other organisations in promoting community recognition and acceptance of the rights of people with disabilities.

RECOMMENDATION 10.2

The cooperative arrangements between the Human Rights and Equal Opportunity Commission and State and Territory anti-discrimination bodies should be formalised and extended. This would be facilitated by:

- ***including HREOC in the membership of the Australian Council of Human Rights Agencies***
- ***broadening the Council's focus to cover disability issues, especially the development of education programs, information provision, research priorities and programs, and a 'shop front' presence in each jurisdiction.***

10.5 Summing up—striking a balance

The DDA appears to have contributed to improving community awareness of disability issues and attitudes towards people with disabilities and, in so doing, appears to have made some progress towards achieving its object of promoting community recognition and acceptance. The exact scope of its contribution is unknown, given the limited, largely anecdotal, information available to measure the DDA's effectiveness, and its relatively short period of operation.

There does, however, appear to be scope to enhance the DDA's effectiveness in specific areas, suggesting that improvements to the current approach to promoting recognition and acceptance are possible. Implementing such improvements is not easy. It involves striking a balance—between different possible strategies, different objectives, the roles of different organisations, and competing resources—in a context in which HREOC's resources are limited, and information about the benefits of particular awareness raising approaches is incomplete.

A general, large scale mass media campaign does not appear justified at present, given the cost and uncertain benefits of such an approach. Focused campaigns to promote particular issues—such as to publicise any major changes to the DDA flowing from this inquiry—might nevertheless be appropriate. The desirability of this would need to be assessed on a case-by-case basis.

This chapter suggests that the most significant improvements to community recognition and acceptance of people with disabilities are likely to derive from HREOC:

- performing additional research into specific priority areas
- enhancing links and cooperation with State and Territory anti-discrimination organisations and other bodies
- targeting its information provision to gain the most leverage, with a particular focus on employers and other groups with responsibilities under the DDA, and schools.