

# Disability Discrimination Legal Service

ABN 36 079 687 722

## Annual Report

## 2015/2016

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# Statement of Purpose

1. To promote the objectives of the Disability Discrimination Act 1992 (Cth) and the Equal Opportunity Act 2010 (Vic) ('the Acts') and other relevant domestic and international human rights instruments (human rights legislation) in relation to disability. These objectives include:
  - the elimination of discrimination on the basis of disability;
  - that people with disabilities have a right to equal treatment before the law and;
  - to promote community understanding that people with disabilities have the same fundamental rights as the rest of the community.
2. To provide leadership in State and Federal arenas for legal and policy reform in areas where there continues to be systemic failure that leads to discrimination on the grounds of disability or impairment.
3. In order to further develop case law, to provide free and easily accessible legal advice, referral and casework services to people with disabilities and to people/organisations who assist or work with people with disabilities in relation to the Acts, and to prioritise cases that will further develop disability discrimination law.
4. To initiate and participate in the development of education outreach and information distribution to promote further awareness of the Acts and human rights legislation to consumers and the community.
5. To achieve law reform outcomes for people with disabilities, that reduce discrimination by initiating and participating in reviews of Federal, State and international human rights legislation specifically relevant to the needs of people with disabilities.

## Vision

There are no barriers to full inclusion of people with disabilities.

## Mission

To provide a high quality, professional, accountable and timely legal service to people with disabilities in the area of disability discrimination. To provide legal education and lead legislative and policy reforms that promote persons with disabilities' freedom and opportunities to achieve their life goals, unhindered by prejudice, disability discrimination or injustice.

## Values

People with disabilities have the right to:

- ✚ the same opportunities as others;
- ✚ be treated with respect as clients and members of the community;
- ✚ full access to the judicial system in order to pursue their human rights at law.



## Service Profile

The Disability Discrimination Legal Service Inc. (DDLS) is a state-wide Community Legal Centre dedicated to the elimination of discrimination based on disability.

DDLS is funded by the Federal and the State Attorney's-General, and administered through the Victoria Legal Aid (VLA) Community Legal Centre (CLC) Funding Program. We thank them for their ongoing assistance and support. Funding for the financial year was as follows:

Commonwealth	\$225,572
State	\$ 48,248

DDLS undertakes casework for people with disabilities under the *Disability Discrimination Act (Cth 1992)* ("DDA"), and the *Equal Opportunity Act (Vic 2010)* ("EOA"). This involves providing advice and on-going assistance to people with cases before the Australian Human Rights Commission, the Federal Court of Australia and the Federal Circuit Court, the Victorian Equal Opportunity & Human Rights Commission and the Human Rights List of the Victorian Civil and Administrative Tribunal ("VCAT"). In addition, the Service supports people who decide to conduct their own cases and likewise assists disability advocates to take up cases on behalf of their clients.

DDLS recognises the importance not only of direct casework assistance but also the need to increase awareness of rights and responsibilities under disability discrimination laws through strategic community legal education ("CLE") projects. Increasingly, these projects engage people with disabilities in the delivery of services or developing CLE resources and publications produced in hard copy or available on the internet.

We also work toward reform of the law and areas of public and private policy through activities such as research, projects, lobbying and submission writing. Through challenging and changing discriminatory laws and procedures, the Service can assist many more people with disabilities than would otherwise be possible.

DDLS is open five days per week, 9.00am to 5.00pm with one evening clinic per week. Legal advice is provided by telephone or face-to-face appointment where necessary. Community legal education is increasingly targeted and planned in advance and inquiries can be made directly to the Service. In addition, information about the Service, the relevant law and useful links can be accessed through the Service's Internet site located at [www.ddls.org.au](http://www.ddls.org.au).

However, websites can never be a substitute for informed advocacy; rather they provide another avenue for information access for people with disabilities who have the skills and resources to enable access to relevant technologies.

The challenge for the Service has always been to provide targeted strategies to assist as many people as possible given very limited resources. The criteria for casework assistance therefore are primarily based on public interest principles. The other consideration is, of course, whether or not the client can find appropriate legal advice and representation elsewhere, and their capacity to meet any associated costs. Information and community legal education are provided free to people with a disability. Service providers, businesses and other organisations with the capacity to meet the associated costs of providing these

services are duly charged for them. As an ATO registered Donation and Gift Recipient, the Service can only charge a set amount determined as the 'cost price' for these services but can, of course, accept donations.

The community based management committee undertakes management of strategic decision-making, finances, policy direction and evaluating service delivery. The committee is made up of members of interested organisations and individuals. It meets monthly and otherwise as required and is elected from the membership annually. People with disabilities are strongly encouraged to be involved.

Membership of the organisation is free and open to all who share the philosophy of the Service. Interested people are encouraged to contact the Service to find out about how to become a member. Volunteers are a vital part of the work of the DDLS and this will continue to be a focus for the continued provision of services. Various roles within the organisation provide an array of opportunities for people who wish to contribute their time and energy to the important work the Service does.

Please contact the Service for details of how to become a DDLS Volunteer.

Disability Discrimination Legal Service Inc  
Level 2  
247-251 Flinders Lane  
Melbourne VIC 3000

Ph: (03) 9654-8644  
Fax: (03) 9639-7422  
Country Callers: 1 300 882 872  
Email: [info@ddls.org.au](mailto:info@ddls.org.au)  
Web: [www.ddls.org.au](http://www.ddls.org.au)



# Committee of Management

The Committee of Management is responsible for the DDLS' strategic direction and the development of organisational policies, procedures and practices in collaboration with staff and management. Members for the financial year were as follows:

Chairperson:	Ms Elizabeth Knight
Vice Chairperson:	Ms Jan Ashford
Treasurer:	Mr Nick Corker
Members:	Mr Pradeep Hewavitharana
	Mr Wayne Kiven
	Ms Elizabeth Muhlebach (treasurer to April 2016)
	Dr Liddy Nevile
	Mr Marius Smith
	Dr Claire Spivakovsky
Secretary:	Ms Julie Phillips



**Jan Ashford** has been involved in the community sector for thirty years after coming from government. With an academic background in Arts, Social Work, Family Counselling and post graduate in quality corporate management. Her passion is human rights and was awarded Ethel Temby Scholarship to study Human Rights Auditing here and overseas. Jan heads up Communication Rights Australia a human rights advocacy and information agency for people with disabilities giving priority to those who have communication or speech difficulties.



**Nick Corker** is a risk manager in the Chief Risk Office at Telstra. Nick has a strong interest and experience in corporate governance, risk management and internal control, and has worked as a risk consultant on a range of public and private sector organisations with Arthur Andersen and Deloitte in the UK. Nick has recently completed a Graduate Diploma in Applied Corporate Governance and is a member of the Governance Institute of Australia and Chartered Accountants Australia and New Zealand.



**Pradeep Hewavitharana** is a disability advocate involved in numerous organisations that promote equality and fair treatment of people with disabilities. He has a bachelor's degree in Commerce and went onto complete his Masters in Business Information Technology at Middlesex University London. As part of his disability work with AQA Victoria's Spinal Injury Resource & Support Network (SPIRE), he won the 2016 Victorian Disability Award for the volunteer group category.



**Wayne Kiven** is a former lawyer who in addition to private practice as a barrister and solicitor, worked at other organisations with a community focus including the Citizens Advice Bureau and Legal Aid. Wayne acquired a disability 10 years ago and has been a member of the Mornington Peninsula Disability Consultative Committee Scooter Committee, and peer support volunteer at Limbs 4 Life, an organisation that provides information and support to amputees.



**Elizabeth Knight** is a careers counsellor, and researches currently in the Globalisation, Education and Work research group at the Faculty of Education, Monash University. She has worked for over fifteen years in supporting students with disabilities during transition to higher education and has researched the history of support for students with disabilities. She is very interested in human rights, access to assistive technology and provision of information in appropriate and useable formats.



**Dr Liddy Neville** is an accessibility expert. Liddy's particular interests in recent years have been the accessibility to all of digital resources and the use of metadata. She has worked as an author and editor for accessibility and accessibility metadata specifications with W3C, the Dublin Core Metadata Initiative, the European Committee for Standardization and the IMS Global Learning Project. Her lifelong interest has been in new technologies and how they can be used to serve human purposes.

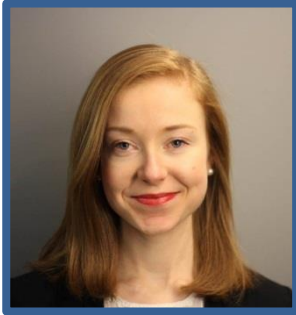


**Marius Smith** is the Manager of the Castan Centre for Human Rights Law, based at Monash University. Prior to joining the Castan Centre, Marius worked in commercial law and worked on development aid projects in the Philippines and Africa. He has a BA, LLB and LLM from Monash University.





**Dr Claire Spivakovsky** is a Senior Lecturer in Criminology at Monash University. Claire's research and advocacy focuses on challenging the ongoing confinement and control of people with disability in society. Prior to joining Monash, Claire worked in the community and government sectors, developing a range of social and criminal justice projects which advocated for the rights and needs of marginalized populations.



**Elizabeth Muhlebach** joined the DDLS Management Committee in April 2015. She is a lawyer at Transport Safety Victoria and, prior to that, worked with the Australian Medical Association (Victoria) as Senior Policy Officer. Elizabeth holds a Bachelor of Commerce/Laws from the University of Melbourne and is currently completing a certificate in Governance & Risk Management with the Governance Institute of Australia.



**Julie Phillips** is the Manager of DDLS. She has worked in the disability sector for most of her working life, in direct advocacy, senior management, and in Board positions.

## Staff Members

Manager

**Julie Phillips**

Principal Solicitor

**Placido Belardo**

Solicitor & Community Legal

Education Coordinator

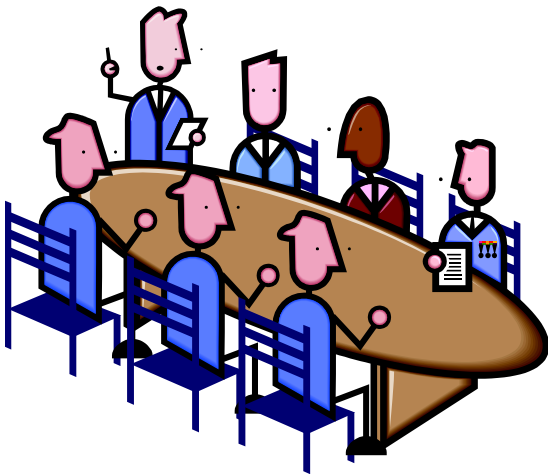
**Deborah Randa**

Administrative Officer

**Anna Leyden**

Bookkeeper

**Darrell Harding**



# Chairperson's Report

This year the Committee has participated as ever with national, state and local agendas that concern matters related to disability discrimination. This work includes having reflected on the outcome of federal and state senate enquiries, the progress of the NDIS and the disappointing funding decisions relating to community legal centres. We look positively towards the 2016-2017 year with an open mind and optimism about what DDLS's engagement in the disability and community legal sectors can achieve to ensure our core mission is carried out.

We were very pleased to work with our existing members of the committee and also welcomed three new members this year to the Committee, Dr Claire Spivakovsky, Pradeep Hewavitharana and Nick Corker. We are also commencing regular inclusion of non-managerial staff in Management Committee meetings.

The major achievement of the Management Committee has been to review and affirm the strategic plan, and the Committee continue this process at the annual general meeting where we plan to discuss the vision and mission. The work on the strategic plan was developed during a half-day session which involved DDLS staff and was both productive and useful. The development of the strategic plan was enhanced with metrics for delivery, and alignment of the risk management plan. Core strategic goals of DDLS were confirmed as:

1. To deliver high quality service including CLE and casework related to disability discrimination
2. To pursue systemic reform by addressing emerging issues
3. To ensure DDLS's sustainability

Furthering these goals, there has been a scheduling of future work for the Management Committee and a deepening of strategic alignments with qualified experts, research based practice and student engagement, including Universities of Melbourne, Monash and Deakin.

The DDLS Management Committee is very grateful for all the time and care given by the excellent staff and volunteers of the DDLS and we thank them for their ongoing efforts and commitment. As outgoing Chairperson, I would also like to thank my fellow committee members, who have been so generous in supporting the work of DDLS.

Elizabeth Knight  
Chairperson

## Manager's Report

Firstly I wish to thank the staff for their passion and ongoing commitment to the rights of people with disabilities. As a Community Legal Centre specifically created to assist people with disabilities in the area of discrimination, the expertise of staff in this area and our links with the disability community are vital.

With such a worthy tenet at the core of our existence, it is difficult to understand what the rationale could be for the Commonwealth decision to cut our funding by \$40,000 as at 1 July 2017. All Community Legal Centres funded by the Commonwealth are being subjected to such cuts, despite the 2014 Productivity Commission<sup>1</sup> recommending that an extra 200 million dollars per year be provided to legal assistance schemes throughout Australia.

As the Disability Discrimination Legal Service only exists for the benefit of people with disabilities, this is an action that should be seen to reflect the Commonwealth's interest and commitment to access to justice for people with disabilities. Given the numerous reports over the years about the difficulties people with disabilities have in accessing the justice system it is highly regrettable that such cuts have taken place.

The initial excitement in 2015 in response to the numerous inquiries and investigations into the abuse of people with disabilities in Victoria and Australia, and the education of students with disabilities across Australia, has given way to resignation. Despite results which are embarrassing for our state and our country regarding these areas, there has been no commitment yet by government to act on these reports and their recommendations.

Applications for funding to the NDIS have not yet had a significant impact on our work. Currently it seems that people with disabilities are using alternative means to challenge decisions made about funding on the basis of their disabilities.

State disability plans continue, in our view, not to have any substantial systemic effect on the treatment of people with disabilities in Victoria. The evidence of our work and the aforementioned inquiries and investigations suggests that the treatment of people with disabilities in employment, education and state care indicate that they will continue to be overrepresented in the criminal justice system, poverty and underemployment. We believe Australia can do better.

I would like to thank our Management Committee which has been extremely active in the last year in supporting the centre and its mission.

Julie Phillips  
Manager

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<sup>1</sup> Productivity Commission Inquiry Report 'Access to Justice Arrangements'

## Collaborations/Partnerships

DDLS continues to prioritise its links with the disability and human rights sectors.

Children with Disability Australia and DDLS have worked together for a number of years around issues of discrimination against children with disabilities.

Communication Rights Australia is a partner of DDLS and we continue to work together on issues of systemic advocacy, and co-referral.

Disability Advocacy Victoria auspices the Disability Advocacy Resources Unit in partnership with the Victorian Council of Social Services. DDLS continues to be an active board member of Disability Advocacy Victoria and assists with submission writing and systemic advocacy on issues of interest to the disability sector. DDLS Manager Julie Phillips represented Disability Advocacy Victoria in giving evidence to the Victorian Senate through their public hearings on the issue of abuse of people with disabilities in September 2015.

DDLS furthered its relationship with the Epilepsy Foundation by partnering with them in the last year, producing materials on epilepsy and education in order to assist students with epilepsy, their parents and teachers. These materials were rights based and we hope will be of great value to their intended audience.

A representative from DDLS continues to be a member of the Governance Group for DARU (Disability Advocacy Resource Unit) together with representatives from the Victorian Council of Social Services and Leadership Plus. In the forthcoming year membership will be expanded to ensure that the group has broader input from the disability advocacy sector.

DDLS continues to be a member of the Federation's Human Rights Working Group. We ensure that disability issues are consistently raised in the context of general human rights.

DDLS is a member of the Inclusive Education Alliance, formed by STAR Victoria to address concerns about the failure to progress inclusive education practices in Victoria.

Villamanta Disability Rights Legal Service continued to have a close working relationship with DDLS and continued to co-publish our newsletter throughout the year.

DDLS attends various reference groups, committees and working parties throughout the year on matters to do with disability, discrimination, advocacy and the law.



# Casework Program Report

## **Casework Outcomes of Anti-discrimination work**

Every year, we have the opportunity to write about the positive outcomes of the work we have done in the last financial year, of the people we have helped, of clients who were surprisingly pleased, and of those who speak of us with fondness and gratitude.

Behind, or probably alongside these achievements, are those who sit on the opposite side - those we couldn't help, clients whose claims were deemed without merit, the aggrieved persons who remain in their predicament, the parent, student, employee, customer, tenant, passenger or carer who continues to wait for validation of their complaint.

The latter group of persons who come into the legal service program presents one of the major challenges to DDLS caseworkers and staff. It is always a rewarding day when we are able to assist an individual, however it can be very frustrating for both client and ourselves when we cannot.

I take every opportunity to pay tribute to our many volunteers who are at the frontline of our telephone advice service, which is our major source of client intake. They deal not only with what can be distressing narratives, but also with the frustration of numerous people who often through no fault of their own are sandwiched between negative and damaging events, and a lack of available legal remedies. People rarely if ever call us when they have positive experiences. They call us when they feel upset and victimised. I am pleased to report that our volunteers remain patient and professional even when callers express their strong displeasure at our organisation and staff when we are unable to assist them.

We are fortunate to have a number of volunteers who have been with us for many years, and who remain as energetic as they were on their first day, enduring piles of what must seem like tedious induction materials. Funding is a perennial issue and volunteer time and contributions actually make the delivery of DDLS services comfortably achievable in addition to our standard resources.

Our casework volunteers, who include law students, graduates, trainees, and practitioners provided research, drafting and file management support in the following case studies selected from client files in the last twelve months.

### **1. Basic access to facilities**

The client has Multiple Sclerosis and uses a wheelchair. He stayed overnight at a hotel and while in the fairly large common area, required access to a bathroom. A staff member was unable to help with directions. He became very distressed only to find that the facility was inadequate to accommodate the wheelchair. He fell and sustained an injury in an effort to use the facilities, and later needed the assistance of staff to get him back in his wheelchair, causing additional upset and feelings of humiliation and helplessness. The Complaint was settled through extended shuttle negotiation. The client received an apology, substantial financial compensation and free accommodation for one night. The company quarterly newsletter also published

reminders on providing assistance to all patrons, in particular those with disabilities for the next 12 months.

## **2. Insensitive communication and unreasonable expectations**

Our client is deaf and worked as a food service assistant. The Head Chef was rude to him, always responding with puzzled facial expressions when communication occurred. He also felt bullied by the Chef. His claim of unlawful discrimination included failure by the employer to provide him with appropriate work instructions and adjustments. He was unreasonably punished for mistakes that resulted from such inadequate work instructions. He became depressed and acquired an anxiety disorder affecting his ability to sleep and ability to continue in his role. The parties attended a conciliation conference to resolve the matter. The agreed outcomes included payment of compensation for loss of income, pain and suffering, provision of a formal apology and equal opportunity training for staff.

## **3. Injury unrelated to employment not accommodated**

Our client's customer service role required him to stand and walk around the store for most of the day. An accident required him to undertake knee surgery. He requested a return to work plan that would allow shorter shifts, being deployed to a desk position, or having substantial rests from standing. His manager refused his requests and maintained that he could only return to work if he has no such restrictions. The parties reached an agreement to conclude their relationship with the employer paying a substantial separation pay. The company also undertook to provide equal opportunity training to all managers.

## **4. Underpaid**

Our client has Tourette syndrome and was dismissed within 3 weeks of employment, during which, the manager underpaid her and failed to provide her with any pay slips. She was also required to perform dangerous tasks without prior OH&S training. Her complaint was successfully resolved, seeing her receive full entitlements and compensation for hurt. The company also directed the manager to undertake equal opportunity and anti-discrimination training.

## **5. Setting a student up to fail**

Our client has Aspergers Syndrome. She suffered bullying and harassment from other students which the secondary school failed to prevent or stop. The school also failed to provide her with an appropriate Individual Education Plan and Behaviour Support Plan yet kept on suspending her for behaviours that were deemed a breach of the school's code of conduct, but which resulted from the failure to provide her with reasonable adjustments for her disability. The matter was resolved at the Victorian Equal Opportunity and Human Rights Commission ("VEOHRC") where she received an apology and substantial compensation for pain and suffering.

## **6. Pre-employment Disclosure**

Our client commenced training for a casual administration job. Later he requested minor computer screen adjustments to accommodate his visual impairment. The employer sought to terminate his employment on the basis that he didn't disclose his disability at application. The complaint was resolved with the company paying reasonable compensation and a written acknowledgement of regret.

## **7. Systemic discrimination**

Our Deaf client incurred debts due to legal notices being sent to an old address. She attempted to rectify this through the National Relay Service but the company's automated call waiting system rendered incoming calls through the NRS ineffective. She requested a meeting but the company refused to provide an Auslan interpreter. The original fines began at less than two hundred dollars and escalated to over three thousand dollars. The matter was resolved with her being allowed to pay the debt by installments. The company also undertook to review its policies and procedures, provide Deaf Awareness Training to its entire staff, and inform the client by email of any and all developments in making its services more accessible to the deaf community.

## **8. Public speaking requirement**

Our client attended a secondary school that required all students to engage in daily unstructured meetings. These meetings included all students, teachers and the principal, and dealt with any matter of concern to the school community. The client has Asperger's Syndrome and Generalized Anxiety Disorder, which affected her confidence to speak in front of large numbers of people. She requested an alternative method of assessing her communication skills but the school declined. The whole school meetings process significantly exacerbated the client's Asperger's symptoms and anxiety. The case settled at a VEOHRC conciliation. The school agreed to pay the client substantial compensation and provide an autism training session to staff and the principal.

## **9. Carer status discrimination**

Our client has a child with a rare disability. She was given an hour interview on receipt of her application to be a foster parent, following which her application was refused due to her status as a carer of a child with a disability. The screening agency deemed that having another child to care for wouldn't be in the best interest of either child. Mediation resolved the issue, and she was given another opportunity to reapply. Eventually her application was approved.

## **10. Cross at your own risk**

Our client has a physical disability. She lives near a busy intersection, which required her to negotiate a series of traffic islands which were suitable for pedestrians pushing trolleys or prams but unsafe for a person pushing a manual wheelchair. It required long and protracted advocacy with the relevant government authority until they appointed a new manager who acknowledged the problem and appropriately dealt with it.



### 11. Discrimination on the basis of injury

Our client developed typical back problems associated with being the sole carer for his aging mother. Casual work as a sales assistant suited him but he had always sought appointment for a permanent part time position. He noted some new employees had been given permanent part time roles ahead of him. A store manager's comments that he could have been considered if not for his history of a back injury prompted him to contact DDLS. His complaint was resolved with payment of compensation for loss of income and hurt.

### 12. What's in a name

Our client has a number of medical conditions, including stress and anxiety disorder. He felt offended when a technician misspelled his name (on a contract and again later on a certificate) into something commonly considered derogatory. Whilst the technician's employer maintained that there was no intent to discriminate against him, they agreed that he was genuinely offended and paid him reasonable compensation for pain and suffering.

### 13. Employment-forced adjustment and employment activity

Our client has a hearing impairment and performed driving and general manual duties. She complained that she was underpaid. The manager then stood her down until she would have been fitted with a hearing aid. She had worked without a hearing aid for years and therefore requested a return to work whilst waiting for the hearing aid. The employer refused and when she returned later with a hearing aid, the employer offered to pay what she was owed in exchange for her resignation. A claim of discrimination on the basis of employment activity and disability was made with the Victorian Civil and Administrative Tribunal. Following mediation, the company paid her a more substantial compensation.

## **Activity Summary Report July 2015-July 2016**

The below information is reported to indicate the breadth of issues our organisation is contacted about. Many inquiries are made by those who state they have contacted a variety of other organisations that have not been able to assist them. Many are therefore referred again by our staff. Data includes that from the General Discrimination Project.

<b>Problem Type</b>	<b>Number</b>
Disability Discrimination	110
Discrimination sex/gender	2
Discrimination age	1
Discrimination pregnancy	2
Discrimination other	3
Child Residency	1
Employment conditions/entitlements	1
Employment unfair dismissal	1
Specific issues	1
Other civil	1
Consumer complaints other	1
<b>Total</b>	<b>124</b>

**Referral to by Problem Type (Information Activities) July 2015-July2016 – Civil and Administrative Law**

<b>Problem Type</b>	<b>Number</b>
Tenancy	3
Credit and debt	1
Immigration	2
Government/administrative	5
Government pensions benefits	6
Consumer complaints	2
Motor vehicle	1
Wills/probate	2
Environment	1
Injuries	5
Discrimination	34
Employment (non discrimination)	5
Neighbourhood disputes	1
Other civil law	7
<b>Total</b>	<b>120</b>

**Referral to by Problem Type (Information Activities) July 2015-July2016 – Criminal Law**

<b>Problem Type</b>	<b>Number</b>
Offences against property	8
<b>Total</b>	<b>8</b>

**Referral to by Problem Type (Advice & Case) July 2015-July2016 – Family Law**

<b>Problem Type</b>	<b>Number</b>
Child support	1
Contact and residency	1
Property	1
Other family law	2
<b>Total</b>	<b>5</b>

**Referral to by Problem Type (Advice & Case) July 2015-July2016 – Civil and Administrative Law**

<b>Problem Type</b>	<b>Number</b>
Government pensions benefits	1
Wills/probate	1
Injuries	1
Discrimination	36
Other civil law	2
<b>Total</b>	<b>41</b>

**Referral to by Problem Type (Advice & Case) July 2015-July2016 – Criminal Law**

<b>Problem Type</b>	<b>Number</b>
Offences against property	2
<b>Total</b>	<b>2</b>

In terms of our casework and the types of discrimination we have been working on, the three most common complaints are in order, the areas of:

- Employment
- Education
- Goods and Services

**Placido Belardo**  
Principal Solicitor

**Deborah Randa**  
Solicitor



## General Discrimination Clinic

DDLS closed its general discrimination clinic in September 2015, which had been funded by a grant from the Victoria Law Foundation.

The Victorian Anti-Discrimination Legal Service was operational for two years as per the funds received and the project outline.

Staff gained some interesting insights into the manner in which a number of minority groups understand discrimination and how it could be applied to the barriers they experience in their everyday lives.

DDLS would like to thank Project Work Catherine Britt and the numerous volunteers that staffed our evening clinic for this work on and support of this project.

DDLS continues to receive complaints involving dual attributes. Casework staff have benefited from being involved in Clinic cases involving other attributes and maintain this knowledge which in turn benefits our clients.



# Community Legal Education Program Report

Community Legal Education (CLE) at DDLS aims to raise community awareness about the law and legal processes related to disability discrimination, to increase the ability of community members to understand and critically assess the impact of anti-discrimination laws, improve community members' ability to participate in the legal system, and create a climate that promotes participation in the law-making process and inspires efforts to pursue law reform through collective action.

CLE covers everyday activities that range from listening to community members, talking with tertiary school groups, explaining what DDLS does to various organisations, doing interviews with local media, developing seminars and associated material and providing web information. CLEs provide information and opportunities to ask questions, share ideas and develop strategies that may address gaps in the legal system; they may assist someone to find a solution to a legal problem before it becomes difficult, complicated and possibly expensive; and they can influence law reform work and make broad systemic change. DDLS designs Community Legal Education workshops specifically to suit the needs of community organisations, community groups and the general public.

DDLS has continued using social media throughout the year to ensure that disability and discrimination issues are continually raised.

Our Strategic Plan continued to prioritise the area of education for both our casework and community legal education, reflecting community feedback and the findings of the Federal Senate Inquiry into Current Levels of Access and Attainment for Students with Disability in the School System, and the Impact on Students and Families Associated with Inadequate Levels of Support.

One of our highlights this year was inviting four of our clients to speak to other interested people about what is involved in making a complaint of discrimination from a practical perspective.

In 2015/2016, our CLEs included:

- Victorian College of the Deaf students – Disability Discrimination
- DDLS / Victoria Legal Aid/Eastern Community Legal Service - RIDE Expo – disability discrimination services
- Australian Federation of Disability Organisations - Discrimination in Employment
- Monash University Clayton Beyond Commercial Careers Fair - Disability Discrimination Law
- Monash Oakleigh Legal Centre - Discrimination Law

- Peninsular Community Legal Centre - Discrimination Law
- Vicdeaf /Australian Sign Language Interpreters Association - Deaf Rights in Education
- Student Equity and Disability Support at University of Melbourne - Disability Discrimination Act, Standards and Review, Unjustifiable hardship
- Melbourne Autism Expo - Disability Discrimination in Education and Employment
- TAFE Disability Network - Disability Discrimination in Education
- DDLS CLE for Law week - HowTo Make a Disability Discrimination Complaint /Four Stories
- St Kilda Legal Service Breaking down the Barriers Conference - Abuse of Students with Disabilities in Victorian Education
- Community College Gippsland x 2 - Transition Education Course Students – Disability Discrimination

DDLS invites those interested in community legal education sessions to contact us directly.  
 Deborah Randa  
 CLE Co-ordinator  
 2016



# **Policy and Law Reform Program Report**

Submissions made/contributed to throughout the year included:

**Inquiry into Abuse in Disability Services**

Family and Community Development Committee  
Co-submission with Communication Rights Australia

**Response to National Disability Framework**

Co-submission with Communication Rights Australia

**Current levels of access and attainment for students with disability in the school system, and the impact on students and families associated with inadequate levels of support**

Senate Education and Employment Committee

**Judicial awareness of individual requirements of persons with disabilities before the Court**

Victorian Equal Opportunity and Human Rights Commission

**Review of the Program for Students with Disabilities**

Department of Education and Training

**Inquiry into Abuse in Disability Services – Stage 2**

Family and Community Development Committee  
Co-submission with Communication Rights Australia and Villamanta Disability Rights Legal Service

**Submission on the Draft General Comment on the Right to Inclusive Education**

United Nations Committee on the Rights of Persons with Disabilities  
Co-submission with Children with Disability Australia

**Inquiry Into Services for People with Autism Spectrum Disorder**

Parliament of Victoria, Family and Community Development Committee

**The Review of the National Disability Advocacy Program**

Department of Social Services  
Co-submission with Communication Rights Australia and Leadership Plus

*For a copy of these submissions and others during the year, please see our website.*

# Volunteer and Student Program Report

DDLS volunteers continue to play a significant part in the organisation's ability to meet its targets and provide a quality service.

Derived from law students and lawyers, our volunteers approach us independently, or are put forward by Universities for placement. Our students come from a variety of universities across Victoria.

We have continued to have a very productive relationship with the Australian Government Solicitor's Office who provide support through the ongoing secondment of staff.

Volunteering has substantial benefits for the DDLS, and we like to think that we have been instrumental in developing an interest in social justice and disability issues in many of our volunteers.

Our volunteers far outnumber our employees and without them we would struggle to provide the high level of service to our clients that we do. Volunteers undertake tasks from answering telephone calls to legal research and drafting, and attendance at conciliations. We have approximately 20-25 volunteers working for the organisation on a weekly basis and are very grateful for their assistance.





# Disability Discrimination Legal Service Inc

ABN 36 079 687 722

Income and Expenditure Statement For the year ended 30 June 2016

	2016	2015
	\$	\$
<b>Income</b>		
VLA Recurrent - Commonwealth	225,572	205,932
VLA Recurrent - State	48,248	51,160
Victoria Law Foundation	15,617	31,235
Fundraising/Donations	6,700	
Miscellaneous Income	706	6,128
Interest received	3,447	4,393
<b>Total income</b>	<u>300,291</u>	<u>298,847</u>
<b>Expenses</b>		
Communications	12,627	11,570
Depreciation - other	447	667
Finance, Accounting & Audit	1,765	1,889
Insurance	2,615	2,599
Library, Resources & Subscriptions	3,517	3,549
Minor Equipment	2,438	1,250
Office Overheads	2,708	3,576
On Costs	4,223	3,951
Other Premises Costs	589	554
Programming & Planning	523	1,290
Rent	30,554	29,387
Salaries	209,684	230,662
Staff training & Conferences	839	918
Superannuation	19,390	21,547
Travel	232	247
<b>Total expenses</b>	<u>292,152</u>	<u>313,656</u>
<b>Profit from ordinary activities before income tax</b>	<b>8,139</b>	<b>(14,809)</b>
<b>Income tax revenue relating to ordinary activities</b>		
<b>Profit from ordinary activities after income tax</b>	<b>8,139</b>	<b>(14,809)</b>
<b>Other Comprehensive Items</b>	<u>(2,513)</u>	<u>8</u>
<b>Net profit attributable to the association</b>	<u><b>5,626</b></u>	<u><b>(14,801)</b></u>

	2016 \$	2015 \$
<b>Total changes in equity of the association</b>	<b><u>5,626</u></b>	<b><u>(14,801)</u></b>
<b>Opening retained profits</b>	136,146	150,947
<b>Net profit attributable to the association</b>	<u>5,626</u>	<u>(14,801)</u>
<b>Closing retained profits</b>	<b><u>141,772</u></b>	<b><u>136,146</u></b>

# Disability Discrimination Legal Service Inc

ABN 36 079 687 722

Detailed Balance Sheet as at 30 June 2016

	2016	2015
	\$	\$
<b>Current Assets</b>		
<b>Cash Assets</b>		
Cheque Account	20,444	8,033
Cash Management Account	47,307	26,469
Donations Account	11,069	4,342
Cash on hand	150	150
	<u>78,971</u>	<u>38,994</u>
<b>Receivables</b>		
Trade debtors	375	330
	<u>375</u>	<u>330</u>
<b>Other</b>		
Term deposits 43452	161,864	188,537
Prepayments	1,488	2,275
	<u>163,352</u>	<u>190,812</u>
<b>Total Current Assets</b>	<u><b>242,698</b></u>	<u><b>230,136</b></u>
<b>Non-Current Assets</b>		
<b>Property, Plant and Equipment</b>		
Leasehold Improvements (cost)	17,900	17,900
Less: Accumulated depreciation	(3,006)	(2,559)
Plant & equipment - at cost	29,838	29,838
Less: Accumulated depreciation	(29,838)	(29,838)
	<u>14,894</u>	<u>15,341</u>
<b>Total Non-Current Assets</b>	<u><b>14,894</b></u>	<u><b>15,341</b></u>
<b>Total Assets</b>	<u><b>257,592</b></u>	<u><b>245,477</b></u>

## Current Liabilities

### Payables

#### Unsecured:

- Trade creditors	662	1,681
- Other creditors	3,826	3,112
	<u>4,488</u>	<u>4,793</u>

### Current Tax Liabilities

GST payable control account	3,771	3,303
	<u>3,771</u>	<u>3,303</u>

### Provisions

Provision for Annual Leave	40,765	40,542
	<u>40,765</u>	<u>40,542</u>

### Other

VLA Grant In Advance	38,601	36,088
	<u>38,601</u>	<u>36,088</u>

<b>Total Current Liabilities</b>	<b><u>87,624</u></b>	<b><u>84,725</u></b>
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## Non-Current Liabilities

### Provisions

Provision for Long Service Leave	28,196	24,605
	<u>28,196</u>	<u>24,605</u>

<b>Total Non-Current Liabilities</b>	<b><u>28,196</u></b>	<b><u>24,605</u></b>
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<b>Total Liabilities</b>	<b><u>115,820</u></b>	<b><u>109,330</u></b>
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<b>Net Assets</b>	<b><u>141,772</u></b>	<b><u>136,146</u></b>
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## Members' Funds

Accumulated surplus (deficit)	141,772	136,146
<b>Total Members' Funds</b>	<b><u>141,772</u></b>	<b><u>136,146</u></b>

# ASSUR

## Audit & Assurance

Chartered Accountants  
Registered Company Auditors

Director:  
A.R Ager CA, BEc  
Registered Company Auditor  
Registered SMSF Auditor

Assur Pty. Ltd.  
PO Box 987  
Level 1, 189 Coleman Parade,  
Glen Waverley, VIC 3150  
ABN. 78 167 481 834  
T: +61 (3) 9560 0211  
M: +61 419 541 727  
F: +61 (3) 9561 5497  
E: tony.ager@optusnet.com.au

Authorised Audit Company  
No. 453122

### Disability Discrimination Legal Service Inc ABN 36 079 687 722

#### Independent Auditor's Report to the Members

We have audited the accompanying financial report, being a special purpose financial report, of Disability Discrimination Legal Service Inc (the association), which comprises the Statement by Members of the Committee, Income and Expenditure Statement, Balance Sheet, notes comprising a summary of significant accounting policies, other explanatory notes and the Certificate by Members of the Committee for the financial year ended 30 June 2016.

#### Committee's Responsibility for the Financial Report

The committee of Disability Discrimination Legal Service Inc is responsible for the preparation and fair presentation of the financial report, and have determined that the basis of preparation described in Note 1 is appropriate to meet the requirements of the Associations Incorporation Reform Act 2012 and is appropriate to meet the needs of the members. The committee's responsibilities also includes such internal control as the committee determine is necessary to enable the preparation and fair presentation of a financial report that is free from material misstatement, whether due to fraud or error.

#### Auditor's Responsibility

Our responsibility is to express an opinion on the financial report based on our audit. We have conducted our audit in accordance with Australian Auditing Standards. Those Standards require that we comply with relevant ethical requirements relating to audit engagements and plan and perform the audit to obtain reasonable assurance whether the financial report is free from material misstatement.

An audit involves performing procedures to obtain audit evidence about the amounts and disclosures in the financial report. The procedures selected depend on the auditor's judgement, including the assessment of the risks of material misstatement of the financial report, whether due to fraud or error. In making those risk assessments, the auditor considers internal control relevant to the association's preparation and fair presentation of the financial report in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the association's internal control. An audit also includes evaluating the appropriateness of accounting policies used and the reasonableness of accounting estimates made by the committee, as well as evaluating the overall presentation of the financial report.

We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinion.

#### Opinion

In our opinion, the financial report gives a true and fair view of the financial position of Disability Discrimination Legal Service Inc as at 30 June 2016 and its financial performance for the year then ended in accordance with the accounting policies described in Note 1 to the financial statements, and the requirements of the Associations Incorporation Reform Act 2012.



CHARTERED ACCOUNTANTS | REGISTERED COMPANY AUDITORS

Liability limited by a scheme approved under Professional Standards Legislation. ABN: 78 167 481 834

**Disability Discrimination Legal Service Inc**

ABN 36 079 687 722

**Independent Auditor's Report to the Members**

**Basis of Accounting and Restriction on Distribution**

Without modifying our opinion, we draw attention to Note 1 to the financial statements, which describes the basis of accounting. The financial report has been prepared to assist Disability Discrimination Legal Service Inc to meet the requirements of the Associations Incorporation Reform Act 2012. As a result, the financial report may not be suitable for another purpose.

Signed on: 20TH SEPTEMBER, 2016.

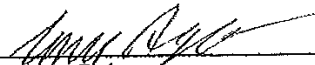
ASSUR PTY LTD

ASSUR PTY LTD

(Formerly TST Audit & Assurance Pty Ltd)

Authorised Audit Company Number: 453122

Chartered Accountants



Anthony Robert Ager

Director - Audit & Assurance

Chartered Accountants