



* Please note 18 other identical document submitted by different people

FITZROY

The Secretariat
Senate Legal and Constitutional Committee
Room S1.61, Parliament House
CANBERRA A.C.T. 2600

Dear Chairperson

Inquiry into the Provisions of the Disability Discrimination Amendment Bill 2003

The changes proposed by the Howard Government will only make life more difficult for people experiencing drug addiction and this will have long-term effects, including further loss of education and employment opportunities for drug users. With the proposed changes, drug users can be legally evicted from their homes, denied health care, stripped of community support and sacked from their jobs. I strongly oppose amendment of the *Disability Discrimination Act 1992* (Commonwealth) to allow discrimination on the basis of drug addiction on the following grounds:

- employers are already protected against employees who pose a risk or who under-perform due to alcohol and other drug misuse;
- people with drug addictions typically experience feelings of isolation and exclusion from the broader community, and may lack self-esteem;
- the Amendment may promote unsafe injecting practices due to a fear of being publicly identified as a 'drug addict' when accessing needle and syringe programs. Australia continues to lead the world in maintaining a low transmission rate of HIV amongst people who inject drugs, this has been largely due to the introduction and expansion of needle and syringe programs which include the provision of drug treatment referral services;
- the Section 54A(1) Amendment "note" concerning disability that is a medical condition (such as HIV or hepatitis C) is not a part of the law, it is simply an aid to interpretation. As such, given the inextricable link hepatitis C has with injecting drug use (Anti-Discrimination Board of NSW, 2001), it will be difficult to disentangle hepatitis C discrimination from discrimination on the grounds of drug use;
- the amendment has not been informed by medical, scientific or health experts, nor drawn from evidence-based research;
- there is already a lack of capacity within the drug treatment sector to 'take-on' new clients. Victoria currently has lengthy waiting lists for people wishing to access detoxification clinics, pharmacotherapy programs and residential rehabilitation centres. Furthermore, there are no accessible treatment programs currently available for drugs such as cannabis and psycho-stimulants;
- the amendment will lead to an expanded black market economy, forcing people into a range of illegal activities that will harm the wider community, as drug users struggle to achieve an adequate standard of living.

The proposition that the majority of citizens may not oppose this Amendment is not an acceptable reason for introducing inherently unfair measures, and which might undermine the compassionate and democratic values of Australian culture by institutionalising discrimination.

Yours sincerely

BEN ELLIS 14/1/04