



19 October 2021

PM Scott Morrison named as respondent on behalf of Commonwealth in complaint to Human Rights Commission

In an Australian first, and one that will shock the nation, a formal complaint about discrimination against someone with a disability naming the Prime Minister as representative of the Commonwealth of Australia has been accepted for consideration by the Australian Human Rights Commission.

The complaint is made under the United National Convention on the Rights of Persons with Disabilities. This Convention, that Australia has ratified, prohibits discrimination against people with disability and Australia is in breach of its obligations under this convention.

The complainant, Dr. Peter Freckleton, lost the use of both legs when he was 6 years old, as a result of Infantile Paralysis during the Polio pandemic of the 1950s.

Dr. Freckleton is among the people with disability who are unable to access the National Disability Insurance Scheme (NDIS) because they were older than 65 years of age when the NDIS was implemented.

Dr. Freckleton said “Discrimination is unlawful in Australia and rightly so. Many Australians would be shocked to know that the NDIS was designed to discriminate against older Australians with disability and the Government changed the Age Discrimination Act to protect itself from complaints about this discrimination. This should not be the case and I applaud the Disability Doesn’t Discriminate campaign for raising this topic as an important issue leading into the next federal election.

Mr Mark Townend, CEO of Spinal Life Australia, the organisers of the Disability Doesn’t Discriminate campaign said there were many Australians who found themselves excluded from the NDIS entirely on the basis of age.

“There are many Australians who should be eligible to participate in the NDIS, but their age has been used as a reason to exclude them from the scheme, resulting in very poor outcomes for people with disability. We have been working hard to raise awareness of this discrimination through the Disability Doesn’t Discriminate campaign and have secured nearly 20,000 signatures. While we have approached both major parties, they have indicated that the NDIS was “not designed to replace existing programs of support such as the My Aged Care Scheme”. This is a clear cop-out, and all politicians need to seriously consider this issue and play their part in ending age discrimination now.

I call on all politicians remove the age limit from the current NDIS eligibility criteria and end age discrimination now. This is an important election issue, as disability can impact Australians at any time, regardless of age.

MEDIA CONTACT

- Ross Duncan, Spinal Life Australia – 0475 077 080

TALENT AVAILABLE FOR INTERVIEW

- Mark Townend AM, Chief Executive Officer of Spinal Life Australia – 0404 871 579
- Dr. Peter Freckleton, complainant to Human Rights Commission, living with disability and member of board of Post-Polio Victoria – 0411 142 840

MORE INFORMATION – www.disabilitydoesntdiscriminate.com.au