

## Human Rights and Equal Opportunity Commission.

Letter sent to the ASEHA President in May 2004 from the Disability Discrimination Commissioner



Mrs Dorothy M Bowes  
President  
ASEHA Qld Inc  
PO Box 96  
MARGATE QLD 4019

Dear Mrs Bowes

I am replying to your letter requesting that the Human Rights and Equal Opportunity Commission initiate an inquiry into chemical illness and injury. I have received a number of letters in the same terms.

Your letter states that

- many people become disabled on contact with chemicals in commonly used products, including pesticides, fragranced products, cleaning products, paint, glues, motor exhausts and smoke;
- they need to avoid these chemicals to protect their health and quality of life; and
- this prevents equitable access to health, public housing, public transport, education and other services, and leads to disadvantage in employment.

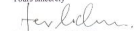
The Disability Discrimination Act 1992 ("the DDA") covers discrimination against people with disabilities in areas which include employment, education, accommodation, and provision of services (including health and public transport).

Disability for the purposes of the DDA is defined as including "total or partial loss of the person's bodily ... functions, or "malfunction ... of a part of the person's body"

A person who could show that he or she in fact had the reactions to commonly used chemicals described in your letter, would meet this definition of disability.

The DDA provides for people who are affected by discrimination to seek remedies by making complaints. Noting the availability of this process, I am not convinced that an inquiry initiated by this Commission itself is justified or would result in more effective outcomes.

Yours sincerely

  
Dr Sue Ozdowski OAM  
Acting Disability Discrimination Commissioner  
6 May 2004

Human Rights and Equal Opportunity Commission  
Level 8 Piccadilly Tower, 133 Castlereagh Street, Sydney NSW 2000 (CPC Blue Star) Sydney NSW 2001  
Telephone: 02 9284 9000 Facsimile: 02 9284 9011 Complaints Info Line: 1300 020 413 (tollfree) 1800 625 241 (QLD free)  
Website: <http://www.humanrights.gov.au> 6011 47 996 22 002