

# Early Childhood - Accessing Support

## ADVOCATING FOR YOURSELF AND YOUR CHILD

### What is discrimination?

Anytime a person is treated unfairly because of a difference, that is discrimination. An example might be someone telling you that your child can't take part in a sporting, social or school group because the child's appearance would upset other children, or your child not being able to use the local swimming pool because it has no ramp for wheelchairs. Discrimination is against the law. The law applies to many areas, including education, access to services and facilities, sport and employment.

### Does the law apply to my child's disability?

Legal language can be confusing, but the definition of disability in Australia is very broad – it includes intellectual, physical, developmental and learning disabilities, mental illnesses and diseases, and acquired brain injury. The Commonwealth law applies Australia-wide and states that no-one can be treated unfairly because they have a disability. Each state and territory also has laws against discrimination.

### Who can I talk to if I think my child has been discriminated against?

Written complaints can be filed either with the Human Rights and Equal Opportunity Commission (HREOC) or with your state or territory's equal opportunity agency.

However, before you file a complaint you may want to speak to a staff member at one of these agencies or a community legal centre to discuss your circumstances.

### Things to think about:

What experiences have you had with discrimination? Were they deliberate or indirect? How did you respond at the time?

How do you see your role as a 'voice' for your child? What strategies have you used in the past to get the best result for your child when you believe someone is being unfair or discriminatory? What other strategies might work?

Advocating for your child's rights can be exhausting and frustrating at times. Who do you turn to for help when you feel you need it?

Discrimination doesn't have to be deliberate or direct to be unacceptable and thus against the law. Organisations are required to take reasonable steps to accommodate your child's special needs.