



In brief

Disability Discrimination Act 1992 (DDA)

September 2018



1 What does the DDA mean?

In Australia, we have laws that protect us. Laws are the rules that everyone must follow. Laws are made by:

- governments
- the legal system, including the courts.

The laws are there so that we can all:

- be treated fairly
- feel safe
- take part in the community
- respect each other.

In Australia, the DDA is a law that says people with disability must be treated fairly. People also have to treat you fairly if you:

- look after someone with a disability
- use equipment or an aide to help you
- have a dog or other animal that helps you to get around.

2 What is a disability?

The [Disability Discrimination Act 1992](#) (DDA) defines disability broadly as:

- total or partial loss of the person's bodily or mental functions; or
- total or partial loss of a part of the body; or
- the presence in the body of organisms causing disease or illness; or
- the presence in the body of organisms capable of causing disease or illness; or
- the malfunction, malformation or disfigurement of a part of the person's body; or
- a disorder or malfunction that results in the person learning differently from a person without the disorder or malfunction; or
- a disorder, illness or disease that affects a person's thought processes, perception of reality, emotions or judgement or that results in disturbed behaviour;
- and includes a disability that:
 - › presently exists; or
 - › previously existed but no longer exists; or
 - › may exist in the future (including because of a genetic predisposition to that disability); or
 - › is imputed to a person.

To avoid doubt, a disability that is otherwise covered by this definition includes behaviour that is a symptom or manifestation of the disability.

3 If you are a student with disability, what does the DDA say about education?

The DDA says that students with disability have the right to take part in their education just like all other students.

The DDA gives you and your parents and carers a way to get things fixed if you have been treated unfairly.

4 How does it work at school?

At school, a student with disability has the right to the same educational opportunities as other students. If your disability stops you from joining in, the school may need to make changes to support you.

Schools do this by following the *Disability Standards for Education 2005*.

5 Want to know more?

The Australian Human Rights Commission has more information at www.humanrights.gov.au/publications/know-your-rights-disability-discrimination