

Submission

to

Senate Employment, Workplace Relations and Education
Legislation Committee

Inquiry into the provisions of the Higher Education Support Amendment (Abolition of Compulsory Up-front Union Fees) Bill 2005

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Australasian Network of Students with Disabilities (ANSWD)



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Senate Employment, Workplace Relations and Education References Committee

Inquiry into the provisions of the Higher Education Support Amendment (Abolition of Compulsory Up-front Union Fees) Bill 2005

Submission by the Co-convenor of the Australasian Network of Students with Disabilities (ANSWD)

Introduction to ANSWD

The Australasian Network of Students with Disabilities (ANSWD) is a Tertiary (TAFE and University) student organisation, advocating, promoting, lobbying and campaigning on disability issues. We seek to achieve equality, access, and representation of students with a disability throughout the tertiary education sector.

ANSWD aims to:

- ensuring the rights of students with a disability to have equal and equitable access to tertiary education by working together with staff, and to eliminate discrimination at all levels.
- working towards gaining representation of students with a disability by students with a disability because of the complex nature of the issues they face. We feel that in doing so, we can ensure disability issues are not ignored and that the best outcomes are achieved.
- promote an equitable learning environment for all students

ANSWD is comprised of students with a disability from each state of Australia and throughout New Zealand. Membership of ANSWD is through its discussion list which is hosted at the University of Tasmania, answd-list@postoffice.utas.edu.au. Positions within ANSWD are elected by students with a disability at the biennial Pathways conference for disability practitioners and students with a disability within the higher education sector.

ANSWD is affiliated with and has representation to the Tertiary Education Disability Council of Australia (TEDCA) Limited soon to become the Australian Tertiary Education Network on Disability (ATEND). TEDCA/ATEND is the peak body for regional network groups of service providers and consumers concerned with the education and employment needs of people with disabilities in post-secondary education.

ANSWD currently run by 2 Co-Convenors, Kevin Murray (NZ) and Timothy Hart (Aust).

Submission prepared by

**Mr. Timothy Hart who is currently studying for a Masters of Policy
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Terms of reference:

1. assessment of the likely effect of the legislation on the provision of student services, and related consequences;
2. and consideration of the experience of universities and students where legislation has been adopted to regulate student unions, such as in Victoria and Western Australia.

Introduction:

ANSWD is concerned that the introduction of VSU will affect the quality of life for students with a disability. We're further concerned with the arguments used to justify Volunteer Student Unionism (VSU).

ANSWD would like to thank the Senate and Senate Employment, Workplace Relations and Education References Committee for this opportunity to convey our concerns regarding Higher Education Support Amendment (Abolition of Compulsory Up-front Union Fees) Bill 2005. In this submission we will only be addressing the first term of reference in regard to students with a disability - assessment of the likely effect of the legislation on the provision of student services, and related consequences, as ANSWD is not in a position to address the second term of reference.

ANSWD's concerns regarding some of the arguments used to justify VSU:

ANSWD wishes to convey its deep concern regarding some of the arguments used to justify Volunteer Student Unionism (VSU). One of the arguments used 'you shouldn't have to subsidise services that you don't use', or the 'user pays principle' sets a dangerous precedent as it could be used to argue for the abolishment of services currently only used by the less fortunate of society. This principle is fine for those that have the financial ability to pay for what they want but at the same time it increases the burden on those that can least afford to pay for the services provided, in this case by student unions. This argument can be used to justify the abolishment of a range of services in our society, e.g. Police and the Fire Brigade. While I don't use the Police and the Fire Brigade on a daily basis, I pay taxes to support the use of their services by others as part of an equitable society and they are available to me when I need them. Students with a disability are already behind the financial eight-ball, how is the loss of the services provided by student union fees equitable.

Another argument used; that the less fortunate, ie welfare recipients, struggle to pay student union fees and these fees are in turn subsidising sporting scholarships and other services that aren't used by them but by others who supposedly can afford to pay. Yet the argument fails to take into account that the financial status of the welfare recipients makes them more likely to be dependant on the student union services. This argument 'the less fortunate are subsidising those that can afford to pay' is not an argument for the abolishment of compulsory student Unionism but more an argument that student unions fees should reflect the ability of the individual to pay; like our current wage taxation system.

Furthermore, it is incorrect to introduce VSU based on the fear that the current system enables unscrupulous individuals to gain control of student union assets and abuse the 'trust placed in them' by other students. Rather it is more correct to be arguing for tighter controls over student unions and student politicians, where this need arises.

ANSWD would like to see more accountability and a higher regard for all equity issues not just the 'chosen few' within student unions and by student politicians but we would also like to see this within State and Federal politics. The same bully boy and marginalisation of

some groups by student unions is reflected in the State and Federal arenas and any argument to make student politicians and student unions more accountable applies more strongly to State and Federal politics. As we can see with in our current Federal government, today's student politicians are tomorrow's politicians and as such student politicians should learn to play within the rules.

First term of reference: assessment of the likely effect of the legislation on the provision of student services, and related consequences.

Student Unions Services:

Student unions/organisations provide or subsidise a broad range of services which vary from university to university and are too numerous to mention here. Under the proposed legislation there will be an overall reduction in the money spent on student services and non-core student services will be reduced, if they do not disappear totally. This will have a dramatic effect on students with a disability.

For example students with a disability often have greater difficulties getting around, ie they may not have a drivers licence, or other mobility problems. Those who rely on public transport are particularly likely to depend on services provided on campus, in order to save time and effort. Moreover social participation is important for students with a disability as it is for all students. Affordable eating and social facilities on campus, as well as interest and course related clubs, etc, increase opportunities for social participation. All these services now offered by student unions could disappear making it harder for students with a disability to live and study.

For the current range of Student Union services to continue, universities themselves will be forced to take over the services and introduce user fees and/or turn to 'for profit organisations' to fill in the gaps. ANSWD is therefore concerned that the total cost of services for students with a disability will be far more in total than the previous compulsory student fees. Consequently, the daily expenses of students at university will rise. For a lot of students with a disability this will make University study even more unattainable.

Student Unions Services for students with a disability:

In some of the universities the provision of services (peer-note-takers, photocopying assistance, etc) for students with a disability originated within the student union and still are in part provided by the student union or funded from student union fees. Since the 1990s the Federal government has provided additional support to universities for the education of students with a disability through the *Additional Support for Students with Disabilities* program and now additionally the *Performance-Based Disability Support Funding*. However these programs do not meet all the additional costs incurred by the universities for the education of these students and some universities rely on the student union fees to top these up or have the student union provide the services. It is feared that a likely consequence of the introduction of VSU will be that in these university some of the disability services now provided in part by student unions or out of funds from compulsory student union fees will no longer be available or reduced. Instead they will have to be provided solely by the universities out of their shrinking student services budgets. Furthermore with the introduction of VSU such equity initiatives of the past by student unions will simply not happen and future equity issues will be pushed under the carpet as universities' budgets shrink further.

Student representation:

Student representation by student unions is not perfect but they provide an important advocacy service for students. One of the consequences of the introduction of the VSU legislation on students with a disability is that student unions independent advocacy for students will diminish if not totally disappear. While this is not a disability specific service it is one that is vital for students with a disability, as the chances of things going wrong for these students are much higher. As part of this reduction in independent advocacy it is likely that student representation committees will be at least reduced in their effectiveness if not ceasing entirely. Under the proposed legislation it will be difficult for any student to mount a challenge to academic decisions or have them redressed because they will not have the weight of the student body behind them.

Furthermore with the abolition of compulsory student fees to student unions will effect the ability of the student body to express their concerns on a range of issues. This amounts to a loss of freedom of speech. We need a system of political representation within higher education.

Conclusion:

The Higher Education Support Amendment (Abolition of Compulsory Up-front Union Fees) Bill 2005 effect on the provision of student services for students with a disability will be detrimental because these students rely on a range of services they have no way of paying for by themselves. The removal of the fees may save students a couple of hundred dollars a year, but at the same time it removes the avenues for fair discussion and hearings on academic matters. What will the student do in the future if accused of plagiarism or the university decides to terminate their enrolment? Who is going to pay to keep amenities that are necessary to students with a disability that they already struggle to afford?

Overall ANSWD is concerned that the introduction of VSU will affect the quality of life for student's with a disability. It may indeed in some circumstances lead to a disadvantage that may qualify as discriminatory under the *Disability Discrimination Act*.