



public interest
ADVOCACY CENTRE

Reform of the Disability Standards for Accessible Public Transport: Consultation Regulation Impact Statement

22 April 2021

About the Public Interest Advocacy Centre

The Public Interest Advocacy Centre (PIAC) is an independent, non-profit legal centre based in Sydney.

Established in 1982, PIAC tackles barriers to justice and fairness experienced by people who are vulnerable or facing disadvantage. We ensure basic rights are enjoyed across the community through legal assistance and strategic litigation, public policy development, communication and training.

Our work addresses issues such as:

- Reducing homelessness, through the Homeless Persons' Legal Service
- Access for people with disability to basic services like public transport, financial services, media and digital technologies
- Justice for Aboriginal and Torres Strait Islander people
- Access to affordable energy and water (the Energy and Water Consumers Advocacy Program)
- Fair use of police powers
- Rights of people in detention, including equal access to health care for asylum seekers (the Asylum Seeker Health Rights Project)
- Transitional justice
- Government accountability.

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Recommendations

Recommendation 1 – Proposed reforms should follow the regulatory option

The proposed reforms included in the Consultation RIS should follow the regulatory option. Regulation maintains accountability by ensuring that the reforms are subject to the Transport Standards compliance targets. Accurate monitoring and reporting should follow the implementation of new regulations.

Recommendation 2 – Publication of provider data on compliance

The Transport Standards should be amended to require public transport operators and providers to make data publicly available that sets out the extent to which they comply with the Transport Standards. Such data should be provided in accessible formats, and should be accompanied by plain English explanations prepared by the transport operator or provider.

Recommendation 3 – Publication of Action Plans

Transport operators and providers should be required to prepare and publish Action Plans that indicate the steps they will take to ensure they will meet the targets as set out in the Transport Standards.

Recommendation 4 – Funding for the Australian Human Rights Commission to provide independent oversight

Additional funding should be provided to the Disability Discrimination Commissioner, within the Australian Human Rights Commission, to provide independent oversight of reported compliance and Action Plans of transport operators and providers. This funding should allow for targeted and systemic reviews of this compliance.

Recommendation 5 – Comprehensive reporting of national compliance with the Transport Standards

The Federal Government and/or COAG should establish a process for the collection of current data and evidence on the extent to which people with disabilities are able to access public transport on an equal basis.

Data collected should include organisational data, data from complaints and submissions, research, consultation with staff, customers and the Australian Human Rights Commission. The data collected should be compiled into a report that is made publicly available, on either an annual basis, or at a minimum every two years.

Recommendation 6 – A breach of the Transport Standards should be unlawful

A provision should be added to the Transport Standards to confirm that a breach of the Transport Standards is unlawful. This should include confirmation that a person may lodge a stand-alone complaint alleging breach of the Transport Standards in the Australian Human Rights Commission.

Recommendation 7 – Open standing

The Australian Human Rights Commission Act 1986 (Cth) should be amended to include a provision allowing organisations to bring a complaint in relation to the Transport Standards on behalf of a person to both the Commission and the federal courts. The Act should provide the courts with residual power to refuse to allow standing for an organisation on public interest grounds.

The Australian Human Rights Commission Act 1986 (Cth) should provide open standing to allow anyone to bring a complaint to enforce a breach of the Transport Standards.

Alternatively, organisations should have standing to bring discrimination complaints in relation to breach of the Transport Standards to the Australian Human Rights Commission and to the federal courts in their own right. In order to satisfy this standing test, an organisation or group would need to show either:

- that a significant portion of the membership of the organisation or group is affected by the conduct in question; or*
- the alleged discriminatory conduct relates to the objects or purposes of the organisation or group.*

Recommendation 8 – Address the use of Australian Standards in the Transport Standards

The Transport Standards should be updated to either replace references to the Australian Standards with the full text of the applicable standard, or the relevant provisions of the Australian Standards should be appended to the Transport Standards. Members of the public should not be required to purchase external documents to understand their rights and hold transport operators accountable to the Transport Standards.

1. Introduction

The Public Interest Advocacy Centre (**PIAC**) welcomes the opportunity to provide a submission to the Department's Consultation Regulation Impact Statement on the modernisation of the Disability Standards for Accessible Public Transport 2002 (**Transport Standards**).

PIAC has a long history of advocating for improvements to access to public transport for people with disability and we have contributed to the various reviews of the Transport Standards.

Unfortunately, the vast majority of the issues we have identified in past submissions, and the recommendations made, remain relevant today. This is partly because of a lack of improvement with the implementation of the Transport Standards themselves, as well as ongoing shortcomings of the individual complaints-based compliance framework for disability discrimination generally, which have not been rectified. While PIAC welcomes the proposed reforms in the Consultation RIS, we are concerned the Consultation RIS does not include reforms which address some of the larger issues within the Transport Standards.

In this submission, we support the regulatory option of each proposed reform included in the Consultation RIS as well as reiterate key points from our 2018 submission.¹ We also emphasise the need for the Australian Standards referenced in the Transport Standards to be made freely available to the public.

2. Regulatory proposals

As a general point, PIAC supports the implementation of the regulatory options for each of the proposed areas for reform in the Consultation RIS. Maintaining the status quo or implementing non-regulatory options will not improve outcomes for people with disability.

The Transport Standards are formulated to provide guidance to public transport operators and providers as to the minimum accessibility requirements that apply to public transport services in order to enable 'operators and providers to remove discrimination from public transport services.'² However, shortcomings in the drafting of the Transport Standards, including the lack of enforcement mechanisms for breaches of the Transport Standards, have led to low levels of industry compliance.

Despite the Transport Standards setting compliance targets, there has been inadequate monitoring of public transport operators and providers to ensure that they are meeting their obligations. Since the introduction of the Transport Standards in 2002, sporadic legal action by individuals has been the only mechanism to enforce compliance.

In this context, where compliance and enforcement remains difficult even in respect of the minimum baselines established by the Transport Standards, the introduction of non-regulatory options will be ineffective in increasing compliance with the Transport Standards.

¹ PIAC, Submission to the Department of Infrastructure, Transport, Regional Development and Communications, *Third Review of the Disability Standards for Accessible Public Transport 2002* (12 December 2018) <<https://piac.asn.au/wp-content/uploads/2019/02/18.12.12-PIAC-Submission-Third-Review-of-Disability-Transport-Standards-FINAL-copy.pdf>>.

² Transport Standards, cl 1.2(2).

We respond to a number of specific proposals below in support of the regulatory options.

2.1 Staff training and communication

PIAC supports the regulatory option described in Chapter 4.3. All staff involved in the provision of transport services should commit to and undertake training as a compulsory requirement. Compulsory training ensures that staff are appropriately trained to support people with disability in using public transport. As indicated in the Consultation RIS, implementing this regulatory proposal would put Australia in line with similar jurisdictions in Canada and the UK.

Regulation, as opposed to the other options provided, will support consistency across training programs and requirements. However, regulation should be supported by accurate monitoring of training records, as well as a process to support reporting of poor staff interaction with people with disability. This will allow the effectiveness of staff training programs to be accurately assessed and reviewed.

Wherever possible, training for transport services should be developed and provided by people with lived experience of disability, or organisations which represent people with lived experience of disability.

2.2 Digital information screens

PIAC supports the regulatory option described in Chapter 8.3. Digital information displays will increase accessibility for a number of people with disability and should be implemented through regulation.

However, digital information displays should involve accompanying audio information. This ensures that displays are accessible by as many people with disability as possible.

2.3 Website accessibility

PIAC supports the regulatory option described in Chapter 10.4, and specifically sub-option 3. It is important that the Transport Standards are able to remain up-to-date with changes to best practice without requiring regular amendments to the Transport Standards.

It is unacceptable that current practices do not reflect industry standards, meaning the accessibility of operator and provider websites are inconsistent and inaccessible for many people with disability. The Web Content Accessibility Guidelines are recognised as international best practice and the Transport Standards should be amended to reflect this.

2.4 Communication during service disruption

PIAC supports the regulatory option described in Chapter 11.3. This reform should go hand in hand with regulations requiring staff training and communication.

The regulation of communication during service disruption to a higher standard will minimise the negative impact that service disruptions have on people with disability. Regulation is the best way to ensure that staff are able to provide communication regarding disruptions in a timely, accessible way.

Efficient and accessible communication is essential in supporting people with disability in using public transport. PIAC has an extensive history of supporting better communication outcomes through our case work, such as in *Innes v Rail Corporation NSW (No 2)* [2013] FMCA 36 (*Innes v Rail Corporation NSW*). The outcome of the case is summarised on the PIAC website and extracted below:³

The case concerned the failure by Sydney Trains to provide audible 'next stop' announcements to enable blind passengers to use trains independently.

The case has led to significant improvements to the frequency and audibility of on-train 'next stop' announcements. There are around 100,000 blind and vision-impaired people living in NSW and that number is predicted to increase by more than 20 per cent by 2020. With Sydney Trains operating 2,941 timetabled trips per weekday over the 961km of track across the greater suburban Sydney area, the impact of the case goes well beyond the outcome for the individual.

The case also led to a commitment by Sydney Trains to improving communication with people who are blind or have low vision about changes and developments on the rail network. As well as continuously monitoring and reporting the quality of audible announcements on their train network, Sydney Trains have agreed to provide ongoing information and reports about their train network to a number of peak groups, including Guide Dogs NSW/ACT, Blind Citizens NSW and Vision Australia.

A non-regulatory option is entirely inappropriate in circumstances where it has been found, in *Innes v Rail Corporation NSW*, that it is an essential part of a service for *all* passengers to know their whereabouts on a journey. At paragraph 36 of the judgment it was found:

To argue that there is no necessity for all passengers to know their whereabouts at all points in the journey misunderstands the nature of the service. On any one train there will be passengers getting out at all stops along the line and whilst each of them may only have need of the identification of the stations one or two stops ahead of their final destination, for **all** the passengers in the train **all** the stops need to be identified. The service is provided to all the passengers of whom Mr Innes is one. I am unable to accept an argument that the provision of information as to the whereabouts of a train upon its journey being made known to passengers is not an essential part of the service of the provision of railway transport between designated points on the respondent's railway network.

Regulation will ensure that operators and providers, such as Sydney Trains, are held accountable to their commitments and are able to be monitored on their compliance. Regulation also ensures that the regulation standard is applied consistently across other operators and providers.

Recommendation 1 – Proposed reforms should follow the regulatory option

The proposed reforms included in the Consultation RIS should follow the regulatory option. Regulation maintains accountability by ensuring that the reforms are subject to the Transport Standards compliance targets. Accurate monitoring and reporting should follow the implementation of new regulations.

³ PIAC, Audible on-train announcements (Webpage) <<https://piac.asn.au/legal-help/public-interest-cases/audible-on-train-announcements/>>.

3. Compliance, reporting and transparency

If the proposed reforms included in the Consultation RIS are implemented as regulation, it is essential that accurate monitoring and reporting follows. The implementation of regulatory reforms is pointless if there is no effort to improve the current systems of compliance, reporting and transparency. This is critical in identifying areas which need reform and ensuring that reviews of effectiveness are accurate.

The Disability Transport Standards have been developed to implement the framework outlined in Article 33 of the Convention on the Rights of Persons with Disabilities (**CRPD**).

As we articulated in our submission to the 2012 Review of the Transport Standards:⁴

Article 33 of the CRPD, on national implementation and monitoring, creates a positive obligation on national governments to design an effective framework by which they are required to meaningfully implement the Convention into domestic legislation and civil society. Specifically it requires the Australian Government to:

- Develop a framework to promote and monitor implementation;
- Designate one or more focal points within government to manage implementation; and
- Consider establishing a coordination mechanism to facilitate action in different sectors.

The current main mechanism for enforcement and compliance is through a complaints process. However, it is difficult to monitor the progress of compliance with the Transport Standards, as there is no mandatory national compliance reporting.

The greater need for regulation and the enforcement of compliance has been a longstanding issue that PIAC has addressed repeatedly in previous submissions.

3.1 Self-reporting by transport providers

In our 2013 submission, we observed:⁵

There is currently no national reporting framework for transport operators and providers. Operators and providers should be required to make data regarding the extent to which they comply with the Transport Standards publicly available.

A national reporting framework would assist people with disability by providing clear information on what services are (or should be) accessible, assisting them with day-to-day travel and use of public transport services.

This reporting should go beyond simple compliance to also require the development and publication of Action Plans that indicate how transport providers intend to meet the targets as set out in the Transport Standards.

⁴ PIAC, Submission to the Department of Infrastructure, Transport, Regional Development and Communications, *2012 Review of the Disability Standards for Accessible Public Transport* (31 May 2013) <<https://www.piac.asn.au/2013/06/19/get-on-board/>>.

⁵ Ibid 17.

Recommendation 2 – Publication of provider data on compliance

The Transport Standards should be amended to require public transport operators and providers to make data publicly available that sets out the extent to which they comply with the Transport Standards. Such data should be provided in accessible formats, and should be accompanied by plain English explanations prepared by the transport operator or provider.

Recommendation 3 – Publication of Action Plans

Transport operators and providers should be required to prepare and publish Action Plans that indicate the steps they will take to ensure they will meet the targets as set out in the Transport Standards.

3.2 Independent monitoring by the Australian Human Rights Commission

While self-publication of compliance with the Transport Standards, and associated Action Plans, by transport operators and providers would add to the transparency of disability transport accessibility in Australia, this transparency and accountability is inherently limited because it relies on self-reporting. It also relies on another third party having the available resources to effectively review such reports to assess and monitor compliance.

Therefore, PIAC supports funding an external body to provide independent oversight and monitoring of the information provided by transport operators and providers. This would not necessarily involve comprehensive auditing, but would include targeted and systemic reviews of different aspects of reported compliance with the Transport Standards, to assist people with disability to have confidence that such reporting is accurate.

Given the existing functions of the Australian Human Rights Commission under s 11 of the *Australian Human Rights Commissions Act 1986* (Cth), the role of the Disability Discrimination Commissioner and the expertise of the Australian Human Rights Commission more broadly, this funding should be allocated to the AHRC.

Recommendation 4 – Funding for the Australian Human Rights Commission to provide independent oversight

Additional funding should be provided to the Disability Discrimination Commissioner, within the Australian Human Rights Commission, to provide independent oversight of reported compliance and Action Plans of transport operators and providers. This funding should allow for targeted and systemic reviews of this compliance.

3.3 Comprehensive publication of data on accessibility of public transport

In addition to self-reported data by individual transport operators and providers, and independent monitoring by the Australian Human Rights Commission, PIAC emphasises the importance of publishing comprehensive data on compliance with the Standards. The introduction of new regulations is pointless if there is no form of public accountability to ensure compliance.

In our 2013 submission we noted:⁶

There is a need for collection of baseline data and evidence on the extent to which people with disabilities are able to access public transport on an equal basis. This includes organisational data, data from complaints and submissions, research, consultation with staff and consultation with customers...

Intrinsic to developing a reliable body of data on the extent to which there has been compliance with the Transport Standards is incorporation of data on compliance that is based on the experiences of people with disabilities. Collection of such data is essential given that the Transport Standards should be classed as beneficial legislation, and the legislative framework is therefore primarily targeted at protecting the rights of passengers with disabilities. Consultation with people with disabilities should be integrated into the design of any data collection process.

This task would be most appropriately coordinated by either the Commonwealth Department of Infrastructure, Regional Development and Cities, or through a dedicated, representative Council of Australian Governments body.

Reporting should be undertaken annually, or at a minimum, every two years.

Recommendation 5 – Comprehensive reporting of National Compliance with the Transport Standards

The Federal Government and/or COAG should establish a process for the collection of current data and evidence on the extent to which people with disabilities are able to access public transport on an equal basis.

Data collected should include organisational data, data from complaints and submissions, research, consultation with staff, customers and the Australian Human Rights Commission. The data collected should be compiled into a report that is made publicly available, on either an annual basis, or at a minimum every two years.

4. Accountability and enforcement

The Consultation RIS does not address key issues surrounding accountability of operators and service providers in upholding the Standards, as well as the enforcement mechanisms in place to ensure compliance. In order for reforms in this space to be effective, there must be effective accountability and enforcement mechanisms in place.

We reiterate our recommendations from our 2018 submission to the Third Review of the Transport Standards below.⁷

⁶ Ibid 15-16.

⁷ PIAC, Submission to the Department of Infrastructure, Transport, Regional Development and Communications, *Third Review of the Disability Standards for Accessible Public Transport 2002* (12 December 2018) 4–7 <<https://piac.asn.au/wp-content/uploads/2019/02/18.12.12-PIAC-Submission-Third-Review-of-Disability-Transport-Standards-FINAL-copy.pdf>>.

4.1 A breach of the Transport Standards should be unlawful

PIAC strongly recommends that the Transport Standards are amended to clearly state that a breach of the Transport Standards is unlawful.

In our view, it is clear that the legislature intended that a breach of the Transport Standards would be unlawful. Section 32 of the *Disability Discrimination Act 1992* (Cth) (DDA) states that a breach of any disability standards developed under the DDA is unlawful. The Explanatory Memorandum to the DDA confirms that a breach of a disability standard is unlawful. It provides for a person to lodge a complaint to the Australian Human Rights Commission under Section 69 of the DDA where a disability standard is breached.⁸ There is no requirement for a complaint regarding a breach of the Transport Standards to be accompanied by a complaint alleging a breach of the DDA. In essence, a breach of the Transport Standards results in a breach of the DDA.

This view is supported by the AHRC publication ‘Federal Discrimination Law’:

It is unlawful for a person to contravene a disability standard. The exemption provisions (Part II Division 5) generally do not apply in relation to a disability standard. However, if a person acts in accordance with a disability standard the unlawful discrimination provisions in Part II do not apply to the person’s act.⁹

The decision of *Innes v Rail Corporation NSW* confirmed at paragraphs 148-156 that a breach of Transport Standards also constituted a breach of the DDA.

However, the terms of the Transport Standards themselves do not confirm that a breach of the Transport Standards is unlawful. This has created some confusion about whether a breach of the Transport Standards is unlawful in the absence of a breach, or at least a complaint alleging a breach, of the DDA. For example, in *Haraksin v Murrays Australia* [2013] FCA 217, Nicholas J stated that:

Non-compliance with the Standards does not of itself provide a sufficient basis for a person to lodge a complaint under s46P or to commence a proceeding under s46PO(1). This is because non-compliance with the Standards does not of itself constitute unlawful discrimination.¹⁰

While PIAC respectfully disagrees with this view, for the reasons set out above, it highlights the need for clarity within the Transport Standards. The decision in *Haraksin* may result in complainants being required to lodge complaints claiming a breach of both the DDA and the Transport Standards. This will create some practical difficulties for claimants who would otherwise lodge a complaint alleging a breach of the Transport Standards only. This is because the DDA contains legal requirements that do not exist in the Transport Standards. For example, the DDA requires complainants to make an allegation of indirect or direct discrimination, to show that they were treated less favourably because of their disability and grapple with concepts such as reasonable adjustments. By contrast, a complaint alleging a breach of the Transport Standards merely needs to show that the Transport Standards were not complied with. The requirement for complainants to deal with the DDA in addition to the Transport Standards when

⁸ Explanatory Memorandum, *Disability Discrimination Act 1992* (Cth).

⁹ Australian Human Rights Commission, *Federal Discrimination Law* (2011), Chapter 5, page 64.

¹⁰ *Haraksin v Murrays Australia* [2013] FCA 217, [86] (Nicholas J).

lodging a complaint to the AHRC would create an added hurdle for complainants who already bear a heavy burden when it comes to taking steps towards enforcing compliance with the Transport Standards.

PIAC recommends that a provision be added to the Transport Standards to confirm that a breach of the Transport Standards is unlawful. PIAC recommends that this provision confirm that a person may lodge a stand-alone complaint alleging a breach of the Transport Standards in the AHRC.

Recommendation 6 – A breach of the Transport Standards should be unlawful

A provision should be added to the Transport Standards to confirm that a breach of the Transport Standards is unlawful. This should include confirmation that a person may lodge a stand-alone complaint alleging breach of the Transport Standards in the Australian Human Rights Commission.

4.2 Limitations of an individual complaints-driven process

Another issue raised in our previous submissions is the reliance on individual complaints for enforcement of the Transport Standards. While this is a problem with the individual complaint based system for all discrimination matters, it is particularly relevant to breaches of Standards which are, necessarily, systemic issues that have impact on the rights of people beyond the individual.

We noted:¹¹

A fundamental problem with the Transport Standards is the lack of enforcement mechanisms other than through individual complaints. The current individual complaints-based process is not appropriate for adequately and equitably addressing the implementation of Standards. There are a number of limitations on the use of the legal process by individuals to enforce compliance with the Transport Standards.

PIAC's experience in assisting people with disability suggests that individual complaints should not act as a monitoring process to regularly ensure compliance with the Transport Standards, and indeed such an ad hoc process could not possibly achieve effective monitoring in any event. If, however, legal action remains the only mechanism to enforce compliance with the Transport Standards, PIAC submits that amendments should be made to the existing complaints system, and in particular the process for bringing a complaint through the federal courts.

Taking legal action to enforce the Transport Standards involves significant commitment and risk by individual litigants, often for limited personal gain. It is time-consuming, financially risky and can be stressful and embarrassing. If resolved at conciliation, settlements are binding only between the parties to the complaint. Therefore, while a settlement may provide for systemic outcomes, such as training or policy changes, only the complainant who is a party to that settlement agreement can enforce it if the respondent fails to fulfill its obligations.

¹¹ PIAC, Submission to the Department of Infrastructure, Transport, Regional Development and Communications, *2012 Review of the Disability Standards for Accessible Public Transport* (31 May 2013) 27–28 <<https://www.piac.asn.au/2013/06/19/get-on-board/>>.

In addition, conciliated agreements are often resolved on the basis that they be kept confidential. This means that the substance of the improvements that result from the complaint, even if it is merely to enforce the current legal standards, remains confidential and cannot be used by other people as a precedent to seek improvements more generally. If conciliation fails, and the complainant proceeds to a hearing, they face many obstacles. If the complainant succeeds at hearing, the outcome will generally be a declaration of unlawful discrimination and a modest award of compensation. As such, the available remedies are often inadequate in fully eliminating discriminatory practices.

PIAC urges action to resolve these issues, specifically the burdens for individual complainants bringing complaints about breaches of the Transport Standards through the federal courts.

As noted in our earlier submission, ‘one possible remedy to reliance on individual complaints based enforcement and the heavy burden of responsibility it places on people with disability is consideration of amendments to the standing provisions under the *Australian Human Rights Commission Act 1986* (Cth), to allow organisations to bring representative complaints to federal courts on behalf of a group of individuals.’¹²

However, ‘courts should also have residual power to refuse to allow an organisation to have standing on public interest grounds. In considering whether an organisation should be refused standing, the court should be permitted to take into account the relationship between the individual and the organisation. [Alternatively,] PIAC submits that organisation should be able to bring complaints, in their own right, as opposed to on behalf of individual members.’

Without an adequate complaints system in place, there is no way of assessing the effectiveness of the Consultation RIS reforms, should they be implemented in regulation. PIAC therefore recommends that an adequate system is implemented as a matter of urgency.

Recommendation 7 – Open standing

The Australian Human Rights Commission Act 1986 (Cth) should be amended to include a provision allowing organisations to bring a complaint in relation to the Standards on behalf of a person to both the Commission and the federal courts. The Act should provide the courts with residual power to refuse to allow standing for an organisation on public interest grounds.

The Australian Human Rights Commission Act 1986 (Cth) should provide open standing to allow anyone to bring a complaint to enforce a breach of the Standards.

Alternatively, organisations should have standing to bring discrimination complaints in relation to breach of the Standards to the Australian Human Rights Commission and to the federal courts in their own right. In order to satisfy this standing test, an organisation or group would need to show either:

- *that a significant portion of the membership of the organisation or group is affected by the conduct in question; or*

¹² Ibid 31.

- *the alleged discriminatory conduct relates to the objects or purposes of the organisation or group*

5. Use of Australian Standards

The use of Australian Standards in the Transport Standards is problematic in circumstances where those Australian Standards are not freely available to the public. This has created a situation where, in order to understand Australian law and to hold transport operators accountable to them, a member of the public must purchase expensive Australian Standards.

Likewise, the Consultation RIS makes many references to the Australian Standards, including proposals to update references to the Australian Standards, without those specific provisions being made freely available to the public.

The requirement for people to purchase documents so that they may understand and enforce their legal rights is disempowering and is an impediment to holding transport operators accountable.

This situation must be fixed. PIAC recommends that either the references to the Australian Standards are removed and replaced with the text of the Australian Standards or other wording which describes the regulatory standard, or to append the text of the relevant provision of the Australian Standards referred to in the Transport Standards.

Recommendation 8 – Address the use of Australian Standards in the Transport Standards

The Transport Standards should be updated to either replace references to the Australian Standards with the full text of the applicable standard, or the relevant provisions of the Australian Standards which are used in the Transport Standards should be appended to the Transport Standards. Members of the public should not be required to purchase external documents to understand their rights and hold transport operators accountable to the Transport Standards.