



Submission to the Third Review of the Disability Standards for Accessible Public Transport 2002 (Transport Standards)

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About the Australian Blindness Forum

The Australian Blindness Forum (ABF) is the peak body representing blindness, low vision and rehabilitation in the Australian blindness sector. It is a partnership between consumers and service providers; seeking equity in access for people who are blind or vision impaired.

ABF and its member organisations support every person's right to participate in education, employment and contribute to the community. This includes all people who are blind or vision impaired having the right to access services and technology, to enable dignified and independent access to, and participation in their community and to live independently, inclusively and with dignity.

ABF's position is consistent with:

- The United Nations Convention on the Rights of Persons with Disabilities (UNCRPD)
- The National Disability Strategy 2010-2020 (NDS)
- The Disability Discrimination Act 1992 (DDA).

We recognise that critical to these rights is the capacity to make decisions and choices that affect the way people with blindness or vision impairment choose to lead their lives. Inherent in this capacity is the provision of quality supports and services delivered along a continuum of care and accessibility that is efficient and effective.

Our close engagement with consumers means that we are an important advocate for those impacted by blindness or vision impairment and as such we are well placed to provide input on policy matters, identify service gaps and draw on our expertise to collaborate with a wide range of stakeholders, including researchers, technology experts and providers.

As Australia's representative to the World Blind Union, the ABF has strong connections with the international blind and vision impaired community, and seeks to undertake best practice internationally and regionally.

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Introduction

The Australian Blindness Forum (ABF) welcomes the opportunity to respond to the Third Review of the Disability standards for Accessible Public Transport 2002 (Transport Standard). This submission provides responses to each of the questions outlined under section C of the Issues Paper 2018. We have drawn upon the collective expertise of our membership to provide the following responses.

World Blind Union

Australia's membership of the World Blind Union (WBU) is held through the ABF and through this membership we are an active member of the WBU Asia Pacific. We are committed to human rights and representation of those rights and have four Australian delegates to the WBU. We are active in advocating across our nation, region and globally for the rights of people who are blind and vision impaired and work to support the achievement of the WBU's *Work Plan 2017 – 2020*. The work plan includes an objective to 'promote full access to the environment for blind and partially sighted persons including safe and independent travel and access to transportation.'¹

The National Disability Insurance Scheme and Aged Care

Transformational reform has taken place in recent years across Australia's disability and aged care sectors, these reforms have affected significantly how blind and vision impaired people may lead their lives.

The introduction of the National Disability Insurance Scheme (NDIS) has meant that many different services and programs need to interface with the Scheme. Whilst the intent and potential of the NDIS is a valuable opportunity for people with disabilities to access necessary supports and services, the opaque demarcation and cost shifting between jurisdictions and various departments creates significant challenges for current and potential NDIS participants and service providers. In terms of the blindness and rehabilitation sector the transitional arrangements to the NDIS have impacted significantly on those people who are blind or vision impaired and their families.

¹ World Blind Union, Work Plan 2017-2020, <http://www.worldblindunion.org/English/our-work/our-priorities/Pages/default.aspx>

Vision loss has a significant functional impact in many ways. It can mean losing freedom and independence through the loss of a driving license, difficulty maintaining or gaining employment, not having access to information in useable formats or being unable to safely and with confidence move around one's home or community. Critical to ensuring connectedness to community, family and employment are disability inclusive transport services.

The reforms across the aged care system has set frailty as a criterion for participation (active ageing is not a consideration) and does not take account of the integration of people with disability over the age of 65 now moving into the aged care sector from the disability sector. Blind or vision impaired participants within the aged care sector will receive significantly less supports and services under the reformed arrangements, effects that may include loss of confidence, social connectedness and again ability to move confidently and with ease around one's home and community.

The reforms within the disability and aged care systems has meant often participants are receiving less supports and service, this loss of support often impacts on the need for increased transport services.

[Previous accessible public transport reviews](#)

The ABF is concerned that despite considerable advice and recommendations from across the blindness and broader disability sector, substantial and consistent improvement has not been made to Australia's transport system.

The ABF and its member organisations implore the Australian Government to work with all jurisdictions to achieve a genuinely accessible transport system for all Australians.

We urge the Government to do this with commitment to:

- The provisions within the United Nations Convention on the Rights of Persons with Disabilities (UNCRPD) regarding people with disability to have equal access to buildings, roads, transportation and other indoor and outdoor activities.²

² United Nations Disability, department of Economic and Social Affairs, <https://www.un.org/development/desa/disabilities/convention-on-the-rights-of-persons-with-disabilities/article-9-accessibility.html>

- The Universal Principles of Design which promote comprehensive design for the development of service environments to ensure inclusiveness for people with disability.
- *The Whole Journey: A guide for thinking beyond compliance to create accessible public transport journeys* (the Whole Journey Guide) seeks to encourage beyond compliance thinking amongst policy makers, planners, designers, builder, certifiers and operators so as to have a focus on people's accessibility needs across their whole journey.³ We support Blind Citizens Australia's view that the Whole of Journey Guide should be included in the Transport Standard.

The views of the ABF in addressing the questions posed within the Third review of the Transport Standard Issues Paper seeks to provide the Government and the transport and infrastructure industries with recommendations to build efficiencies, effectiveness and innovations within our transport system. Specifically, we provide feedback and recommendations around information accessibility and topographic accessibility.

ABF's responses to questions

In providing recommendations below, the ABF is focussing on, and prioritising the needs of people who are blind or vision impaired, and the views of our members.

Question 1

Has your accessibility to public transport improved since the commencement of the second Transport Standards review in 2012?

How has your accessibility to conveyances changed? (For example, trains, buses and coaches, trams, ferries, wheelchair accessible taxis and aircraft)

Response to Question 1

As outlined in our previous 2012 submission, our key access concerns focussed on the lack of compliance to the guidance in The Whole Journey Guide, lack of consistency of implementation and enforcement of the Standard across the nation, and commitment to children with disability accessing education with particular

³ The Whole Journey Guide; <https://infrastructure.gov.au/transport/disabilities/whole-journey/index.aspx>

reference to children living in regional and remote areas. Regrettably from a review of our past concerns, many of these access barriers remain.

Since the previous review of the Transport Standard, accessibility to the transport system, in real terms, has shown some signs of improvement with the use for example of beacon technology, and changes to procurement requirements but again these innovations and advances are inconsistent and often not implemented efficiently.

From ABF's perspective, the requirements of the Transport Standard are not being appropriately or effectively encouraged, implemented, monitored or enforced.

Of particular impact for people who are blind or vision impaired is the inconsistency of accessible information and the inconsistency of the installation of tactile ground surface indicators (TGSI's).

It must be noted, also, that The Whole Journey Guide is not being promoted and therefore is not implemented. The Guide was developed with significant input from industry and accessibility experts for information, wayfinding and infrastructure design. It articulates best practice, but as a guideline is unlikely to be referenced or adhered to by transport and infrastructure designers.

The adoption of, and compliance with, Australian Standards, and associated references and guidelines pertaining to best practice for accessibility, relies upon best practice communication, education, evaluation and measurement. Until these factors are realised, travelling independently, confidently and safely for people who are blind or vision impaired will remain elusive.

Examples of some significant ongoing barriers to access include:

A) Airport systems:

The airport system is particularly hard to navigate between the drop off area and the terminal for people who are blind or vision impaired. Meet and assist services are not consistent and smaller airports and airlines often do not provide this service. There is also ambiguity at airports regarding whom is responsible for this space. Navigating security systems at airports is also particularly difficult due to a lack of consistency across states, territories and regions. The design, layout of terminals and airport security should be consistent across regions and jurisdictions and a requirement within the Standard.

B) Trains, Trams and Ferries:

There are a range of transport issues that are common across the nation's train, tram and ferry systems. Particularly problematic is the lack of accessible information available not just on conveyances but at stops and terminals within the conveyance system.

For example, there is a significant lack of audible destination announcements across these systems along with audible ticketing machines. Specifically, ABF members cite examples in Melbourne where bus stops have no audio information at the stop or terminal. While members cite that tram stops in the Melbourne CBD have audio bollards which can be used to find out when the next tram is due and where it's going, their suburban counterparts do not. Similar is experienced across other states.

Since the previous review of the Transport Standard we have observed the continual installation of inconsistent, and in some instances inappropriate and / or excessive, installation of TGSIs. Early engagement with access consultants with expertise in vision impairment is essential to deliver appropriate functional installation and outcomes.

The topography surrounding many ferry wharves can present challenges to independent access, however we recognise that in recent upgrades to some wharves, improvements to access have been made. As with all transport modes, where the infrastructure and transport conveyance is independently inaccessible, the offering and availability of assistance can improve a passenger's ability to access these services.

C) Buses and Bus Interchanges

Interchanges where multiple buses arrive and depart simultaneously represent significant challenges for passengers who are blind or vision impaired in locating their required bus.

Drivers need to be educated that they are required to stop when they see a passenger with a white cane or guide dog regardless of whether the passenger with vision impairment has hailed them.

Audible announcements at bus stops would assist passengers in identifying the oncoming bus. Audible announcements en-route and at the point of alighting and disembarking are essential to determining the progress of the journey.

D) Taxis and Ride Share

There is substantial evidence that there continues to be many instances where passengers accompanied by a guide dog are refused service. ABF members cite cases where taxis and ride share drivers simply pass by a passenger with a guide dog, this is an obvious act of discrimination.

Refusal of service is in itself a traumatic and confronting experience, exacerbated by the difficulty obtaining the relevant details required to report the refusal / discrimination. The subsequent process of submitting a complaint is often arduous, difficult to navigate and time consuming.

In some instances, access to point to point transport can be complicated by a driver's lack of communication skills and understanding their obligation to assist a passenger with vision impairment.

The identification of taxis, accessibility of fare meters and the utilisation of Taxi User Subsidy Schemes continues to pose challenges for passengers who are blind or vision impaired.

The ABF recommends on-going education of the taxi and ride share industry to ensure compliance with the Transport Standard and associated guidelines, including the Whole of Journey Guide.

[How has your accessibility to information, for example, maps, timetables, announcements changed? Can you provide examples?](#)

Response:

The ABF recognises that there are on-going improvements in the accessibility of information. There is, however, a significant lack of consistency in the availability and method of provision of accessible information services.

The installation, operation and consistent use of audible announcements are critical to the independence of travel for people who are blind or vision impaired.

The ability to know current location, destination and upcoming stops increases the confidence and safety for a person who is blind or vision impaired, and this can be achieved with audible announcements.

Audible announcements are not only essential for people who are blind or vision impaired, but it is known that they make the journey less stressful for all commuters.

The ABF is concerned about instances where there is current and existing capacity for audible announcements on a number of transport modalities but where the functionality is not used. For example, the Metro Buses in Sydney have the capacity and technology to make audible announcements, however there are frequent reports that drivers are not activating this functionality.

There is inconsistent use of announcements on buses in all states of Australia. We know audible announcement technology can work well when utilised appropriately. For example, the B-line bus services in NSW provides both visual and audible information throughout the journey on the bus.

In South Australia there are 33 bus routes that provide visual announcements but no audio. In WA there are no visual or audio announcements outside of the CBD's. With advances in technology, audible announcements on board all conveyances is achievable. It is an inherent right of all passengers who are blind or vision impaired to be able to know where they are at any point in their journey.

The ABF recommends that all accessibility features in public transport must be built into the design of the services.

[How has your accessibility to infrastructure immediate to boarding a conveyance changed? \(For example, any structure or facility that issued by passengers in conjunction with travelling on a public transport service\). Can you provide examples?](#)

Response

The ABF's feedback from our internal consultation revealed that whilst there has been some improvement in locating and boarding a conveyance for people who are blind or vision impaired there is much more we collectively need to improve to achieve better and consistent independent access.

An ongoing concern and source of both frustration and confusion for customers and passengers who are blind or vision impaired, is the inconsistent and occasionally incorrect application of TGSIs and tactile directional markings which either don't comply or misinterpret the current Australian Standard. TGSIs and tactile markings are a key wayfinding tool for people who are blind or vision impaired. As such appropriate and consistent application is essential.

As we continue to advocate, and as per our previous response to the Transport Standard Draft Report we reiterate that correct placement and consistent use of

TGSI's must adhere to all applicable standards and must be recognised as an inherent safety requirement facilitating independent and safe use of transport infrastructure by people who are blind or vision impaired.

Additional wayfinding considerations include appropriate consideration to the placement of objects, barriers and obstacles in the immediate vicinity of the transport conveyance. Such 'obstacles' can include bollards, signs, furniture and bike racks.

The ABF is firmly of the view that policy makers, planners, designers, builders, certifiers and operators must understand the functionality and requirement to comply with all Australian Standards referenced within the Transport Standard and all other relevant standards and guidelines specifically pertaining to access and wayfinding.

Question

What do you see as the greatest area of need with regard to accessibility of public transport for people with a disability? Can you provide specific examples?

Response

One of the greatest areas of need is the provision of information both timely and in 'real time' for people who are blind or vision impaired.

Technological advances through smart phone apps, and interactive 'live' websites are increasingly beneficial. The use of these apps, webpages and helplines would be of great advantage to the traveller who is blind or vision impaired.

ABF would like to point out however, that there are no specific accessibility standards governing the development of smartphone apps, although it is expected that the principles of Web Content Accessibility Guidelines (WCAG) 2.1 would apply as a minimum. As such, there is no certainty whether a particular app (or a new version of an already accessible app) will be accessible. While the use of apps and other user-based technologies should not be discouraged, they should not be seen as a substitute for accessible, information being required from service operators and providers.

Further and most importantly for people who are blind and vision impaired, the installation of audio announcement technology needs enforcement. Audio announcements allow for ease and safer travel and for the person who is blind or vision impaired to know the status of their journey.

People who are blind or vision impaired often rely on the use of mobile phones to access information, however this cannot be the only solution offered or available to access information.

Mobile phone coverage across Australia is not always reliable and further it makes an assumption that all people use a Smart phone.

It must be noted that while the adoption of technology is increasing, there is still a significant proportion of people who are blind or vision impaired who do not have access to 'smart' technology, this can be due to choice, lack of capacity or lack of financial resources to purchase equipment.

The discrepancies of funding and assistive technology access and support between NDIS, Aged Care and privately funded consumers continues to create inequity of opportunity and availability to access technological 'solutions'.

ABF member feedback reports that approximately only 25% of people over 65 use a smart phone and ABF's members report anecdotally, that younger people who are blind or vision impaired can find using smartphones stressful and not always reliable (particularly in relation to battery life and reception).

Question 2

Question below

As a public transport user, are there areas of the Transport Standards where you consider that a more specific requirement for compliance would improve accessibility?

Response to Question 2

The functional application of TGSI's is often inconsistently installed and results in confusion for users.

In the context of standards for the public transport system, some aspects of TGSI usage are covered in the Transport Standard while others are part of the Access to Premises (Buildings) Standards.

Question 3

Question below

To what extent do you feel that the requirements in the Transport Standards address all of the accessibility requirements for people with disability? Are there gaps in the coverage of requirements?

Response to Question 3

A significant source of ongoing frustration for people who are blind or vision impaired, is that the provisions within the Transport Standards are not consistently complied with, do not consistently meet their objectives of equity of access and are often confusing in their application because of inconsistency and misinterpretation.

An integrated approach to Australia's transport system, complying with the Transport Standard, Transport Standard Guidelines, the Whole Journey Guide and Wayfinding Standards and seeking advice on the connections to, in and around transport modes from access consultants with expertise in vision impairment is essential.

It must be noted that not all transport modes and conveyances are comprehensively addressed and considered within Transport Standards.

Question 4

Have new ways of providing public transport, such as ride sharing or on-demand bus services affected your ability to access services? "

Response

The ride share system, for example Uber, allows for better communication between the service provider and the customer. However this is only the case when the passenger is a proficient user of apps and technology, has access to a working order Smart phone and the app is accessible.

For travellers who do have the capacity to utilise technology their experience of improved communication and information levels is significant. For example, when using an Uber passengers can access information via a smart phone including location, current destination, arrival time and costs.

Question 5

Do you find that current processes with regard to making a complaint or seeking information are sufficient or sufficiently responsive?

Response

Whilst individual service providers do provide complaint and feedback mechanisms, there is no centralised or efficient complaints process within the Transport Standard.

The complaint mechanisms, as they currently stand, are complex and place an extraordinary burden on the people who have a right to raise concerns. This burden includes personal stress and potential financial impact.

Transport system complaints are made via the Department of Transport within the jurisdiction that the issue occurred. If complainants remain dissatisfied with the response from the department they may escalate the complaint. In the case of Victoria for example the complaint would go to the Infringement Court. Again as mentioned about this process can be very onerous and stressful for the complainant. Currently the only way of enforcing a complaint (breach of the Federal Transport Legislation) is through the Federal Court.

It has been reported that even if a complaint has been upheld and a provider found liable, the victim of this discrimination will often be of the view that the penalty is insufficient. The complexity and trauma of navigating the complaints process and the subsequent outcomes are considered by many people who are blind or vision impaired to be a disincentive to pursuing a legitimate complaint.

Question 6

As a body representing the views of people with a disability, do you have any other specific responses or perspectives with regard to the issues raised in the questions above?

Response to question 6

There continue to be too many instances where standards are not being consistently applied and in some cases, applications are made to the Australian Human Rights Commission for exemption.

It is paramount to deliver a Transport System with equity of access that Transport Standards are enforced. Compliance with the Transport Standards, and greater acceptance by Government and service providers of best practice and consistent application across Australia will assist in making a transport system for all.

One of the most crucial collaboration points for accessible transport is in the design stage. The ABF is of the view that the Transport Standards, and the Whole Journey Guide needs to be brought to the attention of town planners, local government and state governments and that the provisions within are made enforceable in the scoping stage (and over time) of all projects. This must be done via an effective communication strategy.

Further we recommend to include an understanding of the Transport Standard and Whole Journey Guide in course curriculum that relate to town planning, architecture, design and public administration.

This could achieve a generational change within the thinking of new and upcoming designers and planners to inherently include accessibility in the early stages of building projects, in this case specifically around the design and construction of conveyance sites.

Question 7

What other issues would you like to see addressed?

Response to question 7

It must be recognised that many other regulations, guidelines and pieces of legislation need to interact seamlessly with the Transport Standards before a person's whole journey could be considered fully accessible.

This would include links and an effective interface between the Transport Standards and local government rules and guidelines; Access to Premises Standards; Rail Industry Standards, rules, codes of practice and guidelines; civil aviation legislation and regulations; road traffic laws and regulations in each state and territory; National Construction Code; and Wayfinding Standards.

A taskforce needs to be developed to bring these instruments together in order to develop a process to ensure a national transport system that is functional and equitable for all.