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Disabilities Transport Access Secretariat  
Road Safety and Transport Access Branch  
Department of Infrastructure and Regional Development  
GPO Box 594, Canberra, ACT 2601  
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**Re: Draft report of the review of Disability Standards for Accessible Public Transport 2002**

Dear Sir/Madam,

Carers NSW welcomes the opportunity to respond to the draft report of the review of Disability Standards for Accessible Public Transport 2002. Accessible transport is a key issue for the family members and friends (carers) who support people with disability. Our submission focuses on the recommendations from the 2007 and 2012 reviews that we have identified to be of most relevance to carers.

Carers NSW is an association for family members and friends supporting people with a disability, mental illness, drug or alcohol dependency, chronic condition, terminal illness or who are frail aged. Carers NSW supports and advocates for carers in New South Wales (NSW), and is the only state-wide organisation that has carers as its primary focus. Carers NSW is also part of the national Network of Carers Associations, which works collaboratively to lead change and action for carers.

Thank you for accepting our submission. For further information, please contact Yvonne Gritschneider, Policy and Development Officer, on [REDACTED] or email [REDACTED].

Yours sincerely,



Elena Katrakis  
CEO  
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## **Carers NSW response to the draft report on the review of Disability Standards for Accessible Public Transport 2002**

Carers NSW welcomes the 2012 review of the Disability Standards for Accessible Public Transport 2002 and the opportunity to comment on the draft report. We acknowledge, along with other stakeholders mentioned in the report, the considerable progress that has been made across Australia and in New South Wales (NSW) since the Standards were introduced. However, inaccessible public transport remains a key issue for people with disability and their carers. A recent survey of disability carers undertaken by Carers Australia regarding the implementation of the National Disability Strategy<sup>1</sup> found that the majority (68%) of carers who responded indicated that transport was not easy to access and use.

The metropolitan rail network has been at the forefront of discussions around accessible transport in NSW and is a good case study for examining both achievements and persistent issues. While there have been major gains across the network, including platform upgrades, braille signage and clearer announcements, there is still much more that needs to be done to improve accessibility. This has been highlighted in a number of commuter stories shared with the media in recent months.

One such story highlighted the impact of accessibility issues on families and carers in addition to people with disability. A child and his mother travelling via train to Westmead Hospital from the Central Coast were impeded at every turn by poor communication from station staff, inadequate ramps, insufficient wheelchair-friendly seating areas, inadequate station parking and inaccessible connecting bus services. These hindrances caused not only distress and inconvenience, but also placed the carer at risk of injury when she had to lift her son's wheelchair on and off the train as a result.<sup>2</sup> This story puts a human face on some of the many well known barriers faced by people with disability and their carers in accessing public transport in Australia.

The draft report for the 2012 review provides a detailed and accurate record of a range of key issues that have been identified by the disability sector in relation to the various modes of public transport and their associated infrastructure. These accounts are consistent with the issues identified by Carers NSW as disadvantaging carers, in particular:

- Inadequate and inconsistent support across the rail network, including the availability of adequate ramps, lifts and toilet facilities;
- Inadequate number and frequency of accessible taxis and buses, especially in rural and regional areas;
- Affordability of taxis as an alternative to public transport;
- Unhelpful staff and commuter attitudes, reflecting lack of awareness about the challenges facing people with disability and carers as they access public transport.

Accessibility problems affect carers for a number of reasons. Carers often accompany people with disability on public transport to assist them with mobility, so any inconvenience or delay can equally impact on them. Secondly, where accessibility is inadequate, commuters with disability are more likely to require their carer to accompany them. Furthermore, when inaccessibility excludes public transport as an option for people with disability, carers are likely to be required to provide private transport or help fund an alternative mode of transport, such as a taxi. In these ways, inaccessible public transport

can cost carers time and money, and impact on their ability to work, pursue education and take care of themselves.

This submission comments on recommendations from the 2007 and 2012 reviews that Carers NSW has identified as most relevant to carers. It addresses funding for regional and rural infrastructure upgrades, the application of the Transport Standards to school buses and community transport, consultation requirements for the modernisation of the Standards, and concerns about the complaints process.

#### *Outstanding recommendations from the 2007 review*

Carers NSW is concerned that only three out of the ten 2007 recommendations have been completed, especially as the 2012 recommendations will replace the 2007 recommendations. We are particularly concerned about the incomplete response to Recommendations 7, 13 and 14. Our arguments for the continued prioritisation of these recommendations is presented below.

- *Recommendation 7 (2007): Federal, state and territory governments provide funding for projects in regional and rural regions where local governments are unable to resource upgrades of public transport infrastructure.*

Carers NSW support the views of Transport for NSW that “Commonwealth funding is needed to support accessible infrastructure development by local government.”<sup>3</sup> Carers NSW believes that the accessibility of public transport infrastructure, such as train stations and bus stops, is vital for carers and the people they care for to utilise public transport.

Transport is critical to the wellbeing and connectedness of carers and the people with disability they support, as it is an enabling service, underpinning access to support services, employment, education and community participation. Accessible transport can enable realisation of the goals of full and effective participation and inclusion in society, as framed by the United Nations Convention on the Rights of Persons with Disability, to which Australia is a signatory.

Without accessible public transport, carers and the people they care for may have no other option than to use private transport. The cost of purchasing and maintaining a car, especially one that is adequately modified to accommodate a person with disability, may be prohibitive for carers and people with disability, especially the many who receive income support. In addition, some people with disability and carers may be unable to drive or acquire a license, for example young carers under 16 years of age. These barriers may prevent carers and people with disability from accessing critical services and may lead them to become socially isolated.

Carers NSW is aware that a lack of local government investment in infrastructure is one of the major impediments to the delivery of accessible public transport. We also acknowledge the NSW Government commitment to provide funds to local governments to upgrade public transport infrastructure. However, we believe that the Federal Government should also play

a greater role in contributing the funds necessary to make Australia as a whole more accessible and liveable for people with disability.

- *Recommendation 13 (2007): Transport Standards be amended to require new community transport vehicles greater than 12 seat capacity to comply with the Transport Standards commencing in 2017.*
- *Recommendation 14 (2007): The phased application of dedicated school bus services to physical access requirements in the Transport Standards, commencing in 2029 and being fully required by 2044.*

Carers NSW is concerned that dedicated school buses and certain forms of community transport are currently exempt from complying with the Transport Standards. This means that there are no specific minimum standards relating to vehicle access, infrastructure and services, and no minimum percentage milestones to comply with. This is not acceptable for key transport services of benefit to people with disability and their carers.

Many regional, rural and remote areas in particular have dedicated school buses that are inaccessible for people with disability. This has the potential to greatly disadvantage children and young people with disability and their families living in regional, rural and remote areas. Upgrading these services should be considered a priority to minimise disadvantage among this group.

Moreover, Carers NSW believes that the exemption of some community transport from the Standards is contradictory, as community transport provides regular specialist services to younger people with disability and frail older people, and should therefore be exemplary of best practice in accessible transport.

**Recommendation 1:** Carers NSW recommends that Recommendations 7, 13 and 14 from the 2007 review be implemented.

#### *Recommendations from the 2012 review*

This submission also comments on Recommendations 2 and 3 from the 2012 review.

- *Recommendation 2 (2012): That the Australian Government, jointly with state and territory governments, commence a process for updating and modernising the Transport Standards. This work should be undertaken in close consultation with local government, industry and the disability sector, and include research on the technical issues raised in this review, the development of options, and assessment of the impact of any proposed changes to the standards.*

Carers NSW is supportive of the modernisation of the Transport Standards via consultation with the sector, and recommends that the consultation process involve carers, who are key stakeholders.

**Recommendation 2:** Carers NSW recommends that the modernisation of the Transport Standards involve consultation with carers.

- *Recommendation 3 (2012): That the Australian Government considers the concerns raised about the complaints process.*

Carers NSW argues for a stronger commitment to simplifying and improving the fairness of the current complaints system than is reflected in this recommendation. We believe that this recommendation needs to contain more detail about what will be implemented, as was the case with the recommendation on complaints in the 2007 review (Recommendation 8), which called for greater representative support through the Australian Human Rights Commission (AHRC).

A key limitation of the Standards are their reliance on individual complaints, which puts the onus on people with disability, their families and carers, rather than governments and transport operators, to ensure compliance with the Standards. Pursuing a complaint can require a significant investment of time, financial resources and emotional energy that may be prohibitive to people with disability, their families and carers undertaking the complaints process and, thereby, obtaining justice.

Tasking the AHRC with providing greater support for representative complaints on behalf of people with disability (Recommendation 8 in the 2007 review) is one of way of addressing this disparity. However, Carers NSW is concerned that the decision not to replace Disability Discrimination Commissioner Graeme Innis, who has successfully used his role to be a catalyst for increasing the accessibility of public transport, may compromise this course of action, and that the cessation of this position should therefore be reconsidered.

Carers NSW is also supportive of the proposal by NCOSS that a Standards Implementation Project Manager and/or Team exist in each state and territory to more closely monitor compliance to the Standards across the board.

**Recommendation 3:** Carers NSW recommends that the reliance of the Standards on individual complaints be reduced and that the onus of compliance be on governments and operators.

#### *Summary of recommendations*

**Recommendation 1:** Carers NSW recommends that Recommendations 7, 13 and 14 from the 2007 review be implemented.

**Recommendation 2:** Carers NSW recommends that the modernisation of the Transport Standards involve consultation with carers.

**Recommendation 3:** Carers NSW recommends that the reliance of the Standards on individual complaints be reduced and that the onus of compliance be on governments and operators.

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<sup>1</sup> Carers Australia (2014) *Results of the Carers Australia survey: 'Carer views and insights: National Disability Strategy' (April 2014)*, Deakin, ACT.

<sup>2</sup> Collins, T. (2014) 'Nightmare rail trip to Westmead Hospital for mum and disabled son', *Central Coast Gosford Express Advocate*, 13 January 2014; O'Rourke, J. (2014) 'A nightmare train ride for a wheelchair-bound boy and his mum sparks outcry', *The Daily Telegraph*, 14 January 2014.

<sup>3</sup> Transport for NSW (2012) *2012 Review of the Disability Standards for Accessible Public Transport*, Transport for NSW.