



# **AFDO Submission to the 5 Year Review of the Disability Standards for Accessible Public Transport**

## **1 Introduction**

The Australian Federation of Disability Organisations (AFDO) is the peak body of national and state organisations of people with disability. Our mission is to champion the rights of people with disability in all aspects of life.

Our current membership includes:

### *National Members*

- Australian Association of the Deaf
- Australian Mental Health Consumer Network
- Blind Citizens Australia
- Brain Injury Australia
- Deafness Forum of Australia
- National Association of People Living with HIV/Aids
- National Council on Intellectual Disability
- National Ethnic Disability Alliance
- Physical Disability Council of Australia
- Women with Disabilities Australia

### *State Members*

- Access for All Alliance Hervey Bay
- Disability Resources Centre

Access to public transport is an issue of crucial importance to people with disability, and to the Australian Federation of Disability Organisations and its members. It underlies all social and economic participation.

The signing of the United Nations Convention on the Rights of Persons with Disabilities earlier this year and its pending ratification by the Australian Government has elevated accessible transport to be a significant global issue.

Members of the Australian Federation of Disability Organisations have prepared submissions that address in detail the impact of specific elements of the Standards. We have not sought to replicate these.

This submission considers the effectiveness of the Standards, paying particular regard to:

- Data/reporting
- Consistency
- Clarity and certainty of rights and of obligations
- Complaints/enforcement
- Performance across types of transport and
- Gaps in the Standards

The submission also considers the efficiency of the Standards, with particular reference to the determination of the costs and benefits of the Standards.

## **2 Summary of Recommendations**

### **Recommendation 1**

That the positive impact of the Transport Standards on the lives of people with disability and the general population be acknowledged.

### **Recommendation 2**

That a consistent approach for reporting be developed and agreed to by governments, HREOC, the public and private transport industry and people with disability and their representative organisations. The standard report should include quantitative and qualitative data, should cover an agreed reporting period and be presented in accessible formats.

### **Recommendation 3**

That standardised reports be provided to HREOC by jurisdictions within agreed timeframes.

#### **Recommendation 4**

That the reporting and monitoring cycle include a research component looking at best practice.

#### **Recommendation 5**

That the ACG review identifies areas where Codes of Practice are needed to assist with consistent application of the Standards.

#### **Recommendation 6**

That the Commonwealth Government and industry bodies provide funding to commission the Codes of Practice identified in the review.

#### **Recommendation 7**

That all jurisdictions develop broad public education campaigns that outline the rights of people with disability and what they can do when their rights have been breached.

#### **Recommendation 8**

That transport providers work with people with disability to develop training packages for staff. This training should be delivered by people who have a personal experience of disability.

#### **Recommendation 9**

That a timetable for the development and ongoing delivery of public education campaigns and training be developed by jurisdictions. The first iterations of both should be completed within twelve months.

#### **Recommendation 10**

That applications for exemption from the Standards must be provided in accessible formats and be in plain English.

#### **Recommendation 11**

That organisations be required to negotiate with people with disability and their representative organisations on issues of

concern prior to lodging an application for exemption from the Standards.

### **Recommendation 12**

That the federal Department of Transport and Regional Services provide AFDO and other organisations representing people with disability with additional financial and staffing resources to support the effective inclusion of people with disability in ongoing advocacy co-ordination, Committee participation and exemption application processes.

### **Recommendation 13**

That Commonwealth, State and Territory governments use their regulatory frameworks, including service contracts, to enforce compliance with the Transport Standards.

### **Recommendation 14**

That Commonwealth, State and Territory governments provide funding to disability organisations to mount public interest cases related to compliance with the Standards.

### **Recommendation 15**

That the Review identify the policy decisions and procedures and operations implemented in Queensland to ensure its compliance against the Standards as it relates to accessible taxi services. This should be documented as best practice for other States and Territories.

### **Recommendation 16**

That taxi companies host access discussion groups to discuss service improvements with government, people with disability and their representative organisations and taxi operators.

### **Recommendation 17**

That modal specific service standards be developed in consultation with people with disability and their representative organisations.

**Recommendation 18**

That in light of the partial compliance with the Standards, operators consider increasing staffing levels to deliver more direct assistance to people with disability.

**Recommendation 19**

That a Code of Practice for air travel be urgently developed.

**Recommendation 20**

That modal specific sub-committees that include representatives from stakeholder groups work with Australian Standards committees to identify best practice in safety. The sub-committees should make use of examples of international best practice.

**Recommendation 21**

That in localities that have only a small number of conveyances, the first conveyance must be accessible.

**Recommendation 22**

That the Review take the above issues into account in its cost:benefit analysis.

### **3 Overview**

Six key themes underlie this submission and its recommendations:

1. The importance of an effective reporting framework that incorporates a research agenda and is developed by all stakeholders.
2. The lack of reliable data which has undermined attempts to monitor progress against the Standards and makes undertaking a robust cost:benefit analysis impossible.
3. The necessity for Commonwealth and State governments to utilise enforcement measures that have associated penalties, particularly in relation to air travel.
4. The urgent need for expanded community education programmes for people with disability about their rights, and for the introduction of training for people with disability in the use of accessible public transport.
5. The training of all staff within public transport systems about disability awareness, with training carried out by people with disability.
6. The importance of governments, providers and other stakeholders recommitting to the meaningful inclusion of people with disability in all Standards related processes, from national advisory committees to local initiatives to improve responsiveness.

## **4 The effectiveness of the Standards**

### **4.1 Overview**

This section considers to what degree the Standards have removed discrimination against people with disability.

There is no doubt that more people with disability can use public transport today than could five years ago and more people with disability can travel independently. Additionally, some of the

people with disability who used public transport prior to the introduction of the Standards now find it easier and safer to do so.

For example, the increased use of low floor buses has made this means of travel more reliable for people with mobility impairments. The introduction of oral announcements of waiting times at tram stops means that a person with vision impairment can know with certainty which tram to enter. Increased use of signs and written information means that people with impaired hearing can more effectively navigate public transport.

### *Example 1*

Janet lives and works in Melbourne. She has cerebral palsy and cannot walk for any distance, or walk up or down stairs. Janet uses an electric scooter to get around. Recently, Janet needed to travel from Spring Street to Swanston Street in the city. The accessible tram stops on Collins Street and the accessible tram on that route meant that for the first time in her life, Janet was able to make this journey independently by public transport.

### *Example 2*

Brenda has been a regular user of public transport for decades. She is vision impaired. The ease with which Brenda can use trains in particular has increased since the Transport Standards were introduced. Improved and consistent use of colour contrasting on stairs and on the edges of platforms means that Brenda can move around the train station with more confidence and less fear that she will injure herself by tripping. The installation of signs that indicate platform numbers in a large, clear font using contrasting colours has made it much easier for Brenda to find the platform she needs. The combination of both improvements means that Brenda can now make her way between platforms more quickly, with the result that she makes connections that she previously would have missed.

### *Example 3*

Jack uses a manual wheelchair, lives in Adelaide and each week day catches the bus at the end of his street around to the train station where he catches the train into the city. He does the reverse to get home in the evenings. However, because only

half of the buses are wheelchair accessible, Jack and the private transport operator have negotiated that they will have an accessible bus operating on the route to the train station at 7.30am and also on the return journey at 6.17pm.

As these examples show, the Transport Standards have made a real difference to people with disability. Equally important, they have benefited the entire population. Parents with young children and people with shopping trolleys have appreciated not having to negotiate steps as they get onto a bus. Improved announcements about waiting times have helped all people using trams, particularly those who use trams infrequently such as tourists. Signs and symbols are taken for granted by people using headsets to listen to their radios or MP3 players.

#### **4.1.1 Recommendation 1**

That the positive impact of the Transport Standards on the lives of people with disability and the general population be acknowledged.

The benefits of the Standards after this first stage of implementation are obvious and worth celebrating. But we still have a long way to go. In the examples above, Janet is able to travel by tram between city stops, but the small number of accessible tram stops means that tram travel is not a routine option for her. The interim solution found for Jack's needs works most of the time, but there are occasions when the bus is not accessible due to an oversight by a driver or the dispatch team. At other times, Jack is delayed and has to try to catch the next bus which, more often than not, is inaccessible.

The progressive introduction of accessibility measures by necessity means that the full benefit of the Transport Standards will not be realised for another twenty-five years.

Although this is the five year review of the Standards, they have effectively been in place for more than a decade. In 1996, the Australian Transport Council approved the Standards as technically feasible and from that time jurisdictions began to progressively adopt them.

Since 1996, progress within and across States and Territories and across transport modes has been patchy. Gaps in the consistency and the coverage of the Standards are evident. In some jurisdictions general servicing decisions, such as to reduce the number of customer service staff employed, have acted against the improvements brought about by the introduction of the Standards. And the increased accessibility of public transport infrastructure and systems has not been matched by increased accessibility in the built environment.

In some transport areas, access has gone backwards, particularly in relation to air travel and wheelchair accessible taxis.

Issues impacting on the effectiveness of the Standards are addressed in more detail below.

#### **4.2 Data/reporting**

After substantial delays, each State and Territory has now provided to the Human Rights and Equal Opportunity Commission (HREOC) a report on its progress against the Standards. However, the reports vary in content and format and do not use a common reporting period.

The lack of a common reporting framework makes comparisons of progress between States and Territories difficult. Most jurisdictions have provided tables recording the degree of compliance against each element of the Standard however, not even these tables are directly comparable.

Half of the reports are undated (ACT, SA, Tasmania, Victoria) with no clear indication of the period that the progress report covers. The remaining reports are dated, but the reporting periods differ: the Western Australian report is based on data to June 2005; the Queensland report covers progress made to March 2006. The Northern Territory covers progress made to July 2006. The NSW report covers progress made to December 2006.

Consistent and comprehensive reporting is further complicated in those states and territories which have privatised parts of their transport system.

The difficulty of making comparisons between reports may explain why HREOC appears to undertake little active follow up or audit of the reports.

The Australian Federation of Disability Organisations' representatives expressed our concern and disappointment at the process of developing this reporting process through the Accessible Public Transport National Advisory Committee (APTNAC) and through letters to the relevant Federal Ministers. Our concerns related largely to the exclusion of representatives of people with disabilities, HREOC, local government, transport peaks and private transport operators from the process.

Adequate reporting cannot and should not be limited to reports from State and Territory Governments. Effective regulation of the Transport Standards requires a full, robust reporting regime that incorporates all providers – public and private. An effective monitoring cycle must also include a research component addressing best practice.

#### **4.2.1 Recommendation 2**

That a consistent approach for reporting be developed and agreed to by governments, HREOC, the public and private transport industry and people with disability and their representative organisations. The standard report should include quantitative and qualitative data, should cover an agreed reporting period and be presented in accessible formats.

#### **4.2.2 Recommendation 3**

That standardised reports be provided to HREOC by jurisdictions within agreed timeframes.

#### **4.2.3 Recommendation 4**

That the reporting and monitoring cycle include a research component looking at best practice.

### **4.3 Consistent application of the Standards**

The Australian Federation of Disability Organisations supports the use of Standards. Rapid advances in technology in the transport field demand a performance based Standards regime. In Canada, the State-based development of access measures without an overarching Standards framework caused chaos. For example, the subway system in Montreal had to be retrospectively adjusted. As a consequence, Ontario is now looking to follow the Australian model of Standards development.

However, the Australian experience shows that Standards need to be supported by codes of practice if we are to achieve consistency. If we compare what has been developed to support Transport Standards in the United Kingdom, Ireland or the United States of America, Australia stands out as having done little to develop codes of practice on how to implement the Standards across modes of transport. For example, the United Kingdom equivalent to the Accessible Public Transport National Advisory Committee (APTNAC) meets monthly and has modal specific sub-committees. By contrast, the APTNAC meets for one day, twice a year. The modal committees that were established soon after the introduction of the Transport Standards were not backed by the funding required to prepare well researched, evidence-based guides, and their good work was lost.

The infrequent meetings of the APTNAC means that people with disability have few opportunities to influence and contribute to the implementation of the Standards. And the situation is the same at the individual state and territory level. For example, we understand that the Victorian Accessible Public Transport Committee is not consulted about implementation but rather is told about decisions that have already been made. Consumer input was so little valued in Western Australia that the Western Australian Disability Access Committee was disbanded. We know of no Committee which resources disability representatives to consult with their community.

This contrasts sharply with the opportunities for input that were created and supported through the DDA Standards Project. Funded by the Federal Attorney-General's Department, the Standards Project ensured that people with disability had direct input into the Standards. It also ensured that information about the Standards

regularly flowed back to people with disability. The need for a similar project to be reinstated is discussed further in section 4.4.

The Australian Federation of Disability Organisations is not aware of any national study of the consistency of the interpretation and application of the Transport Standards. Reports from our member organisations suggest that differing interpretations of elements of the Standards at State/Territory level are in turn affecting national consistency. For example, Blind Citizens Australia reports that despite national consultations coordinated by HREOC, the consistency of the installation of tactile ground surface indicators (TGSI) at train stations remains a concern.

It was this very same issue that led to the United Kingdom Government commissioning Professor Philip Oxley to develop a '*Guide to Best Practice on access to Pedestrian and Transport Infrastructure*'.<sup>1</sup> Within this is specific guidance on the application and use of TGSI.<sup>2</sup>

Without similar funding support locally, and with so little time commitment from governments and providers, it is not surprising that there is substantial inconsistency in the implementation of the Standards in Australia. In these circumstances, it is difficult to avoid the conclusion that governments and providers do not consider implementing the Standards a priority.

#### **4.3.1 Recommendation 5**

That the ACG review identifies areas where Codes of Practice are needed to assist with consistent application of the Standards.

#### **4.3.2 Recommendation 6**

That the Commonwealth Government and industry bodies provide funding to commission the Codes of Practice identified in the review.

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<sup>1</sup> see [www.dft.gov.uk/transportforyou/access/tipws/inclusivemobility](http://www.dft.gov.uk/transportforyou/access/tipws/inclusivemobility)

<sup>2</sup> refer to [www.dft.gov.uk/transportforyou/access/tipws/inclusivemobility?page=4#a1021](http://www.dft.gov.uk/transportforyou/access/tipws/inclusivemobility?page=4#a1021)

#### **4.4 Clarity and certainty of rights and of obligations**

Arguably one of the greatest advantages of the introduction of Standards for Transport is their potential to increase the understanding of people with disability of their rights. However, while many organisations working in the disability field are aware of the Standards, there is very little awareness of the Standards at the level of individuals with disability and individual transport provider staff members.

The Australian Federation of Disability Organisations can not point to any State or Territory that has undertaken an effective public awareness campaign to inform people with disability of their rights under the Standards. This lack of information makes it particularly difficult for people with disability who are travelling interstate. For example, each State and Territory has a different system in relation to the payment of loading charges for wheelchairs in taxis. When this information is not readily available a person with disability cannot tell if an additional charge being levied by a driver is legitimate.

In general, transport operators appear to view providing 'accessible information' as separate from their routine provision of information to passengers. Complaints about the quality and standard of public address system announcements are common, as are complaints about the accuracy and consistency of both written and verbal announcements of next stops on trains.

In this area Australia can learn from the United Kingdom which has developed clear guidelines on the rights of people with disability and distributed these widely. The guidelines included information on the options available to people with disability who believe that their rights have been violated. In addition, public transport providers in the United Kingdom have introduced training for people with disability in how to safely use public transport. This training has been successful in giving many people with disability who had previously been unwilling to use public transport because of safety concerns the confidence to try to use it.

With the exception of Victoria (see below) we are not aware of any jurisdiction that has introduced a comprehensive and universal training program for staff in the transport industry. The lack of training is particularly evident in the provision of direct assistance.

For example in the taxi industry the fact that a driver has a licence to drive a wheelchair accessible taxi is no guarantee that they will know how to assist a person who uses a wheelchair, or how to safely operate the restraint system. Victoria has compulsory training for its Wheelchair Accessible Taxi drivers but even with this, safety is often breached due to drivers taking short cuts when using the restraint systems. As there is no training for sedan drivers, people with guide dogs, manual wheelchairs and walkers are regularly refused access by drivers.

#### **4.4.1 Recommendation 7**

That all jurisdictions develop broad public education campaigns that outline the rights of people with disability and what they can do when their rights have been breached.

#### **4.4.2 Recommendation 8**

That transport providers work with people with disability to develop training packages for staff. This training should be delivered by people who have a personal experience of disability.

#### **4.4.3 Recommendation 9**

That a timetable for the development and ongoing delivery of public education campaigns and training be developed by jurisdictions. The first iterations of both should be completed within twelve months.

One issue relevant to the clarity and certainty of obligations under the Standards is the exemptions process.

Over 2005 and 2006, the Australian Federation of Disability Organisations worked with its members to respond to the application for an exemption from the Standards put in by the Australasian Railways Association (ARA).

In our response to the original and the revised exemption applications, we highlighted the extremely difficultly people with disability experienced trying to effectively engage in this process. Our response to the original application highlighted the difficulty

people with disability experienced trying to physically read the ARA application, let alone trying to comprehend it. The application was 161 pages long.

The revised application (70 pages long) was little better. The following, taken from our response to the revised application, summarises the problems that people with disability and their representative organisations had contributing to the exemption process:

It is our position that the ARA could have done substantially more to consult with disability organisations about the access issues they were encountering. In our response to the original application and at a meeting convened by the Commission on 6 April 2006, AFDO expressed our strong concerns about the lack of consultation with people with disability and about the unduly complicated and unacceptable format of the application. We are aware that other disability organisations have expressed similar concerns.

Notwithstanding these concerns, AFDO provided to the HREOC a comprehensive submission on the original ARA application. The submission identified exemptions AFDO believed should be granted, exemptions we believed should be rejected, and exemptions which required more discussion.

The ARA has subsequently prepared a second application for exemption. Despite the concerns raised by the disability sector, this application is again poorly constructed and inaccessible. This has made it extremely difficult to respond to the application. It has also unnecessarily undermined the exemption process. While some of the exemptions sought may be reasonable, the lack of a robust evidence base to the application and the poor engagement with people with disability arguably leaves HREOC decisions on the application open to legal challenge.

The process for considering the ARA exemption application highlighted several deficiencies, most particularly related to the inability of the ARA and HREOC to identify effective ways of

communicating information about highly complex technical issues to people with disability. In addition, the extremely limited capacity of organisations of people with disability was not recognised, including that many of the people negotiating on behalf of people with disability were undertaking this work on a voluntary, unpaid basis.

People with disability and their representative organisations were highly disadvantaged in this process. The fact that this was not redressed has diminished our faith in the fairness and equity of the exemption process.

#### **4.4.4 Recommendation 10**

That applications for exemption from the Standards must be provided in accessible formats and be in plain English.

#### **4.4.5 Recommendation 11**

That organisations be required to negotiate with people with disability and their representative organisations on issues of concern prior to lodging an application for exemption from the Standards.

#### **4.4.6 Recommendation 12**

That the federal Department of Transport and Regional Services provide AFDO and other organisations representing people with disability with additional financial and staffing resources to support the effective inclusion of people with disability in ongoing advocacy co-ordination, Committee participation and exemption application processes.

### **4.5 Complaints/enforcement**

A criticism of the Standards is that there appears little State commitment to enforce the Standards' provisions. At the end of the first 5 year period, it appears certain that in a number of areas the Standards' performance requirements will not have been met (see section 4.6 below).

One of the reasons for introducing the Standards was to remove as far as possible the onus from individuals with disability to lodge

complaints and, where a person needed to complain that their rights under the Standards had been breached, to make this process as easy as possible. This required all jurisdictions to be prepared to sanction transport operators that failed to comply with the Standards and the DDA. Unfortunately recent experience offers little comfort that this commitment exists. The Australian Government has not acted against the numerous infringements of the rights of people with disability by airlines (see section 4.7 below) and State and Territory governments have not moved to ensure that private transport operators within their jurisdictions are complying with the Standards.

It is particularly disheartening that governments have not used their considerable strength as regulators and purchasers of services to ensure compliance with the Standards. For example, requiring that organisations that run Home and Community Care services, including community buses, must comply with the Standards.

#### **4.5.1 Recommendation 13**

That Commonwealth, State and Territory governments use their regulatory frameworks, including service contracts, to enforce compliance with the Transport Standards.

#### **4.5.2 Recommendation 14**

That Commonwealth, State and Territory governments provide funding to disability organisations to mount public interest cases related to compliance with the Standards.

### **4.6 Performance across types of transport**

The accessibility of public transport overall has improved as a result of people with disability negotiating with transport providers and operators, trialling conveyances for accessible features and providing feedback to government, private and industry providers about public transport.

However, there are two areas that the Australian Federation of Disability Organisations would highlight where progress appears to be well below that required at this point of the Standards' implementation: waiting times for accessible taxis and the provision of personal assistance.

### *Accessible Taxis*

By 31 December this year, jurisdictions are expected to have improved the performance of wheelchair accessible taxi services to a level that is equivalent to conventional taxi services. For instance, waiting times for wheelchair accessible taxis that are equivalent to waiting times for standard taxis.

AFDO is aware that people with disability who are reliant on wheelchair accessible taxis, are still facing significant waiting times and poor performance of accessible taxis across Australia. This is continuing to have a major effect on these individuals and families, for instance:

- It is having a significant effect on individuals' ability to get to and from their employment and/or effects their reliability within their job role if they need to travel to appointments;
- It places extra stress on individuals and families who are constantly worrying about being late for appointments or taxis not even turning up;
- In many States and Territories, people don't even try to book taxis at peak times such as between 8.00am and 9.30am and in the afternoon between 3.00pm and 4.30pm as many of the accessible taxis are now used at these times for school runs;
- Many people report incidents at airports where the accessible taxis are operating (targeting travellers with luggage rather than passengers with disabilities), but drivers have no training and orientation to loading and tying down passengers who use wheelchairs. It appears that many of these taxis apply and get accessible taxi licenses but then completely ignore their primary role in favour of working the airports. Moreover, with one exception (see below) no State or Territory has an effective monitoring process to ensure that accessible taxis are being used for transporting people with disability.

Complaint numbers are unlikely to be a reliable measure of improvements in this area. Anecdotal evidence is that many people with disability have become 'sick and tired' of lodging complaints, especially when there does not appear to be any real changes or improvements to the system. In other words, many people with disability have no trust or belief that the complaints processes are actually resulting in genuine changes.

AFDO understands that there is only one State that is meeting the Standard's performance/compliance and that is Queensland. Over the past 10 years Queensland has increased the numbers of accessible taxis and have marketed them as multi-purpose taxis. The end result is that there are many more available at both peak and off-peak times such as late at night.

An Australian taxi industry commissioned research project into accessible taxi services has identified that Queensland is a leader in this area. Many of the other States and Territories appear to have ignored this area of the Standards and not increased at all the numbers of accessible taxis since the introduction of the Standards.

For instance, South Australia has 68 accessible taxis compared to the 330 available in Brisbane alone. In Adelaide people wanting an accessible taxi early in the morning (before 8.00am) must book it before 5.00pm the previous day so that the job can be allocated prior to the drivers going home for the day. At night (after 6.30pm) there are regularly only 3 or 4 accessible taxis operating across the whole metropolitan area. People with disability report that if you want an accessible taxi on Christmas Day you need to book it in July.

In Canberra, the numbers of accessible taxis has gone backwards. There are now fewer than there were 5 years ago and it is virtually impossible to get an accessible taxi during peak times.

In the evenings in Brisbane half the taxis on the ranks are wheelchair accessible and therefore the service for passengers with disabilities is equal to that of passengers without a disability.

#### **4.6.1 Recommendation 15**

That the Review identify the policy decisions and procedures and operations implemented in Queensland to ensure its compliance against the Standards as it relates to accessible taxi services. This should be documented as best practice for other States and Territories.

#### **4.6.2 Recommendation 16**

That taxi companies host access discussion groups to discuss service improvements with government, people with disability and their representative organisations and taxi operators.

#### *Personal Assistance*

The Standards require that transport operator staff provide direct assistance to people with disability. Members of the Australian Federation of Disability Organisations have noted the difficulty in making complaints about this due to its subjective nature. What is a minimum acceptable level of direct assistance? What are the features of a quality assistance service? What standard does a person refer to in order to substantiate a complaint of poor service?

The Australian Federation of Disability Organisations is concerned that providers are increasingly using companion cards to avoid providing direct assistance. This represents a significant cost shift to individuals with disability. There needs to be public discussion about the acceptable limits, if any, to the provision of direct assistance and the strategies that should be adopted to overcome these.

#### **4.6.3 Recommendation 17**

That modal specific service standards be developed in consultation with people with disability and their representative organisations.

#### **4.6.4 Recommendation 18**

That in light of the partial compliance with the Standards, operators consider increasing staffing levels to deliver more direct assistance to people with disability.

Other areas covered by the Standards about which people with disability have raised concerns include:

- The lack of improvement in the accessibility of intrastate coaches. Coaches are an economical form of public transport

for many people. Despite this, we have little data about the industry compliance with the Standards.

- The proposed introduction of automatic systems that are inaccessible and the continued sale of tickets in inaccessible buildings.

#### **4.7 Gaps in the Standards**

The experiences of people with disability facing substantial discrimination from airlines demonstrate that this is an area where the Standards have failed to improve access to public transport for people with disability. Indeed, it has been argued that access to services for people with disability has gone backwards in recent years.

Examples of discriminatory practices by airlines include:

- requiring people with disability to pay for a person to travel with them on airplanes, even where the person is able to transfer and travel independently
- restrictions on the type of wheelchairs that carriers will allow onto planes
- restrictions on the number of wheelchairs that are allowed on one aircraft
- carriage of guide dogs on aircraft
- low cost airlines failing to provide essential passenger safety information in non-verbal forms
- assistance with boarding aircraft.

##### *Example 4*

Greg travels with his guide dog and has continuous problems when checking onto a flight. He has tried several ways to make sure that the air carrier he is flying with is aware that he is travelling with a guide dog. He has tried booking his flight over the phone, making it clear that he will be travelling with a guide dog. He has tried booking his flight on the internet, then following this up with a phone call. He has also tried calling the day before the flight to confirm that his booking notes that he will be travelling with a guide dog.

Despite this, more often than not, staff are unaware of any booking for a guide dog travelling with Greg, and the seat that Greg needs to have allocated to him has been given away. This not only causes frustration to Greg but also to check-in staff and other passengers who need to be re-seated.

#### **4.7.1 Recommendation 19**

That a Code of Practice for air travel be urgently developed.

The Australian Federation of Disability Organisations supports the submission to the Review prepared by the Public Interest Advocacy Centre.

### **4.8 Safety**

There are numerous safety issues that need to be urgently addressed, including:

- restraint and tethering systems on conveyances
- securement straps on taxis and coaches
- level crossings and
- emergency evacuation from conveyances and infrastructure

#### **4.8.1 Recommendation 20**

That modal specific sub-committees that include representatives from stakeholder groups work with Australian Standards committees to identify best practice in safety. The sub-committees should make use of examples of international best practice.

### **4.9 Transport in Rural and Regional Australia**

People with disability living in regional and rural Australia face disadvantage in terms of access to public transport. People living in rural areas have little choice of public transport. High priority must be given to achieving access on local buses, coaches and community transport in these areas. Some communities are serviced by small operators, such as a single taxi, and where this is not accessible, people living in that area can have no other transport options, leaving them isolated. Isolation can be a

particular problem in regional and rural communities as they tend to have higher proportions of the population who are aged.

#### **4.9.1 Recommendation 21**

That in localities that have only a small number of conveyances, the first conveyance must be accessible.

### **4.10 The efficiency of the Standards**

This section considers the costs to the community of introducing the Standards.

The Australian Federation of Disability Organisations is wary of the attempt to assess the costs and benefits of the introduction of the Standards considering:

- the inconsistency of data available from providers;
- the impossibility of determining a financial value for the safety, dignity and independence of people with disability;
- conversely, the impossibility of determining a financial cost for the ongoing exclusion and isolation of people with disability, particularly those living in regional Australia; and,
- that the built environment (streetscapes etc) remains inaccessible to many people with disability, which reduces their opportunities to use public transport.

For similar reasons, we are wary of too much emphasis being placed on increased patronage numbers as evidence of the Standards' effectiveness and efficiency. Considering that the Standards were in practice introduced in 1996, it is difficult to determine a legitimate baseline for data.

Another limitation to a robust cost:benefit analysis is the difficulty of effectively apportioning costs to the Standards. For example, operators began introducing low floor buses in Australia well before the introduction of the Standards. Low floor buses were not introduced because of disability access, but because they had proven in the airport industry to be more economical and efficient. It would not be legitimate to claim the cost of introducing low floor buses to the Standard.

#### **4.10.1 Recommendation 22**

That the Review take the above issues into account in its cost:benefit analysis.