

## **Submission in Response to the May 2014 Draft Report of the Review of the Disability Standards for Accessible Public Transport 2002**

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Submitted to:

Disabilities Transport Access Secretariat  
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### **About Vision Australia**

- 1) Vision Australia is the largest provider of services to people who are blind, have low vision, are deafblind or have a print disability in Australia. It has been formed over the past eight years through the merger of several of Australia's oldest, most respected and experienced blindness and low vision agencies. These include Royal Blind Society (NSW), the Royal Victorian Institute for the Blind, Vision Australia Foundation, Royal Blind Foundation of Queensland, and Seeing Eye Dogs Australia.
- 2) Our vision is that people who are blind or have low vision will increasingly be able to choose to participate fully in every facet of community life. To help realise this goal, we provide high-quality services to the community of people who are blind, have low vision, are deafblind or have a print disability, and their families. The service delivery areas include:
  - early childhood
  - orientation and mobility
  - employment
  - accessible information (including library services)
  - recreation
  - independent living
  - advocacy, and working collaboratively with Government, business and the community to eliminate the barriers our clients face in making life choices and fully exercising rights as Australian citizens.

- 3) The knowledge and experience we have gained through interaction with clients and their families, and also by the involvement of people who are blind or have low vision at all levels of the Organisation, means that Vision Australia is well placed to provide advice to governments, business and the community on the challenges faced by people who are blind or have low vision fully participating in community life.
- 4) We have a vibrant client consultative framework, with people who are blind or have low vision representing the voice and needs of clients of the Organisation to the Board and Management through Local Client Groups, Regional Client Committees and a peak internal Client Representative Council. The involvement of people who are blind or have low vision and who are users of Vision Australia's services representing the views of clients is enshrined in Vision Australia's Constitution. Vision Australia is also a significant employer of people who are blind or have low vision, with 15.6% of total staff having a vision impairment.
- 5) Vision Australia has a formal liaison arrangement via a Memorandum of Understanding with Blind Citizens Australia (BCA), the peak national consumer body representing people who are blind or have low vision. This collaboration helps ensure that Vision Australia's systemic advocacy and public policy positions are consistent with BCA's programs and policies as far as possible.
- 6) Given that Vision Australia is a national disability services organisation, that we provide services at a local level through 60 service centres and outreach clinics, and given that each year we work with over 33,500 people who are blind, deafblind, or have low vision, we understand the impact of blindness and low vision on individuals and their families. In particular, we are able to represent the needs, aspirations and expectations of our clients as they relate to their use of public transport infrastructure and services. For people who are blind or have low vision, the experience of using public transport has become more positive in some areas since the introduction of the Disability Standards for Accessible Public Transport ("the Standards"), but there are still many aspects of public transport that remain either inaccessible or difficult and stressful to access for people who are blind or have low vision.

## **General Comments**

- 7) The following comments provide a general response to the Draft Report, as well as specific comments on some of the Recommendations contained in the Draft Report. Our key conclusion is that the Recommendations in the Draft Report be strengthened and that timeframes for action must be reduced and enforced. Our comments focus on the content of the Draft Report and the Recommendations, rather than introducing discussion of issues that were not raised during the Review.
- 8) A number of organisations in the blindness and low vision sector provided comment to the Review of the Standards in 2013. Vision Australia provided comment as part of the submission from the Australian Blindness Forum (ABF). Taken together, these submissions provide significant evidence that the Standards have so far delivered only limited benefits to people who are blind or have low vision. Those improvements that have occurred are generally limited to particular regions, and there is little national consistency. With some transport modes, it is fair to say that there is national consistency in the degree to which people who are blind or

have low vision regularly experience significant inconvenience, poor service, and high levels of stress.

- 9) Although the Draft Report summarises the main themes in the submissions provided to the Review, it has under-stated the level of stress, inconvenience and disadvantage that people who are blind or have low vision continue to experience when they use public transport. Consequently, the Recommendations do not reflect the urgency of the need for action to make public transport more accessible for people who are blind or have low vision. Our clients express frustration at what they see as endless reviews of the Standards but little action to enforce or strengthen them. They, and we, take little comfort from those recommendations in the Draft Report that envisage even more reviews before any tangible outcomes result.
- 10) The Standards are not being applied with any national consistency in those areas that affect transport accessibility for people who are blind or have low vision. For example, while there are substantial differences across Australia in the extent to which audio announcements are provided on trains and buses (although it seems that there is an almost complete lack of audio announcements on ferries everywhere in Australia, despite the increasing use of visual displays to provide key information about the route and arrival/departure times). As another example, in some states braille and tactile numbers are affixed to the outside of taxis, while in others they are placed on both the inside and outside of the taxi.
- 11) A person who is blind or has low vision and who wishes to travel to another state has no way of predicting what the experience of using the public transport system will be. This can lead to a significant level of stress and inconvenience, and can act as a disincentive to use public transport at all. Even if a person who is blind or has low vision is a frequent interstate traveller and becomes familiar with the inconsistencies in public transport accessibility, it still requires a level of memorisation that is not expected of the rest of the community.
- 12) Even at a local level, inconsistencies abound. In NSW, for example, our clients report that tactile ground surface indicators (TGSIs) are not implemented consistently when railway stations are upgraded or refurbished. Audio announcements are sometimes provided on trains in Sydney, but not always, and it is impossible to know in advance whether a particular train will provide audio announcements. In practice, this means that whenever a person who is blind or has low vision contemplates making a train journey, they must assume that there will be no announcements.
- 13) There are also inconsistencies in the way TGSIs are implemented at transport hubs and interchanges. Sometimes directional TGSIs lead to a bus stop, but at other interchanges they may lead to a ticket office. We know of at least one location where the directional TGSIs lead nowhere, because the original site of the bus stop to which the TGSIs led has been moved, but the TGSIs have remained.
- 14) A major concern for our clients is that in regional and new growth areas the Standards are often not applied. We are aware of bus stops that have no footpaths or paved areas leading to them. There are also bus stops that service multiple bus routes but seldom provide effective ways for people who are blind or have low vision to identify a particular bus.

15) Further delays in enforcing the existing Standards will lead to a greater proliferation in national and local inconsistencies, and ultimately the losers will be people who are blind or have low vision.

## **Comments on the Recommendations**

16) The Draft Report includes seven Recommendations. While we support their general intent, we do not believe that, on the whole, they represent a significant step forward in achieving greater accessibility of public transport and the ongoing application of the Standards. As one client noted, “this report just recommends more reviews. That’s not going to make it easier for me to get to work on the bus, use the train to visit friends, or take my seeing eye dog in a taxi”.

### ***Comments on Recommendation 1 – That the Australian Government, jointly with state and territory governments, establish a national framework for reporting on compliance by 30 June 2016.***

17) This recommendation is a useful starting point. A significant problem with the Standards is that there is no effective mechanism for monitoring compliance. So, for example, there is no way of ensuring that new public transport infrastructure, such as bus stops, complies with the Standards. We generally only become aware of sub-optimal compliance when a client encounters an issue and mentions it to us. We do not, however, consider it reasonable that the establishment of a national compliance-monitoring framework should require two years. Given the rapid developments that are occurring in public transport infrastructure and services, compliance monitoring for the Standards should be given a much higher priority.

### ***Comments on Recommendation 2 — Modernise the Transport Standards***

***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 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, with this work to be completed by 30 June 2016.***

18) There are numerous aspects of the current Standards that would certainly benefit from updating, and there are issues encountered by our clients that are insufficiently addressed by the Standards, or not addressed at all. The following are just three examples:

- a. Part 27.1 of the Standards states that “general information” about public transport services should be accessible to all passengers, but does not define what “general information” comprises, or how and in which formats it is to be made accessible. The result is that many types of information that are generally considered to be essential (such as details of service

disruptions), are provided inconsistently and insufficiently across Australia and even within a particular service operation.

- b. Article 27.2 of the Standards allows for direct assistance to be provided if information cannot be made available in other ways. However, the feedback we have received from clients is that direct assistance is not always available, both on the service and at stops and stations. For example, in Melbourne, Yarra Trams has Customer Service Officers standing on tram platforms and providing “next service” information to passengers over a PA system. However, this is only done during daylight hours, and only on CBD platforms.
- c. The Standards also do not prohibit practices such as disabling the automated audio announcements in buses, trains and trams. Unfortunately our experience is that bus drivers, in particular, often either turn the audio announcements off altogether in the mistaken belief that other passengers find them distracting, or only activate them if they become aware that a person who is blind is travelling on the bus. Such practices make public transport less accessible for people who are blind or have low vision and frustrate the application of the Standards.

19) The Standards do not provide sufficient detail about how transport hubs and interchanges are to be made accessible and they are silent about such things as the accessibility of smartphone apps developed to provide information about public transport.

20) There is a real need for the Standards to be updated and expanded, and to this extent we support this Recommendation. However, the recommended timeframe does not reflect the urgency of the need and should be shortened.

### ***Comments on Recommendation 3 — The complaints process***

#### ***That the Australian Government considers the concerns raised about the complaints process.***

21) A number of submissions to the Review, including the ABF submission, highlighted the disincentives in the DDA complaints process: pursuing a DDA complaint is time-consuming; the conciliation process is voluntary despite the Australian Human Rights Commission having the power to compel parties to attend a conciliation conference; there is no certainty about the outcome of conciliation; and if the complaint fails to resolve through conciliation, the complainant must take action in the Federal Court if they wish to pursue the issue. These significant disincentives mean that, in practice, it is rare for a person who is blind or has low vision to lodge a DDA complaint about non-compliance with the Standards, so in most cases non-compliance goes uncontested.

22) The inadequacies of the current complaints-based mechanism have been well-articulated both in the Review and in other Government inquiries, and it is time to move beyond recommendations that merely ask the Government to “consider” the complaints process. The recommendation must be that the complaints process be replaced or supplemented by a mechanism that will further the objects of the DDA and its associated standards in a more effective way.

## ***Comments on Recommendation 4 — Whole-of-journey accessibility***

***That the Australian Government, jointly with state, territory and local governments, develop accessibility guidelines for a whole-of-journey approach to public transport planning by 31 December 2015.***

- 23) This recommendation is most welcome. People who are blind or have low vision currently experience a high degree of inconsistency and unpredictability when undertaking a journey by public transport that involves a mixture of transport modes (plane, train, bus, tram, ferry, taxi etc.). Even when a journey involves only one mode of transport, it is quite common for people who are blind or have low vision to encounter inconsistencies and accessibility barriers. For example, there may be audio announcements on the train to their workplace, but not on the train home. Air travel is discussed further below, but it must be emphasised that any guidelines dealing with a whole-of-journey approach must address the many issues that arise for people who are blind or have low vision and who travel by plane.
- 24) The Standards do not currently give sufficient emphasis to the importance of providing access to transport systems as a whole, rather than only to the separate components of a system. A particular railway station, tram stop or transport interchange might comply with the Standards, but if the surrounding road infrastructure is not accessible, then in practice it will be impossible for a person with a disability to use the Standards-compliant component. A whole-of-journey framework would allow for greater attention to be given to the accessibility of interconnections between different parts of the public transport system.
- 25) Even when using taxis, there are whole-of-journey access barriers that often arise but are not adequately addressed. For example, a person who is blind or has low vision may need assistance to get from the taxi drop-off point into a building or a particular room within a building. It is usually quite difficult for a taxi to park in the Sydney CBD to provide such assistance. Some drivers will not provide assistance at all, others park in loading zones or No Standing zones and risk being fined, while others try to persuade parking attendants, hotel concierges, or carpark security staff to allow them to park for a short time while they assist a passenger who is blind or has low vision. In any case, the experience for the passenger is often stressful and unpredictable because they never know in advance whether they will be able to obtain the assistance they need.
- 26) The Standards currently do not specifically address issues that relate to parking restrictions and other matters that are administered by local government authorities, but any guidelines for a whole-of-journey approach to transport accessibility must take such issues into consideration.
- 27) We would like the recommendation to highlight the range of issues that whole-of-journey guidelines must address, so that it is clear from the outset that the guidelines are envisaged as being comprehensive and significant.

### ***Comments on Recommendation 5 — National motorised mobility aid labelling scheme***

***That the Australian Government in collaboration with state and territory governments to develop and implement a national motorised mobility aid labelling scheme.***

28) We fully support this recommendation.

### ***Comments on Recommendation 6 — National wheelchair accessible taxi compliance milestones***

***That the Australian Government, jointly with industry, state and territory governments, develop consistent national compliance milestones and response times for wheelchair accessible taxis by 30 June 2016.***

29) We support this recommendation, but note that it does nothing to address the many serious accessibility issues that people who are blind or have low vision experience when using taxi services, and which were highlighted during the Review. While initiatives such as the recent inquiry into the taxi industry in Victoria may lead to improvements in certain areas, the Standards still have a key role in improving accessibility of taxi services for people who are blind or have low vision.

30) We therefore suggest either an additional part to the recommendation dealing with ways of addressing those issues or a separate recommendation focussing specifically on taxi-related accessibility issues for people who are blind or have low vision.

### ***Comments on Recommendation 7 — Review of Disability Access Facilitation Plan***

***That the Department of Infrastructure and Regional Development, in close consultation with the Aviation Access Forum, undertake a review of the Disability Access Facilitation Plan initiative by 30 June 2015, with the aim of improving the overall effectiveness and accessibility of the plans.***

31) The accessibility of air travel remains inconsistent and unpredictable for people who are blind or have low vision. A whole-of-journey approach is necessary when analysing air travel accessibility, because in travelling by plane there are various points along the journey where access barriers can and do arise. These barriers were discussed in submissions made to the Review so will only be summarised here.

- a. Increasing levels of airport security, demarcation between various staff roles, and airline staff cuts are three factors that produce access barriers for people who are blind or have low vision. Taxi drivers are not permitted to leave their taxis unattended at Australia's major airports, so they cannot assist a passenger who is blind or has low vision into the airport terminal. While some drivers will locate a security staff member to provide this assistance, others will not, and so the passenger has to find their own way into the terminal building, often with assistance from passers-by.

- b. Qantas and Virgin both provide assistance for passengers with disability in getting from the check-in counter onto the plane. Assistance is not consistently provided by other airlines, especially at regional airports. In any case, assistance may involve a combination of staff, and the transition from one staff member to another is not always seamless. We know of clients who have been left in a business lounge or at the boarding gate and forgotten. Some have missed their flight, while others have enlisted the assistance of other passengers in locating airline staff.
- c. Qantas and Virgin also provide for passengers who are blind or have low vision in going from the plane to the airport exit. This may involve several staff members whose roles are limited to particular areas of the airport, and our understanding is that airline staff are not permitted to leave the terminal building while on duty, which means that in theory they are not permitted to assist a person who is blind or has low vision to find a taxi. In practice, most staff will, in fact, provide assistance in finding a taxi, but it is most unsatisfactory, both for the staff member and the passenger, that such assistance is provided in contravention of official airline policy.
- d. Online booking procedures for domestic and international flights can also present barriers, as no major Australian airline has a website that complies with international web accessibility guidelines. Clients with dog guides also report that they frequently have difficulties making phone bookings, as many major airlines use offshore call centres whose staff are often unfamiliar with airline policies around the carriage of dog guides.

32) There is an urgent need for significant improvements to be made in whole-of-journey accessibility for passengers who are blind or have low vision and who engage in air travel. Recommendation 7 in the Draft Report calls merely for a review of the Aviation Disability Accessibility Facilitation Plan to improve the Plan's accessibility and effectiveness. It is not the plan that needs to be made more accessible, but air travel itself. The recommendation as drafted fails to reflect the extent and urgency of the improvements that need to be made.

## **Conclusion**

33) The Draft Report provides a helpful summary of the themes that emerged during the Review of the Standards. While its Recommendations represent a starting point, they do not reflect the urgency of the improvements that are necessary if public transport is to reach a level of accessibility that is envisaged by the Standards themselves. Since the introduction of the Standards there have been significant delays in the review process and the recommendations in the Draft Report do not offer hope that the evolution and maintenance of the Standards will be timelier in the future.

34) The Standards have so far provided limited benefit for people who are blind or have low vision, but have the potential to achieve significant accessibility improvements. This Review is an important opportunity to re-orient the Standards and re-energise the development process. However, in order to achieve this, the Recommendations must be strengthened and the timeframes for further review and action tightened.