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Blind Citizens Australia Submission

Disability Standards for Accessible Public Transport Review 2012: Response to the Draft Review Report

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This submission is available in large print, audio, Braille and in electronic formats for access by people who are blind or vision impaired.

ABOUT BLIND CITIZENS AUSTRALIA

Blind Citizens Australia is the peak national representative organisation of Australians who are blind or vision impaired. Our mission is to achieve equity and equality by our empowerment, by promoting positive community attitudes, and by striving for high quality and accessible services which meet our needs.

Blind Citizens Australia is funded by the Department of Social Services (DSS) to provide policy advice to the Australian Government and relevant agencies relating to people who are blind or vision impaired. As a national peak body, we have over 3,000 members and 16 branches nationwide in metropolitan, regional and rural locations. Blind Citizens Australia is also affiliated with 12 other organisations that represent the interests of Australians who are blind or vision impaired.

INTRODUCTION

While access to public transport has improved in a number of ways since the implementation of the standards in 2002, and the first five year review in 2007, there continue to be a number of barriers preventing people who are blind or vision impaired from enjoying full access to the transport experience. We are also greatly concerned about the lower levels of compliance reported in rural and regional areas and strongly believe that low levels of demand for accessible public transport should not negate the need to provide a service that is universally accessible.

We have chosen to comment only on those recommendations which we feel are of direct relevance to people who are blind or vision impaired in our response and consequently, have not provided comment on recommendations 5 and 6. We have also endeavored to provide further information about how these recommendations can be implemented under headings for each mode of transportation.

We welcome the opportunity to provide feedback on the draft report and would value the opportunity to work more cohesively with the public transport sector in future, to ensure that services are fully accessible to passengers who are blind or vision impaired. To this end, we would like to draw the Department's attention to the suite of policy documents we are currently finalising to provide guidance to state transit authorities and other transport operators on how to best meet the needs of passengers who are blind or vision impaired. Each of these documents is tailored to a specific mode of public transport making them easy for providers to follow and implement. This suite of documents will be available in early August 2014 and has helped to inform elements of this submission.

General comments on recommendations of the draft report

Recommendation 1: National Reporting on Compliance

That the Australian Government, jointly with State and Territory Governments, establishes a national framework for reporting on compliance by 30 June 2016.

Blind Citizens Australia supports this recommendation and sees it as being critical to ensuring the long-term efficacy of the transport standards. While the standards themselves reflect the Government's intention to uphold the principles referenced in the United Nations Convention on the Rights of Persons with Disabilities, this is a token gesture without having a clear reporting framework in place to monitor progress with the implementation of the standards. All levels of government also need to be properly resourced to meet their reporting requirements.

In regards to the options for reporting that were proposed in the draft report, Blind Citizens Australia feels that independent auditing would be the most appropriate approach in order to ensure impartiality and transparency. Compliance should not only be enforced through independent auditing, but also through broader work to be undertaken by the Australian Human Rights Commission.

On examining compliance targets for buses, the draft report states the following:

New South Wales:

"As at 30 June 2013, 1,743 buses in the State Transit Authority fleet were accessible. This represents 82 per cent of the State Transit Authority fleet."

South Australia:

"The South Australian Department of Transport and Infrastructure's submission (Submission 94) advised that the Adelaide Metro bus fleet is approximately 86 per cent accessible and is two years ahead of schedule to be 100 per cent compliant by 31 December 2022."

Western Australia:

"The Western Australian Department of Transport's submission (Submission 77) reported that the majority of bus and coach compliance targets have been met."

In considering national reporting requirements as part of recommendation 1, Blind Citizens Australia wishes to caution the Department and transport providers about the terminology that is utilised. The term "accessible" as opposed to "wheelchair accessible" are two very different matters and the above targets do not adequately reflect the level of compliance with section 27.4 of the standards which, if properly articulated and implemented, require public transport operators to provide information about a persons whereabouts in an audible format. This raises further concerns about the ambiguity of section 27 – which has the potential to be addressed through the implementation of recommendation 2 of the review report.

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.

Blind Citizens Australia sees this body of work as being absolutely essential to ensuring that the standards adequately reflect the needs of passengers with sensory impairments, as well as those with physical impairments. The 2012 review report failed to adequately capture the concerns of passengers who are blind or vision impaired in relation to accurate and timely audible announcements on board public transport. Audible announcements are integral to the broader application of section 27.4 of the standards; however this is also not clearly articulated within the standards in their current format.

Blind Citizens Australia recommends that in the application of recommendation 2 of the report, as well as recommendation 4 of the 2007 review, the modernised standards and subsequent modal guidelines include specific reference to the need for public transport providers to provide audible information to supplement information that is provided via visual means. Audible announcements are crucial to designing a system that is universally accessible and will benefit not only passengers with a disability, but also tourists and people with low English literacy skills.

Electronic solutions such as smart phone applications continue to present greater opportunities to provide passengers with real time information about their whereabouts on a public transport journey. At present, however, the transport standards do not adequately reflect these technological advances. This has resulted in a number of electronic systems not being accessible to passengers who are blind or vision impaired, as there are currently no requirements in place to mandate the inclusion of accessibility features.

It is critical for these elements to be addressed as a part of the modernisation process, while still outlining the need for these technologies to be considered as additional options which do not replace lower-tech solutions such as customer service staff and call centre operators.

Finally, public transport providers should be taking proactive steps to foster a culture that is inclusive to the needs of people with disabilities not only in the provision of transport services, but also the workplace. People who are blind or vision impaired continue to experience difficulty with obtaining employment due to government departments and other businesses adopting the use of information and communications technologies which are inaccessible to screen reading and magnification software. Guidelines for accessibility have been included in the United States Federal Acquisition Regulation since 2001, requiring that ICT purchased by all Federal Government Departments meet the needs of people with disabilities. In 2004, the European Union revised the general rules referenced under the EU Public Procurement Directive, encouraging procurers to meet accessibility criteria wherever possible. In 2011, the European Commission also adopted proposals on a reform of public procurement; aimed at facilitating the use of public procurement by ensuring greater consideration of accessibility requirements for people with disabilities. Blind Citizens Australia urges the Government to follow international trends in this area and ensure that the modernised standards require government contracted transport services, to adopt accessibility guidelines within their policies for the procurement of information and communications technologies. This will help to prevent discrimination against people with a disability who are seeking employment within the transport sector.

Further recommendations relating to the modernisation of the standards specific to each mode of transport are detailed later in this report.

Recommendation 3: The Complaints Process

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

This recommendation lacks clarity and does not give clear direction in terms of how the problems experienced by people with disabilities in upholding their rights through the complaints process can be addressed. This needs to be more clearly defined in the final report to ensure that the recommendation is measurable. The most significant problem with a complaints-led process is a lack of awareness amongst people with a disability. People with disability need to be better informed about their rights and the processes they need to follow if they feel that these have been breached. This could be facilitated in part through resourcing staff at the National Disability Insurance Agency to be able to provide information about disability advocacy to people with disabilities when they opt into the National Disability Insurance Scheme.

The two issues that are most commonly reported to Blind Citizens Australia in regards to public transport are dog guide handlers being refused access to taxi services and public transport providers either not activating, or switching off automated speech systems which provide audible announcements. Anecdotal evidence suggests that these misdemeanors have not decreased in number since the implementation of the standards or the previous review. In order to address this problem, Blind Citizens Australia recommends that financial sanctions be adopted to discourage transport providers from continually discriminating against passengers in these areas and prevent the cycle from repeating itself time and time again.

One of the recommendations arising out of the 2007 review suggested that the Australian Human Rights Commission be better resourced to provide greater support to represent people with a disability in legal proceedings, reducing the cost burden on the individual. The cost burden is just one element of the current system that complicates the matter of ensuring that the rights of passengers with disabilities are upheld. In particular, there should be a stronger focus on conciliation as an opportunity to reach a negotiated outcome; with the Human Rights Commission being granted greater powers to enforce conciliation, rather than relying on the good will of the respondent to agree to take part in this process.

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.

Blind Citizens Australia supports this recommendation. Readily available and accessible public transport is only useful if the surrounding infrastructure allows for sufficient access to public transport facilities. We therefore urge transport providers to work collaboratively with Local Councils and relevant road authorities in their State or Territory to ensure that public transport facilities can be accessed by people with disabilities. This requirement

should be reflected in the modernised standards, with site auditing taking place to determine the overall level of accessibility and highlight possible areas for improvement.

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.

Blind Citizens Australia supports this recommendation, but believes this process should be undertaken in broader consultation with the disability sector to ensure that the revised plans adequately reflect the needs of all passengers with a disability.

Further comments to inform the recommendations of the draft report

Train Accessibility

In addition to the provision of further clarity around the specific requirements of section 27, we believe that the development of guidelines specific to the rail industry should occur, in accordance with recommendation 4 of the 2007 review report, which should further articulate requirements for audible announcements. Blind Citizens Australia wishes to provide the following advice to help inform the content of any future guidelines specific to this area:

- All train operators should implement an automated speech system to communicate route and stop information to passengers. Announcements should periodically identify the train service (e.g. City Loop Service) as well as the upcoming stop and relevant interchange information. It is important that the timing of next stop information allow sufficient time for passengers to make their way through the train carriage to the doors without rushing and risking injury; bearing in mind that some passengers may require more time than others.
- In the event that a train is not equipped with the appropriate facilities to be able to provide automated announcements, or in instances where there are service changes or delays, information should be clearly and consistently provided to passengers via manual announcements to be spoken by the train guard. As audible announcements rely heavily on the correct functioning of the train's internal speaker system, Blind Citizens Australia recommends that all train operators include testing of this equipment in the maintenance check that is performed on each train prior to it commencing transit for the day.
- In instances where the train is approaching a station which has a short platform which cannot accommodate the full number of carriages, this must be clearly communicated to passengers so that they are able to make their way to the appropriate carriages for that stop. It would also be extremely beneficial for announcements to include information about which side of the train the doors will be opening on at each station.

- At unmanned stations, Blind Citizens Australia recommends the implementation of buttons or bollards which can provide passengers with information about the next service to arrive on that platform when pressed. For way finding purposes, it is essential that these are applied in a consistent manner; with auditing taking place on a regular basis to ensure that they are in correct working order.

Further to our comments on recommendation 3, we wish to highlight the need for there to be penalties in place for not activating, or switching off automated speech systems on-board trains. A member of Blind Citizens Australia reported speaking to the train guard when exiting his train about why there had been no audible announcements. The guard replied: "I didn't know there were any blind passengers on board, so I didn't switch them on."

This attitude fails to understand the purpose of universal design and the way in which audible announcements serve to enhance the transport experience for all passengers, not just those who are blind or vision impaired. This action could have also severely compromised the passenger's safety; leaving them in a very dangerous and vulnerable situation.

The modernised standards and subsequent guidelines should also include more prescriptive information that is mode specific in relation to emergency management. For trains, the standards should require operators to implement a procedure which requires the train guard or other member of staff to walk through the train to determine if there are any passengers who require assistance in the event of a breakdown or emergency.

Tram Accessibility

Blind Citizens Australia acknowledges some of the challenges reported by industry in complying with the standards, however wishes to reiterate the need for tram operators to work within their means to maximise the accessibility and usability of the tram network until such time that full compliance can be reached. Blind Citizens Australia recommends the development of guides to super stop locations which explains how they can be located – including the setback of tactile ground surface indicators, the approximate length of the stop, and whether there is ramp access at one or both ends. Blind Citizens Australia would greatly value the opportunity to provide input into the content and layout of these guides.

Further to this, Blind Citizens Australia supports the recommendation proposed by the Royal Blind Society (RBS) to amend the transport standards to include requirements for at least one tactile boarding point at all tram stops. Super stops can present additional challenges for passengers who are blind or vision impaired, as there can be a number of trams pulled up at the stop at any one time. While visual displays provide sighted passengers with a method of locating the correct tram, without audible announcements in place, a person who is blind or vision impaired has no easy way of identifying the tram they would like to catch – greatly restricting their level of independence. In the drafting of guidelines, in accordance with recommendation 4 of the 2007 review, a uniform procedure should be followed at all super stops to ensure that each tram pulls up to, and aligns the front door of the tram with, the tactile boarding point. This should also be reflected in the modernised standards.

Blind Citizens Australia also calls on the Department to consider the safety of passengers with a disability on board trams in the modernisation of the standards. Blind Citizens

Australia members frequently report instances where the driver has moved off before they have been able to locate a safe position. As these passengers may also be unable to determine where the handrails are located in order to stabilise themselves, this has the potential to result in serious injury. To address this problem, the updated standards and subsequent guidelines should mandate the inclusion of policies to ensure that tram drivers are required to wait until passengers are safe and stable (even if no seats are available) prior to departing.

Bus Accessibility

Multi-bus interchanges continue to pose a significant problem for passengers who are blind or vision impaired, as it is both difficult and stressful to try to locate the correct bus in a long line of vehicles. To minimise this problem, bus interchanges should be treated in the same manner as tram super stops; with the standards including requirements for at least one tactile boarding point at all bus interchanges and the implementation of a policy which requires each bus to pull up to the front of the interchange prior to departure.

Although appropriately located and configured displays can be extremely useful to people with some usable vision, there needs to be an alternative way of communicating the same information to passengers with a print disability, or passengers with low English literacy. All bus operators should implement an automated speech system which activates when the bus doors open, announcing and repeating the bus number clearly and consistently several times. Audible announcements providing information about the buses whereabouts throughout the journey are also essential in allowing passengers who are blind or vision impaired to identify and exit the bus at their destination. These points should be considered in the modernisation of section 27 of the standards. Further to this, while this technology is already in use in some parts of Australia, members have reported drivers turning the announcements off. Blind Citizens Australia, again, wishes to reiterate the need for enforceable penalties for actions which serve to diminish accessibility where there are already appropriate facilities in place to provide it.

The recommendation referenced above in regards to safety on-board trams should also apply to the bus industry. We therefore urge the Department to consider that the updated standards reflect the need for bus drivers to wait until passengers are safe and stable (even if no seats are available) prior to departing.

Taxi Accessibility

While the draft report did adequately capture the fact that the refusal of passengers accompanied by assistance animals continues to be a problem, we are disappointed at the notion put forward that greater driver education is needed to bridge this gap. Although Blind Citizens Australia sees driver education as being one part of the solution, there need to be nationally consistent, enforceable sanctions for refusing access to serve as a disincentive to drivers in the future, which could be considered in the implementation of recommendation 3.

It is a customer's right to know how much they are required to pay at the completion of a journey, as well as to be able to monitor the fare as it accumulates during transit. At present, however, taxi meters used in Australia only display a visual read out and do not provide auditory information for the benefit of those passengers who cannot read printed

English. In our previous submission to the 2012 review, we highlighted the commitment made by the Victorian Government to require that all Victorian taxis be fitted with a talking taxi meter which will announce the metered fare and any additional fees and surcharges. Given that this technology already exists in other parts of the world and is shown to work effectively, we are disappointed that this matter was not adequately addressed in the draft report and wish to reinforce the need for the transport standards to include a clause requiring an audible equivalent to the visual meter display to be provided. This measure is crucial to ensuring a service that is fully accessible to people with a print disability. The talking feature included on these meters will not impact upon drivers or other passengers, as it can be turned on and off upon request. Furthermore, it is essential for there to be clear requirements in place for flag fall rates and other service charge fees that are displayed inside each vehicle to be clearly communicated to passengers who cannot read standard print.

Blind Citizens Australia also wishes to reinforce the need for the updated standards to require taxi registration numbers to be provided in both Braille and raised print on the exterior, and interior of the vehicle for ease of making complaints.

Taxi drivers commonly lack a basic understanding of the local area that they are servicing and subsequently, experience difficulty with navigating to a specified address. This can be extremely disabling for a passenger who is blind or vision impaired, as they are not able to ascertain their whereabouts by simply looking out the window. While we acknowledge that it is not possible for drivers to know an area inside and out, the use of GPS technology can assist in bridging this gap and ensuring that passengers safely reach their specified destination. Although the uptake of GPS technology in taxis is increasing, Blind Citizens Australia recommends that the modernised standards mandate the use of GPS technology in taxi vehicles. Drivers should be required to activate the speech function on their GPS unit upon request to provide the passenger with clear information regarding their whereabouts.

The standards in their current form fail to ensure the accessibility and usability of taxi subsidy schemes for passengers with a disability. In particular, people who are blind or vision impaired face significant challenges with the operation of schemes in those states and territories in which paper-based vouchers are still in use; as these vouchers are completely inaccessible to someone with a print disability. The current system also requires the use of paper-based vouchers for interstate travel, however there is often a reluctance on the part of the driver to complete, or a lack of understanding about the need to accept, interstate taxi vouchers. Blind Citizens Australia greatly values the support that is provided through taxi subsidy schemes, but firmly believes the standards have a role to play in ensuring these schemes are accessible to the people who they are designed to assist. The standards should also aim to establish services that are nationally consistent and should outline the need for the taxi industry as a whole to work towards the implementation of a national electronic card system for subsidised taxi travel.

Finally, as part of the consultation process to allow for the implementation of recommendation 2, Blind Citizens Australia urges government to seek specific feedback on how taxi services are being provided to passengers who are registered participants of the National Disability Insurance Scheme (NDIS), as some of our members in NDIS launch sites have already reported being treated disadvantageously as a result of convoluted booking and payment processes which differ greatly from those used by the general public.

Airline Accessibility

The deregulated nature of aviation services continues to pose difficulties for passengers with disabilities, with vast inconsistencies in the approach to, and provision of, meet and assist services to help facilitate the transport experience. While meet and assist services currently remain primarily the responsibility of private airlines, we feel that a major shift is required in order to ensure adequate assistance for passengers with disabilities. In countries where meet and assist services fall within the jurisdiction of airport operators, this service is delivered far more reliably as assistance for passengers with disabilities is always guaranteed. Federally leased airports, as well as those airports which operate under state and local government planning regimes can ensure a greater level of enforceability and compliance than private industry – therefore, we feel that they would be more adequately placed to deliver this service; especially given the financial constraints that have been reported by some budget airlines. In light of these facts, Blind Citizens Australia urges the Department to give this matter further consideration in future consultations around the modernisation of the standards.

At present, some airlines have a policy in place which restricts travel to only two assistance animals per flight. This practice does not allow dog guide handlers access to the same range of options that is available to the general public. It also severely complicates transport in circumstances when a number of dog guide handlers are travelling to the same destination to attend a specific event. In the modernisation process, Blind Citizens Australia urges the Department to consider the negative impact that this practice has not only on passengers who are blind or vision impaired, but other users of assistance animals and ensure that the standards aim to address this barrier in the future.

At present, most in-flight entertainment systems are completely inaccessible to passengers who are blind or vision impaired. The updated standards should include prescriptive information that is applicable to airlines, to ensure the procurement of in-flight entertainment systems that are accessible to persons with disabilities.

Conclusion

We acknowledge the progress that has been made since the previous review, but still feel that further work needs to be undertaken to ensure that the standards adequately reflect the needs of passengers who are blind or vision impaired. We also acknowledge that stricter reporting requirements need to be put in place to monitor compliance with the standards and identify gaps in the provision of accessible services.

Blind Citizens Australia supports the proposed recommendations in principle, but feels that greater clarity is needed in some areas to ensure more measurable outcomes. In particular, Blind Citizens Australia urges government to consider putting additional measures in place, such as financial sanctions, to address long-term issues that have ceased to improve through the implementation of the standards and the previous review.

In closing, we urge the Department to take an interest in the suite of documents we have developed which make recommendations on how the public transport experience can be made more accessible to passengers who are blind or vision impaired. We would welcome the opportunity to work collaboratively with government to disseminate these documents in the future.