

**Spinal Cord Injuries Australia's (SCIA) submission
on the Draft report of the review of the Disability
Standards for Accessible Public Transport (DSAPT)**

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27/02/08

Spinal Cord Injuries Australia continues a strong 40 year history of providing consumer based support and rehabilitation services to people with physical disabilities that it began as the Australian Quadriplegic Association.

Vision

An Australian culture that embraces people with disabilities and encourages them to participate equally in social and economic life.

Mission

To be Australia's leading charitable enterprise in the PREVENTION of spinal cord injuries, CARE for those who have spinal cord injury and the support of research to find a CURE for spinal cord injury.

Response compiled with the input of Spinal cord Injuries Australia's members and using information from a recent SCIA driven accessible transport survey.

Point of clarification about previous submission from SCI Australia.

On page 78 of Draft 1 of the DSAPT. SCI Australia's comments appear to blanket all NSW bus providers including State Transit. We wish to clarify this point and state that State Transit whom operates buses in Metropolitan Sydney has restraining straps fitted in the wheelchair designated spaces. These are of great use to wheelchair using passengers. Our aim was to pass comment and see it enshrined in the standards the benefits of using restraining straps across all bus operators but are aiming to ensure that where positive outcomes have happened for wheelchair using passengers they are recognised as is the case with state transit.

To summarise SCI Australia supports restraining straps on buses, as is the case with state transit. Where they have been removed they contribute to a dangerous travel experience for wheelchair users. We support restraining straps for all buses enshrined in the Disability standards.

Draft Recommendations

1.

APTJC establish a technical expert group to:

- Review technical amendments proposed by this review
- Consider current exemptions as amendments to the Transport Standards when they expire: and
- Consider the feasibility of incorporating safety requirements into the transport standards.

This group could subsequently be used to review technical issues as they arise, thus reducing the burden on the temporary exemptions process.

We agree that it is of great importance to establish a working group to look at the technical aspects of the DSAPT such as:

**Wheelchair footprints and height (Threshold and internal space)
Restraining straps fitting and strap strength
Safety and OHS burdens placed upon operators.
Standards compliance and non compliance implications
Opposing standards or contrasting legislation**

Where we do not agree is on the consideration of current exemptions as amendments to the transport standards. This flies in the face of what the standards are there to achieve and that is greater accessibility for all people with disabilities (has wider implications to other groups such as the elderly) living in the community across transport services. If amendments are made the

precedence is set when a provider claims it is too difficult, for example Queensland Taxi response times application to HREOC for an exemption to the DSAPT in comparison with compliance in NSW, they can be let out of their obligations in quite a fundamental way.

This precedence which may be applied to one state will then have Australia wide implications if incorporated into the DSAPT as is suggested. This can lead to standards that are not set by best practice but rather through exemptions lowering or stalling progress towards accessibility.

2.

The exclusions for dedicated school buses be removed, and school bus services be included in the transport standards on a delayed compliance timeline.

We heartily agree with this position. The knock on effect to passengers with disabilities of non accessible school buses takes away scant transport options from Regional locations that do not have a wide array of accessible choice. With a Federal government pushing a strong social inclusion agenda more employment opportunities for people with disabilities should naturally follow. Without an easy to access transport system that is available when needed (0800-1000 and 1600-1800) and not tied up covering the school run periods, employment can be too problematic to take up for some.

3.

Amend the exclusion for community bus services to include in the transport standards those community services whose purposes is to service people with disability or older people.

We agree with this position although recognise that the time frame would have to reflect the lifespan of these buses. Community transport is a very vital part of the transport network yet receives so few resources. We would not want to see an undue burden placed on community transport providers that stopped them from being able to deliver their service yet recognise that there is a very vital role needing to be played by community transport in getting the elderly and people with disabilities to appointments.

4.

Modal sub-committees be appointed by APTJC to develop guidelines under the Transport Standards by mode of public transport. These guidelines are developed in consultation with APTNAC.

We support actions that differentiate between modes of transport for standard implementation although feel that at present and through anecdotal evidence from transport operators the clearer the standards are the better for them to be able to implement them.

Different modes require different compliance timelines for example station upgrades to increase accessibility across the NSW rail network costs billions of Dollars and may take 10-15 + years to complete whereas increasing bus accessibility may costs many millions but be achieved in 5 years. The standards

need to reflect this difference to ensure that operators get a fair and realistic go at increasing their accessibility if this is incorporated through better recognition of transport modes then the passenger with a disability can only benefit.

5.

AN APTJC sub-committee to develop a national scheme for labelling mobility aids based on the specifications in the transport standards, and establish a clearinghouse of best practice examples of accessible public transport.

APTJC agree individual jurisdictions to take lead in maintaining these schemes.

SCI Australia supports this recommendation. Often it has been the anecdotal gripe of many transport providers that wheelchairs and in particular motorised wheelchairs are at issue when it comes to conforming to the DSAPT rather than an incorrectly modified or set up space. A clear endorsed indicator that a mobility aid will fit into all modes of accessible transport can only be a positive to this process.

A clearinghouse of best practice is a very positive idea as long as best practice influences the development of the DSAPT within realistic timeframes. The DSAPT is reviewed every five years and should a great example be found of best practice one month after the new DSAPT in 2008 the implications for transport providers could be expensive as they may comply with DSAPT standards 2008 but not DSAPT standards 2013.

6.

HREOC to be provided with powers to refer cases of breaches of Transport Standards directly to the federal court.

SCI Australia supports this recommendation although feels it will only be a viable compliance option if there is further supportive funding to enable HREOC to achieve a regulatory role.

Often with instances of non-compliance, as it stands now, it is the responsibility of the individual to approach HREOC and state their case. HREOC acts in the role of a mediator to try and fix that sole issue. There is little systemic drive from the back of an individual case to address fundamental wrongs. Should HREOC be funded and have the powers to police the standards individual complaints can be looked upon as systemic indicators which can only help strengthen HREOC'S argument.

Public perception of the standards could also change for the better with a body like HREOC publicly working with operators to increase accessibility. There is a great deal of thought, as revealed in our accessible transport survey 2007, that 'transport is as transport is' and if its not accessible then its too difficult to do anything about it. This could work to change that perception for the better.

7.

APTJC develop a mandatory reporting framework for commonwealth, state and territory governments and implement the framework by end 2008

SCIA supports the development of a mandatory reporting framework by APTJC of transport outcomes reflecting increases in accessibility and non compliance. However we would want to see no conflict between the proposed increased independent role of HREOC as a DSAPT guardian and a mandatory reporting pathway that goes through to the federal government. With the aim of increasing information to people with disabilities the proposed reporting framework needs to have at its core a viable method for ensuring that passengers are informed of progress on a regular basis.

8.

The Australian Bureau of Statistics to include a question on public transport patronage in surveys of people with disability.

We feel that yes this is a good thing to do but it will only work with the right series of questions a simple 'Do you have access to Accessible transport in your area?' or something along those lines will not suffice by itself as often uptake and use of services can be complex as we found in our organisations accessible transport survey. Reasons can vary from simple mobility (getting to the stop or station) through to safety on transport, driver skills and disability awareness, in one case the seasonal Monsoon in the Northern Territory prevented a wheelchair user from accessing transport. The point is that transport issues are in the detail and with the right questions the ABS would be a great way for planners to be able to better understand issues and paths towards effectively increasing accessibility.

9.

APTAC and APTJC agree a new consultative framework with additional responsibilities for both committees.

SCI Australia supports consultation as long as that consultation is comprehensive and the information processed correctly. With additional responsibilities being proposed for both groups we would hope that came with increasing consultation with the disability sector to ensure that proposed changes are effective.

SCI Australia would like to Thank the Allen Consulting group for allowing us to be a part of the development of the DSPAT 2008.

Thank you

Sean Lomas