



Blind Citizens Australia

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**Submission to the Review of the Disability Standards  
for Accessible Public Transport 2007**

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## **Disability Standards on Accessible Public Transport (DSAPT) Review 2007**

### **About Blind Citizens Australia**

Blind Citizens Australia (BCA) is the peak national advocacy organisation of and for people 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. As the national advocacy peak body we have over 3000 individual members, branches nationwide and 13 affiliate organisations that represent the interests of blind or vision impaired Australians.

### **Disability Standards for Accessible Public Transport**

#### **Achievement of Public Transport Accessibility**

BCA believes that the Disability Standards for Accessible Public Transport (DSAPT) are an important step towards making Australian society more accessible for people who are blind or vision impaired. They do this through raising awareness of the precise needs of people with disabilities with regards to transport, and by offering both guidelines and legally binding requirements for transport service providers and infrastructure providers.

Since the introduction of the DSAPT, people who are blind or vision impaired have noticed a number of positive changes to the accessibility of public transport. Tactile Ground Surface Indicators (TGSIs) are now used at many stations and stops, along with clear signage and announcement systems. These changes are making it easier for someone who is blind or vision impaired to navigate safely and independently. This increased ability to be independent has strong flow-on effects for people who are blind or vision impaired because public transport is their only means of independent travel. Independent travel opens up opportunities to

participate in society through employment, leisure and community based activities.

While the lengthy introduction period for DSAPT is necessary for a range of reasons, it can cause barriers to arise because one part of a route is accessible when another is not. For instance, many tram stops in Victoria now have tactile ground surface indicators and audible announcements. Yet the trams themselves are not all outfitted with clearly contrasting poles and buttons, making that part of the trip less safe and accessible than it should be. This lack of 'whole of journey' accessibility may have an ongoing effect on patronage levels until the DSAPT is fully introduced and full compliance is in place.

BCA also recognises that the different needs of people with different disabilities can sometimes clash, and careful negotiation is required to make sure everyone has the best possible outcome.

At present, the only consistent measures of progress available to BCA are member feedback and HREOC complaints. There is no consistent compliance reporting mechanism for States and Territories. This makes it difficult to gauge both the true level of compliance and the degree of inconsistency between States and Territories. The level of active non-compliance – rates at which providers are not complying and do not have exemptions – also remain unmonitored.

**Recommendation: That the review examine simple, consistent methods of reporting for both transport providers and governments**

### Clarification of Rights and Obligations

Because DSAPT is about raising awareness of how to 'get it right' for people with disabilities, it is important that the guidelines and legal instructions provided (a) meet the needs of people with disabilities, and (b) are clear, precise and easily understood.

It is also important that people with disabilities, transport providers and people in the wider community are aware of DSAPT. It has been our experience that often consumers have little or no understanding of what the law is and how to find out what their rights are. DSAPT is a highly technical document, and while the Guidelines provide some clarification, neither can be read without a high level of literacy and education.

**Recommendation: That the Government implement a plain English campaign to educate people with disabilities about their rights under DSAPT**

For transport providers and others, the cost and technical difficulty of accessing the Australian Standards is a matter for concern.

**Recommendation: That the Government investigate ways to minimise the financial hardship experienced by some individuals and organisations in acquiring the Australian Standards**

### Flexibility of Approach

There are five main areas of the DSAPT which apply directly to people who are blind or vision impaired. They are:

Part 2 – Access Paths,  
Part 17 – Signs,  
Part 18 – TGSIs,  
Part 19 – Alarms, and  
Part 27 – Information

While these sections are arguably the most integral to accessibility for people who are blind or vision impaired, these sections of DSAPT often provides little or nothing in terms of specific details. While we are mindful that this review is not concerned with re-writing the DSAPT, there are some issues which need to be clarified as a matter of safety.

## *Part 2 – Access Paths*

1. There are occasions when people who are blind or vision impaired use TGSIs in places which are not clearly identified as access paths. As a result, these areas with TGSIs are sometimes not left free of obstacles and people who are blind or vision impaired are put in physical danger.

For example, Part 18 Subsection 4 of the DSAPT says that TGSIs should be placed on the edge of railway station platforms. In Part 2 Subsection 5, it is stated that items such as poles and columns should not interfere with an access path. There are known cases, such as Platform 3 at Lidcombe station in Sydney, which do not take into account that TGSIs along the edge of the platform provide an access path for people who are blind or vision impaired. These particular TGSIs are not far enough away from the poles on the platform – the TGSIs should have an unobstructed width of 1200 mm as specified in Part 2 Subsection 4. Safety issues such as this one are especially important when one side of the TGI access path leads to a drop onto railway tracks. This case is noteworthy because the station has only recently been upgraded.

**Recommendation: That there should be a recognition that an area covered by TGSIs – whether it is the edge of a train platform, a parallel path created by an access path diverging, or some other navigable area – is an access path. Areas covered by TGSIs should have the same standards applied as those outlined in Part 2 of DSAPT.**

2. The provision for ‘unhindered’ access paths does not meet the needs of people who are blind or vision impaired; an unhindered path may not be straight or easy to travel.

## *Part 17 – Signs*

1. BCA believes that tactile and Braille signage should be made compulsory in a number of situations, not just on the doors of taxis. Other provisions could include on toilet doors (the Building Code of Australia cites AS 1428.1 – 2001, which only allows for raised tactile signage, not Braille), signs on station platforms and signs on help buttons provided on various forms of transport.

**Recommendation: That DSAPT should make alternative signage compulsory, with particular priority given to emergency provisions.**

2. Taxi registration numbers should be available to people who are blind or vision impaired once they are inside a taxi. Often the need to get a registration number will not become apparent until the trip is underway, and a driver becomes rude or the situation becomes threatening. Additionally, this information should be available in Braille.

**Recommendation: That raised tactile taxi numbers should be placed inside taxi doors as well as outside, and that Braille numbers should be used in both locations**

## *Part 18 – TGSIs*

1. TGSIs are not clearly regulated in terms of their appearance; the term ‘colour contrast’ does not adequately describe the luminance contrast requirements set out by the CSIRO and AS 1428.4 2002. A clear outline of luminance contrast levels should be given.
2. While DSAPT provides for situations when TGSIs should be used, it does not clearly outline how they should be placed. Part 18 Subsection 1 talks about the conditions in which TGSIs should be used, but it is ambiguous. There are two types of TGSIs: directional, long linear TGSIs which lead a

person in a certain direction, and hazard TGSIs, which are round and denote where a person should stop because there is something of significance, e.g. a bus stop, or which is hazardous, such as a landing on a flight of stairs. The definitions and uses for each type of TGIS are outlined in AS 1428.4 (2002), a later version of the Australian Standard than the one cited by DSAPT.

“Change of direction” doesn’t clarify whether the TGSIs need to be of a certain type, and the term could mean leading to a sign, a toilet entrance, a customer service desk, a bus stop or an emergency exit. Providers could easily decide that any one of these things does not need to be marked. Furthermore, the phrase ‘change of direction’ does not make it clear that a change often needs to be noted at a distance, for example when walking along the edge of a train platform towards an exit.

**Recommendation: That DSAPT and/or the Guidelines should make the specifications less ambiguous by clarifying which type of TGSIs should be used, and when. This could be done by upgrading the required Australian Standard to AS1428.4 (2002). In particular, BCA maintains that TGSIs should be compulsory in the lead up to exits and customer service areas to ensure the safety of people who are blind or vision impaired.**

3. DSAPT should make it clear that TGSIs are not a substitute for poor design. For example, it is not appropriate to use TGSIs to indicate the space under a flight of steps. Spaces like these should be blocked off appropriately rather than simply indicated with TGSIs because there is a danger that someone who is blind or vision impaired will still move forward and become injured.

**Recommendation: In addition to clarifying where TGSIs should be used, DSAPT and/or the Guidelines should discuss inappropriate use.**

4. In a technical review of the draft transport standards held in 2002 – 2004, it was recommended that “the first five-yearly review of the Standards should review the issue of including Tactile Ground Surface Indicator requirements on conveyances in the standards, in particular, at the top of a flight of stairs.”

**Recommendation: That the use of TGSIs in conveyances – especially at the top of stairs – be considered.**

### *Part 19 – Alarm Systems*

The technical review of the draft transport standards held in 2002 – 2004 recommended that: “The first five-yearly review of the Standards should re-consider the issue of audible exit signs and exit assistance for the vision impaired generally.”

**Recommendation: While Part 19, Subsection 1(2) of the DSAPT says that people who are vision impaired should be able to locate the exit path in the event of an emergency, BCA believes that this should include more detail regarding the provision of tactile maps, audio signals to identify exits and well developed evacuation plans.**

### *Part 27 - Information*

While the provisions for Information in DSAPT go some way to addressing accessibility issues, they lack detail. In some cases, the provision of alternative information is overlooked or considered optional. The following areas are of particular concern:

1. Access to information should include websites. Currently some providers only offer timetables in PDF over the internet; this format is inaccessible to people who are blind. There have been reported cases of conflicting timetable information from phone calls, and sometimes information lines are unavailable. Route information, including distance, the location of audio

tactile signals and TGSIs, should also be provided on a website where similar information is available to people who have vision via route maps. This information is important because it allows the person to navigate their way to a station or stop safely and accurately.

Alternative information could be provided in html, by offering hard copy Braille alternatives, and by presenting files in Word or Rich Text Format, or audio streaming. Individuals and organisations with experience in vision impairment and blindness technologies should be consulted by transport providers when addressing website accessibility issues.

**Recommendation: Access to electronic information should be specifically addressed by DSAPT and the Guidelines, with providers encouraged to consult the W3C Web Content Accessibility Guidelines.**

2. Information in alternative formats about route destinations, the next stop and the current location needs to be compulsory. The route and time of the next bus, train, ferry or plane should also be provided. This could include Braille and/or raised text information on doors, clear audio announcements, refreshable Braille displays, large print screen displays, displays at eye level, or as a last resort, direct assistance. All information should be provided in sequence, so that an audio announcement or screen display is not incorrect.

The provision of accurate information is important because it prevents people who are blind or vision impaired from missing their stop or getting on the wrong route. For someone with little or no vision, being in a completely unfamiliar place can be a safety risk.

**Recommendation: That DSAPT and/or the Guidelines should specify when and how information on routes and stops is provided.**

3. For people who are deafblind, visual displays on buses may not be useful, and the person may be unable to see or hear the bus arriving. In addition, communication with staff and other travellers may be difficult.

**Recommendation: BCA recommends the introduction of a card system allowing people who are deafblind to hold up their desired route number on a piece of card when they are at a bus stop for that route. When a person who is deafblind gets on the bus with assistance from the driver, the driver can take another card from the person with information about where they need to alight. This is a system which has been successfully introduced in Seattle in the USA.**

4. As mentioned above, BCA believes alternative information on signage should be compulsory. This should include signs regarding directions, emergency exits and information on platform/bus stop numbers or designated routes.
5. There should be an independent way for people who are blind, deafblind or vision impaired to verify their taxi fare to prevent overcharging. The compulsory provision of talking meters would solve this problem for people who are blind or vision impaired. People who are deafblind might require an automatically generated receipt with the taxi registration number as well as the price and time of the trip.

**Recommendation: That the DSAPT review investigates ways to allow independent verification of taxi fares for people who are blind or deafblind.**

## Consistency of Approach

Consistency in public transport systems is vital for people who are blind or vision impaired because it assists with independent travel. Many people who are blind or vision impaired rely on their memory of how things work to navigate their way safely and effectively once they have completed orientation and mobility across a route. Consistency also makes learning a new route or area initially quicker and easier.

### *Implementation across States and Territories*

Different States and Territories are implementing the Standards to different degrees. For example, member reports suggest that TGSIs are being used more widely and effectively in Melbourne than in Sydney. While it is understandable that each State or Territory will have its own priorities, resources and bureaucracies to consider, BCA maintains that there should be a minimum level of access which is consistent from one place to the next.

There are several factors contributing to the lack of consistency across States and Territories:

1. The Disability Standards on Accessible Public Transport (DSAPT) cite the Australian Standards by year (such as 1992 or 1989) rather than referencing the Standards in their most up to date form. This creates inconsistency between States and Territories using the most up to date Australian Standards voluntarily and those who are adhering to the DSAPT requirement.

**Recommendation: That the DSAPT review should consider establishing a framework for optional and compulsory compliance with newer Australian Standards over time to minimise inconsistency. Additionally, the Guidelines should be amended to discuss the**

**implications of using newer Australian Standards to encourage more up-to-date, consistent implementation.**

BCA has had legal advice that a requirement in the DSAPT which doesn't refer to an Australian Standard does not necessarily do so because there is no Australian Standard in existence. BCA has found no evidence to suggest this is a current problem, but the introduction of any relevant new Australian Standards will mean it becomes one.

While there may be a good reason for not referring to a relevant Australian Standard – perhaps the Standard is less detailed than the DSAPT requirement, for example – there does need to be some clarity regarding this issue in either the DSAPT itself or the Guidelines.

**Recommendation: That the DSAPT should explicitly say whether or not an Australian Standard should be used, and that the production of new Australian Standards should be monitored for this purpose.**

There is also a lack of clarity regarding upgrades and refurbishment. Part 32.3 of the DSAPT Guidelines (2004) states that improvements should occur when any substantial upgrading, refurbishment or reconstruction of facilities takes place. It does not provide timelines, so that it would be possible for an originally compliant facility to remain as-is for decades before an upgrade.

**Recommendation: Any new DSAPT requirements or relevant Australian Standards should be given clear minimum upgrading and retrofitting guidelines for existing services or premises. For example, it would be unreasonable to expect a train station upgraded in a particular way in 2007 to be upgraded again in 2009 to reflect a new Australian Standard; it is less unreasonable for a station upgraded in 1999 to be considered for upgrade to new standards within the medium term.**

There also needs to be room within the DSAPT for ongoing discussion of upgrade periods as new issues arise. For example, the increased use of hybrid cars throughout Australia has made safe street crossings a more urgent matter for people who are blind or vision impaired. Hybrid cars are much quieter than cars with regular motors, making them difficult to avoid for people who are reliant on their hearing for safety. An issue like this should be considered appropriately by legislators in a timely fashion.

**Recommendation: That the Review investigate a consultation process for changes to DSAPT which are required urgently because of pressing safety concerns**

2. Some requirements under the DSAPT, such as those for the placement of raised registration numbers on taxis (Part 17.7), are not covered by the Australian Standards at all. Because there is no single point of reference, the States and Territories can interpret the DSAPT differently. In the case of raised numbers on taxis, this could be difficult for someone who has never seen numbers. It could be important for the numbers to retain a similar shape and size across all taxis so they are easily recognisable.

**Recommendation: DSAPT should provide a clear point of reference for implementation of all measures to improve consistency.**

3. Inappropriate or vague terminology within the DSAPT leads to greater inconsistency. For example, tactile ground surface indicators (TGSIs) are required to be 'colour contrasted' rather than meeting the CSIRO's luminance contrast specifications (Sections 18.2 – 18.5). This means that TGSIs are not required to be adequately visible from a fair distance.

**Recommendation: That all guidelines and requirements should be as clear and consistent as possible in their language, with reference to appropriate current terminology.**

### *Implementation across Transport Providers*

BCA believes it is important to make sure that transport providers implement the DSAPT with as little variation as possible. Currently, there are a number of issues with regards to consistent implementation:

1. Lack of consistent equipment means that using the same mode of transport on different routes will cause different issues. For example, there are different trams operating within the Melbourne public transport system. Some have well contrasted poles, seats, buttons and handgrips while others do not. This is an issue related to meeting compliance targets – the more compliant a mode or network is, the more likely there will be newer, more consistent equipment available to providers and their passengers.

**Recommendation: That DSAPT and the Guidelines should encourage consistency of equipment within a mode or network of transport where possible by enforcing compliance deadlines.**

2. Inconsistent staff awareness can lead to inconsistent effectiveness. For example, public address systems are not useful for people who are blind or vision impaired if staff are not made aware of the need to speak slowly and clearly. This is a frequent problem in spite of the DSAPT Guidelines statement that all staff should be trained adequately in the needs of people with disabilities and the appropriate use of relevant equipment (Section 37, DSAPT Guidelines 1994).

**Recommendation: That the DSAPT Guidelines should include some detail about what ‘appropriate’ training means in terms of regularity and learning outcomes.**

3. Inconsistent levels of maintenance can mean that something which is meant to be accessible, such as a sign with high contrast, becomes less useful as it fades in the sunlight and is not replaced.

**Recommendation: That the DSAPT Guidelines explain the importance of maintaining positive changes once they have been established**

4. Lack of compliance with the DSAPT altogether, either through incorrect implementation, defiance or a successfully lodged exemption claim. Again, inconsistent reporting mechanisms make it difficult to judge the true level of lack of compliance and the reasons for it.

### Compatibility of Approach

While the terms of reference of this review do not call for a large reworking of the DSAPT, BCA maintains that some important issues are not currently addressed by the legislation. These include:

1. Communication with staff throughout travel on public transport is not covered by the DSAPT. This is a particularly important area for people with multiple disabilities and those people from culturally and linguistically diverse backgrounds who are blind or vision impaired. While Division 33.3 of the DSAPT Guidelines discusses the provision of assistance and notes that it should allow the preservation of dignity, this is not an effective measure – people who are deafblind, for example, are often grabbed by staff and ‘helped’ with no idea of where they are going or who is taking them.

**Recommendation: That staff working in customer facing roles within public transport should be required under**

**DSAPT to train in a compulsory set of key competencies for communicating with people with disabilities.**

2. The need for additional safety measures at gated level crossings should be explored. Currently there is no way for someone who cannot hear a high frequency warning signal and/or see the gates closing to be alerted that a train is coming. In Queensland and Western Australia, railway level crossings use the same 'red man, green man' signals used at road crossings. These can be fitted with vibrating indicators to allow someone who cannot see or hear to cross safely. In Ireland, level crossings are fitted with CCTV cameras monitored by staff in signal boxes.

**Recommendation: That the DSAPT review consider exploring the addition of requirements regarding safe level crossings. These could include the introduction of requirements for certain types of crossing signals or monitoring systems.**

3. Patrons should be clearly notified of changes to the location of stops, stations or platforms. There have been reports of people who are blind or vision impaired being told that a bus stop was changing location but not where it was moving to, even after multiple calls to the relevant transport information line. In some cases, the change in stop has made the route less accessible. More broadly, this raises the issue of adequate consultation to ensure that accessibility is maintained with any changes in location or design.

**Recommendation: That the DSAPT review consider providing additional information or requirements regarding change management so that transport providers can effectively consult and inform people with disabilities about changes when necessary**

4. Ticketing barriers and security checkpoints need to have adequate space for a dog guide to move through. This is a

particular problem on unattended train stations where the barriers are sometimes closed as a person who is blind or vision impaired approaches.

**Recommendation: That options which would allow dog guide users to pass safely through unattended ticketing barriers should be explored**

5. Public transport access should not be limited to providing disability specific services. All parties should recognise that a reliable, efficient and safe public transport system is paramount for any additional measures to work.

## Certainty of Process

As an organisation which assists people who are blind or vision impaired to make formal complaints relating to DSAPT, BCA feels that while many people who are blind or vision impaired are aware that they can make complaints using the *Disability Discrimination Act* 1992, the process is often quite daunting. In many instances, complaints can run for months and cause great distress in the meantime. Transport providers often have extensive financial and legal resources, which provide an advantage if conciliation fails and the matter has to go to Federal Court/Federal Magistrates Service.

For example, BCA lodged a complaint against a rail operator for not providing TGSIs to mark out a flight of stairs. The company in question believed that they had provided an adequate alternative in the form of a lift. BCA maintained that lifts were not always appropriate for people who are blind or vision impaired. Lifts can break down, and if they lack Braille buttons, speech notification of which level a patron is on, and TGSIs outside the doors, lifts can be inaccessible. The conciliation process went on for two years, and ended when the respondent decided not to conciliate on the basis that there was no national consensus of usage, style and implementation of TGSIs and until there was one, they were complying with the Standards by enforcing the minimum required. The complainant decided they could not afford the money and stress associated with a Federal Court case to decide the matter so it resulted in two years of negotiations that led nowhere.

## Conclusion

The DSAPT have brought many positive changes for people who are blind or vision impaired, but there is still a long way to go. Implementation is a slow process by necessity and there are strong concerns that the quality and consistency of implementation is being hampered by omissions or ambiguities in the legislation and guidelines. The processes and policies for future changes to DSAPT remains unclear, creating further uncertainty. BCA maintains that any specific revisions considered for DSAPT or the guidelines as a result of this review should be subject to further consultation before they are implemented.

People with disabilities in particular still find it difficult to access and understand the information available in DSAPT. Conciliation processes are additionally lengthy and confusing, making grassroots challenges and change difficult.

This review of the DSAPT provides a unique opportunity for positive change which could enable people with disabilities to participate more fully in society. Blind Citizens Australia would like to encourage the government, transport providers and consumers involved in further work on this review to move towards a clearer, more accessible legislation which fully embraces the needs of people with disabilities and the wider community.