

Since 1992 many people with disabilities have struggled to make public transport accessible by:

- lodging complaints with HREOC
- contributing to accessible public transport committees at local, state and national government level
- designing and conducting lobby campaigns about accessible public transport with Federal, State and local Government
- researching practical solutions for implementation problems of DSAPT
- attending meetings with consultants about accessible public transport
- discussing, negotiating and trialling the design, layout and operation of conveyances, information and infrastructure
- instructing staff about unfamiliar procedures
- writing submissions for reviews, exemptions, Regulatory Impact Statements.

All this input has been done on a voluntary basis to achieve the best practical outcomes from the DSAPT and most equitable public transport for all Australians. Any improvements to public transport will assist the aged, parents with strollers and conservationists to use the system. It will inevitably increase the profits of operators and providers by allowing them to provide a service to a much larger market than the present 80% of the population.

It is with much regret that there has been the loss of life among campaigners for public transport and the public transport users at level crossings and on railway platforms.

The key themes that underlie this submission are:

1. The importance of an effective reporting framework that incorporates a research agenda and is developed by all stakeholders.
2. The lack of reliable data has undermined attempts to monitor progress against the Standards and makes undertaking a thorough cost: benefit analysis impossible.
3. The necessity for enforcement measures by Commonwealth and State governments that have penalties which are imposed under contractual agreement. There must be enforcement by an authority in relation to air travel.

4. The urgent need for expanded community education programmes for people with disability about their rights, and for the introduction of training for people with disability in the use of accessible public transport.
5. The training of all staff within public transport about disability awareness and the training to be carried out by people with disabilities.
6. The importance of governments, providers and other stakeholders recommitting to the meaningful inclusion of people with disability in all Standards related processes, from national advisory committees to local initiatives to improve responsiveness.

1. Has the accessibility of public transport improved since the introduction of the Disability Standards for Accessible Public Transport?

Accessibility of public transport has been improved since 1992 because of the series of complaints under the DDA 1992 throughout Australia about accessible conveyances (namely buses that were being purchased by State governments). Accessibility has occurred as a result of discussion, problem solving and collaboration among all stakeholders and in particular government regulators, operators and people with disabilities.

DSAPT 2002 introduction was the legislative structure that gave a consistent approach to the development of accessible public transport for all Australians including parents with strollers and the aging population where there is a higher incidence of disability.

Examples of positive changes to accessible conveyances.

a. Trains-

Suburban. Perth to Fremantle. Ease of boarding, manoeuvring space is good, allocated spaces are beside seats where you can sit with friends/colleagues, grab rails are appropriate and train movement is minimal.

Light rail Central Station to Darling Harbour. Easy boarding. Good manoeuvring area, allocated space adequate and stop indicators

Monorail. Level access to cars. No allocated space but reasonable manoeuvring space.
Ease of boarding.

Regional. NSW Countrylink. Ramp needed for boarding. Tie down allocated space, good accessible toilet on board, opportunity to sit beside family member in seat. Food is delivered from the dining car.

Airport trains. Brisbane. Easy boarding at the airport, allocated spaces are combined.
b. Buses.

Route buses- free service around Perth. Front entry, manual ramps, carpeted area with good grab rails and half bus has no seat so there is the opportunity for larger mobility aids.

Airport shuttle in Melbourne. Ease of boarding and good grab rails for support while in motion. Supplemented by a small bus with hoist from city bus terminal to hotel.

Buses/Coaches as adjunct to Rail service. Countrylink. Hoist to centre of coach with allocated space and tie-downs. Seat belt required.

c. Coaches. Queensland. Hervey bay to Maryborough train. Same as NSW Countrylink.
Canberra to South Coast – discussions are being conducted.

d. Trams- VIC Collins St- front entry and space.

e. Taxis-QLD- increase in numbers of vehicles, extra customer service.

f. Ferries- QLD- Brisbane River-easy access
NSW-Sydney Harbour- good space on board.
WA- Swan River- Toilets on board

g. Aircraft-International -same
Interstate- only travel QANTAS
Regional- small aircraft has more difficult entry.

- *Examples of changes to accessible information.*

Accessible information for public transport is the basis for the use of public transport by people with disabilities.

- a. Maps- each city has good access maps and those with gradient markings are excellent for manual wheelchair users.
- b. Timetable- the services marked with accessible services are helpful.
- c. Announcements- rail conveyances with announcements of upcoming station names are very useful.

- d. Booking Services- QANTAS Frequent Flyer number is excellent for regular bookings.

- *Examples of changes to accessible infrastructure.*

Without accessible infrastructure, the opportunities for accessible public transport to progress are limited. Its planning is best done in conjunction with people with disabilities.

- a. Stations- WA-new station and train car level access, lifts to platforms
QLD- lifts to platforms at airport& at the central station.
NSW- Olympic Park excellent
- b. Bus Stops- many shelters trialled.
- c. Coach Stations- good facilities for disabled travelers.
- d. Tram Stops in Victoria are ramped and wide so all the population wants all stops improved in the same way.
- e. Ports- Hervey Bay-assisted ramp access (too steep),
- f. Piers- WA & QLD new tidal hoists & loading platforms are excellent.
- g. Airports- “eagle lifter” is useful for loading passengers
- h. Interchanges- QLD-Hervey Bay-Boat, Bus, Taxi, Coach. Staff were helpful.
- i. Toilets- Excellent standardized facilities.
- j. Waiting rooms- Airports have best facilities.
- k. Food and Drink- Equivalent access provisions is the best solution to inaccessible areas of the cars in trains.

2. Have these changes matched your expectations of the implementation and uptake of the Transport Standards?

Implementation of the compliance requirements and the uptake of the Transport Standards have occurred when operators or providers produce conveyances, information and infrastructure with the input from people with disabilities

However there are areas of public transport that have not improved, and in actual fact have gone backwards. The airline industry and the wheelchair accessible taxis are the 2 most obvious areas where services have declined.

The booking services, interaction with staff, safety in relation to tie-downs and tethering, the transferring out of scooters in taxis and costs are all features of the taxi service that cause problems.

While the airline industry’s purchase of new airlines has been used to explain the change in the carriage of the number and variety of electric wheelchairs, the many other cutbacks in services have not been satisfactorily explained. Naturally there has been a flood of complaints under the DDA 1992.

Examples of conveyances that do not meet requirements of Transport Standards.

a. TRAIN

Suburban- only 2 designated spaces in a car which are filled by strollers/ no signal to driver to indicate station to stop at.

Regional-aisles not wide enough for wheelchair, direct assistance for toilet use.

Airport trains at Sydney airport do not have level entry.

Light rail- the system is not extensive enough.

Monorail- no allocated space.

b. BUSES

Suburban-mechanical ramps are always breaking down so buses arrive and not accessible.

Charter/country bus- Hoist entry on stairwell but no allocated space with grab rails.

c.COACH- In Queensland a bus was built with an allocated space just inside front doorway which was bounded by side of bus and stairwell for other passengers to board coach.

d. TRAMS- in Victoria have limited routes.

e.TAXIS- single wheelchair taxis are like cattle trucks where the passenger is placed in the back with the luggage and no contact with fellow passengers.

f. FERRIES- More space should be available for movement around on conveyance.

g.AIRCRAFT- Tiger Airlines-policy of not carrying passengers with disabilities.

Virgin Airlines- restrictions to travel for passengers with disabilities.

International airlines- staff's lack of knowledge of equipment

&facilities.

Examples of Information that does not match requirements of the Transport Standards.

Information about accessible features of public transport is still produced in a segregated edition instead of being published as mainstream information. Delivery of information for people with sight impairment is not suitable or there is no equivalent delivery.

i. Maps- There is difficulty in finding information booths that stock maps etc.

ii. Timetable- Accessible services generally unknown or not advertised.

iii. Announcements Not enough alternative information for hearing impairment.

iv. Booking Services-Difficulties with getting a consistent message about access features & requirements from different agents. Eg It took many phone calls to book Tilt Train.

Examples of Infrastructure that does not match requirements of Transport Standards.

- a. Stations- the designated waiting area can only be a temporary measure until the station is fully accessible.
- b. Bus Stops- There has not been a rollout of a standardised structure that would suit all disabilities requirements.
- c. Coach Stations- the access platforms into conveyances are not suitable.
- d. Tram Stops- In Victoria they have only been built beside tracks where there is space and not in high traffic area where they are needed.
- e. Ports- Still only steep access with direct assistance.
- f. Piers- Tidal lifts need to be installed in Sydney.
- g. Airports- Adelaide's new access to aircraft tunnels is too steep.
- h. Interchanges- Access path is often hindered with food and drink areas.
- i. Toilets- Doors are too heavy in most facilities
- j. Waiting rooms- Railway waiting areas have facilities too spread out.
- k. Food and Drink- Always problems with table heights.

3. Do you consider that the level of compliance required at the end of the first five year period is sufficient to have an impact on accessibility?

At this early stage of accessible public transport it is difficult to make regular use of public transport. For most people with physical disabilities there is not enough reliability in the public transport services provided to be assured that they can use services regularly.

Many people with physical disabilities use public transport while on holidays because they have less pressure on their time and in a more relaxed environment to try new systems. They are also part of the large volume of people with disabilities who take holidays where they need facilities to be accessible.

In country and regional areas there is little or no service provided.

Buses throughout Australia have had since the complaints under the DDA in 1994 to get their accessibility to level of compliance. Bus routes do not have complete accessible buses running regularly. Ramps on buses are often broken so people are unable to access the conveyance.

Taxis have had many years to improve their services. Taxis are completely unreliable for most users. In the worst case scenario, the taxi is hired at airports and the driver does not know how to operate the mechanism to load the passenger. On top of that the driver does not understand the need for the use of safety belts and securement straps.

Airline services have gone backwards with accessibility. People with disabilities have been turned away from airline services that they have booked and paid for.

4. To what extent do you consider current data on accessibility are reliable? Can you provide examples of problems with data that you are aware of?

One source of data about accessibility is found on State Transport Departments' websites. There is also the opportunity in most States to make a phone call to receive information about accessible routes and the likelihood that an accessible conveyance would be available at the time when the person would like to travel.

It would be more likely that information about accessible features for potential passengers with disabilities is passed by "word of mouth".

The Reporting System on the HREOC's website is not user friendly. It has no overarching structure across States/information/modes of transport. A total reassessment of this system is needed with the input from all stakeholders ie government operators, industry spokespeople and people with disabilities.

In the preparation of submissions for this review people with physical disabilities are dependent on their personal experience, and have no resources to gain input from more objective studies or commission further research to support their position. They are reliant on the poor data and information from transport providers to compile their submissions.

The lack of reliable data has undermined attempts to monitor progress against the Compliance Schedule in the DSAPT 2002. The provision of unreliable data makes undertaking a robust cost:benefit analysis impossible.

5. How could reporting of accessibility data be improved for future stages of the implementation of the Transport Standards?

The reporting system in relation to the compliance with the accessible public transport disability standards is the worst feature of the process so far. Australian Federation of Disability Organisation (AFDO) representatives on the Accessible Public Transport National Advisory Committee (APTNAAC) were excluded from the development of the national reporting scheme that subsequently appeared on the HREOC website. AFDO wrote to the Minister of Transport about the exclusion of people with disabilities from the development of the reporting system. To develop a more substantial reporting system it would be beneficial to have all stakeholders involved.

Action Plans from operators need to be developed and be in the public arena for everyone to monitor progress of the transport area. The HREOC website has always encouraged this approach to the development of accessible public transport.

Many private operators have government contracts where reporting of accessibility could be part of the contract.

6. Are you aware of examples where accessibility of public transport has led to increased patronage?

Training of people with disabilities in the use of public transport would increase patronage. Public transport was totally inaccessible for many years so its use was not an immediate option. People may need to move from their present accommodation to be able to use public transport at present.

Trains in Sydney became a possible method of transport for people with disabilities during the Sydney Olympic Games and the Paralympics. It was possible for people with disabilities to experience accessible stations at Homebush, staff assistance at other not so accessible stations and the suitability of conveyances. With the help of many volunteers, people with disabilities, including myself, had the first experience in over 20 years to be made aware and confident of travel by rail.

The introduction of light rail in Sydney has led to the regular use by a number of commuters to increase patronage figures. Once again this service is used by people with disabilities on holidays.

7. Has the introduction of the Transport Standards helped you better understand your rights as a public transport user? If yes, in what ways has it done this?

The rights of the public transport user are not immediately available from the DSAPT. There should be more information about the regular complaints services of taxis, trains and buses available to all users. The nature of the taxi industry does not allow for complaint without retribution to the user.

8. DSAPT and guidelines as a sufficient source of information about rights of public transport user.

Many people know the Australian Standards as it applies to their lives as people with a disability. The DSAPT and guidelines is a base guide from which to draw information about the likely use of public transport. However the exact configuration of the conveyance and infrastructure cannot be gauged from the DSAPT 2002 alone.

Innovative, practical solutions to the implementation of the DSAPT have come from people with disabilities who have had the opportunity to travel in other countries where

they have experienced accessible public transport. They have also used the Internet to find other sources of information to assist with their negotiations and discussions with transport operators and government regulators.

9. Are you aware of other users of public transport who appear to be unaware of their rights or obligations? How could this lack of awareness be addressed?

Some States Transport Departments are better than others in making people aware of their rights.eg. In the ACT many people with disabilities are not aware of the services provided by ACTION buses or the numerous Interstate Coaches.

The best method of addressing lack of awareness for other users of public transport, is to fund disability groups to provide training and information about rights and obligations for people with disabilities.

There is a need for more publicity and information about the features of accessible public transport to be made available to the general public as well as to people with disabilities. The successful advertising campaign in the ACT for the carriage of bicycles is an example of the type of promotion that could be used.

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13. Are there areas of the Transport Standards that you consider unclear in terms of the adjustments operators and providers need to make? Please specify.

The area of the Transport Standards which seems to be unclear to operators and providers is the provision of equivalent access. If the operator/provider were able to consult with the passengers who may wish to use the service, it could make his service more accessible.

In particular the provision of information about the accessible features of the public transport service is not considered.

14. Have the exemptions allowed under the Transport Standards, reduced the clarity of obligations under the Transport Standards?

The original exemptions under the Transport Standards of school buses, regional aircraft, limousines and charter buses/vans have not been effective.

In the ACT accessible buses are used as school buses all the time because of the composition of the fleet of ACTION buses and the demands of the services in Canberra. In many areas of Australia small aircraft are the only form of public transport so people with physical disability are forced to use inaccessible aircraft.

Once again in the ACT, limousines and charter buses/vans have to be used by local people with physical disabilities because the taxi service is so poor. However the ACT Government has not allowed the limousine service to have the availability of the taxi subsidy scheme.

The process of temporary exemptions is an onerous task especially for people with disabilities. The provision of evidence and submissions to HREOC to refute the claims of exemption applications has added another layer of hardship to the sector of the population already overloaded with the complaints procedure that is monitoring the implementation of the Transport Standards.

The Transport industry has to have a commitment to the implementation of the Transport Standards by the development of Codes of Practice so that there will be a steady increase in the development of accessible public transport.

15. To what extent do the Transport Standards allow operators and providers a choice of ways in which they can demonstrate compliance?

The Transport Standards were written as a set of performance standards in which there was the opportunity for operators to have great flexibility in demonstrating compliance. The obvious provisions of equivalent access, unjustifiable hardship, the guidelines to the Standards and the opportunity to present Action Plans to HREOC allow operators and providers to have a great many choices of ways to demonstrate compliance.

There are also recommendations for operators and providers to consult with people with disabilities so that the best, practical solutions to accessible public transport can be achieved in a local situation.

16. Where Australian Standards or other technical requirements are specified, are these appropriate? Please provide examples where you believe the use of Australian Standards are not appropriate.

Standards are vital to the development and implementation of accessible public transport because of the consistent approach and the retention of present gains. The standards form a basis for the complaints system and allow a benchmark from where possible negotiations can take place.

It is essential to have AS1428 for access paths, ramps, doorways, grab rails, allocated spaces, boarding devices, manoeuvring areas, information, toilets, symbols, signs, TGSI's, controls, lighting, furniture and fitments, etc. because this set of Australian Standards have been tested for the A80 mobility aid and the dimensions of the Standards are well known. In fact, there was a study of a larger mobility aid (A90) commissioned but the undertaking was never completed.

At one stage, the Accessible Public Transport National Advisory Committee (APTNAC) contacted the Australian Standards group about the inclusion of a Federal Department of

Transport and Regional Services representative on the Transport Standards Committee in the same manner as the Australian Building Code's representative on the Australian Standards for the built environment. However there was no follow up by the Federal Department of Transport and Regional Services

17. Are there requirements that have proven to be impractical or difficult to implement? If so, please specify.

The DSAPT has the provision for equivalent access so in consultation with people with disabilities, there cannot be any requirement that is impractical or difficult to implement.

In the drafting of the DSAPT the Bus Industry Confederation was well represented because the BIC realized that it needed to have input into the process of development of the Standards. Other industries such as Airlines and Rail have only recently realized that it is necessary for them to comply with the legislation. The recent Australian Rail Association application for exemption from HREOC reflects the lack of industry's understanding of the DSAPT.

18. As a public user, are there areas of the Transport Standards where you consider that a more specific requirement for compliance would improve accessibility?

There needs to be more emphasis placed upon the development of Action Plans by operators and providers of public transport to provide a framework for accessibility rather than for a specific requirement of the Transport Standards. As these Standards were written as performance Standards, it is more important to have criteria such as Action Plans to achieve accessibility.

19. Do you consider that the requirements in the Transport Standards have been applied consistently across different modes of public transport?

No, Taxis have been providing access since 1974 and have not improved customer service. Airline service has gone backwards since 1974. It was once possible to place people with disabilities into front seat of aircraft without all the present procedures. Suburban buses have been improved since complaints in 1994 and trains and infrastructure have only started since 2000 when the Olympic Games in Sydney showed people with disabilities that it was possible to travel by rail.

The reliance on people with disabilities to lodge complaints as the only form of enforcement or regulation leads to uneven roll out of compliance.

The original concept in the Transport Standards was the length of time that was needed to replace the conveyances. Eg a bus would be replaced in 6 years where it may take a train 25 years to be replaced. There was to be no expensive retrofitting.

The APTNAC needs to resume the modal groups to allow for a centralised approach to the application of the DSAPT.

20. Will any current areas of inconsistency be addressed through the future stages of implementations of the Transport Standards? (see Appendix B)

The implementation of the DSAPT is already well ahead of the 25% compliance schedule that is supposed to be achieved at this stage. Any areas of inconsistency can be overcome by the negotiation, problem solving and discussion of all stakeholders.

The development of Codes of Practice is a practical measure to overcome inconsistency in the future stages of implementation.

The importance of planning for the introduction of conveyances, information and infrastructure as a whole package would also assist with inconsistency in each State.

21. Do you consider that the current exemptions granted are appropriate? Should these exemptions be reduced over time?

The temporary exemptions would only have been granted by HREOC after discussion with all stakeholders.

Most of the recent exemptions are only of a temporary nature ie. 5 years. This time restraint will allow the relevant industry time to develop appropriate solutions to the problems.

The original exemptions were developed at a stage when there was limited knowledge about accessible transport and the possibilities of the DSAPT. With the increase in the numbers of accessible conveyances regional areas will be able to purchase suitable conveyances for school buses. Eg ACT Action buses are sold to regional areas. Regional Airlines are already used with great difficulty because they are often the only form of transport.

The original exemptions will also disappear.

22. In implementation of the Transport Standards, have the requirements led to a relatively consistent standard of compliance across all modes of public transport? If not, where are the major differences in approach?

There has not been a consistent standard of compliance across all modes of public transport because there is a different rate of replacement for conveyances across modes of transport. Eg a train carriage will be replaced every 20-30 years whereas a taxi will be replaced every 5-6 years.

In the same way some infrastructure is more difficult to upgrade than others. Eg a rail platform and a bus stop.

The difficulties with accessible information stem from a general approach by public transport providers to information dissemination. Approaches by people with disabilities to Transport regulators and providers about accessible information have not received the due consideration that is necessary.

23. To what extent do the requirements in the Transport Standards address all of the accessibility requirements for people with disability? Are there gaps in the coverage of requirements?

The Transport Standards will only be as effective as the last piece of technology. As there are technological advances eg hearing loops on conveyances, the Transport Standards will need to adjust to the new technology. Hopefully the nature of performance standards will enhance this process.

There should be Standards for Active and Passive Restraints for passengers with disabilities on all conveyances. At the present time there is a review of AS2904 which is for the restraint belts in taxis. The present system is not safe for passengers with mobility aids.

Evacuation procedures from conveyances and infrastructure needs to be investigated after the incident in Sydney on the trains where there was no procedure to have a person in a wheelchair removed from a train that had broken down.

24. Does the compliance timetable provide for a gradual improvement of accessibility over the 30 year implementation period? Are there aspects of this timetable that present compatibility problems? How could these requirements be improved?

The compliance schedule is all ready outdated. Compliance schedule should be shortened to recognise the reality of the situation where many areas of public transport are well in advance of the schedule because they began to comply from the time of the first complaints in 1994. Some areas are still struggling to comply but those areas have not been under the scrutiny of the complaints mechanism to the same extent.

While ever the monitoring of the compliance schedule is still based on the complaints of passengers with disabilities as the only method of regulation then there will be reluctance by the industry to develop planning that will gradually improve accessibility.

25. Are providers meeting their obligations across all aspects of accessibility, which ensures compatibility?

No, providers need to have the opportunity at a national level to co-ordinate their services. The APTNAC should be developed to provide the forum for this co-ordination.

The local government authorities have been asked in the past to join this Committee however at that stage of public transport development they were unable to have their input.

26. Do the requirements of the Transport Standards need to more explicitly recognize the potential other regulatory constraints that impede the capacity of transport providers to deliver the objects of the Transport Standards?

There are numerous safety issues for passengers with disabilities that need to be urgently addressed, including:

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

27. How well are the current arrangements for making complaints about accessibility understood by the public?

It is a system that is frightening to many users because of the involvement of the Federal Court and the possible expense that could be involved.

The recent complaints about the Airlines industry have illustrated the role that Advocacy Agencies are able to play in the understanding of the complaints mechanism.

28. Are the current processes sufficiently responsive to complaints, or requests for information or advice on the Transport Standards?

No, the record of the taxi industry in relation to complaints is very poor. Many of the complaints made by people with physical disabilities have not been addressed. In actual fact the complaints have just disappeared.

The only enforcement and policing of the Standards is still the complaints process under the DDA1992. This position should be rectified by greater enforcement of the Standards by State and Federal Transport Authorities. Even though there is the possibility for infringements/loss of contracts to be imposed by State Departments of Transport, there have never been any penalties imposed.

The recent arrival into the Australian Airline Industry of Tiger Airlines with a stated policy of not carrying passengers with disabilities, has not been addressed by the Federal Authorities. The enforcement of the DDA1992 could be made by the Attorney General's Department.

