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Level 10, MLC Court, 15 Adelaide St BRISBANE QLD 4000

PO Box 13038 George St Post Shop BRISBANE QLD 4003

Tel:1300 308 420 Fax:(07) 3503-1199

Email: [orders@auscript.com.au](mailto:orders@auscript.com.au) Website: [www.auscript.com.au](http://www.auscript.com.au)

## **TRANSCRIPT OF PROCEEDINGS**

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**THE ALLEN CONSULTING GROUP**

**REVIEW OF THE DISABILITY STANDARDS  
FOR ACCESSIBLE PUBLIC TRANSPORT**

**HEARING CONDUCTED AT: DISABILITY INFORMATION AND  
RESOURCE CENTRE  
195 GILLIES STREET  
ADELAIDE**

**DATE: MONDAY, 6 AUGUST 2007**

DR TRUDZIK: Well, good morning everybody and I hope you can all hear me. Can everybody hear me up the back? Let me begin by offering my apologies for the delayed start and to seek your understanding. A 90 minute buffer quickly turned into a 30 minute deficit, but I guess the airline had to be confident that its power  
5 systems were working before it could take off. So at least I got here, which is a good thing, so my apologies again. I think you have been alerted to that situation, so hopefully it hasn't had too much of an impact on your schedules. I will begin by just making a brief – I guess, some brief opening remarks regarding the hearing today.

10 I should also introduce myself as Les Trudzik from The Allen Consulting Group. And with me is Tanuja Doss, also from The Allen Consulting Group. We're conducting this review on behalf of the Australian Government Minister for Transport and Regional Services and our report will be provided to Minister Vaile. This is the first five year review of the disability standards since they were  
15 implemented in 2002 and it's a requirement that they are reviewed within the five year period. And our role is to assess the progress against the requirements of the standards, being mindful that the compliance timetable sets out a schedule for compliance from 2002 to 2032 with compliance milestones every five years.

20 So that only partial compliance is required by 31 December this year, 2007. It's also important to note that the role of the review is not to assess whether the standards – whether there should be standards or not, but rather to assess the extent to which the standards have been effective in improving accessibility of public transport to people with disabilities. Now, that may involve some discussion about requirements for  
25 altered or amended standards, but the predominant starting point is really to assess the effectiveness of the standards as established or implemented in 2002.

Now, to date the website has established – sorry, the review has established a website, which you will have in your material, [www.ddatatransportreview.com.au](http://www.ddatatransportreview.com.au)  
30 and that was released in the issues paper. And also there's been advertising nationally for submissions to the review. And this hearing is one of a number of hearings being conducted around the country in each capital city and seven regional centres. And the role of the hearing is to provide all interested people and organisations an opportunity to speak with us to provide us with information on their  
35 experience with the standards and how effective they consider the standards have been to date.

We intend for the hearing today to be relatively informal. You will have a chance to speak about the matters you consider most important and we may, in turn, ask you  
40 some questions and discuss the matters further with you. For those of you – and there will be some who are here to observe. We would ask that you respect those that are speaking and not interrupt or speak over others while they are speaking. I will certainly endeavour to give everybody an opportunity to speak. The hearing will be recorded so that there will be an official transcript and these will be available for  
45 downloading from our website, so as a result of that it would be – if you are speaking it would be good if you could introduce yourself and your organisation clearly for the record.

We have provided copies of the review issues paper and this includes details on how to make written submissions which are being accepted through to Friday, 24 August. So there is still further time available for submission - or for written submissions.

5 Now, in terms of the other details there will be breaks, although we will, I guess, monitor the time to see whether we can make some savings in the morning schedule, if not over lunch, to bring the speakers back according to the original schedule. In terms of tea and coffee, I haven't actually had a chance to check out exactly where they are. Tanuja, can you - - -

10 MS DOSS: No worries. Tea and coffee is just in the room directly behind this one. So if you go out and it's - it's on your left, and bathrooms are just straight out that way and on your right. And I also have copies of the issues paper for anyone who would like one.

15 DR TRUDZIK: Okay. Well, that's pretty much all the opening remarks I wanted to make. Certainly, this is an opportunity for you to tell us about the issues that you believe are important for the review, and the issues paper - it certainly can be used as a guide for the discussion today, but it is - it's predominantly - it was predominantly  
20 developed as a guide for written submissions, but we will certainly also be using it to guide some of the discussion today as well. So, I think with that we probably should move on to the first submission, and this is from Cath Gunn, I believe, Communication Project Group.

MS GUNN: Thank you. Cath Gunn, Communication Project Group. I'm the  
25 director of it. This is a matter that might require a small amendment to the law rather than anything else. I would like to raise the issue of tricycles on transport. They're not a common form of transport, but they are used almost exclusively by people with disabilities. The problem is that they are not classed as a mobility aid. They are put in the same category as bicycles. The definition under the Road Traffic Act in South  
30 Australia:

*Bicycle means a vehicle with one or more wheels that is built to be propelled by human power through a belt, chain or gears, whether or not it has an auxiliary motor, and (a) includes a pedicab, penny farthing, scooter, tricycle and  
35 unicycle -*

etcetera, etcetera. It does not include a wheelchair. The problem is, of course, that people who use tricycles need to be able to get them onto public transport. It is not legal to put them onto a bus or a tram and as a slight auxiliary to some other research  
40 I was doing, I discovered that both myself and other people are having problems putting them on trains.

Now, we can put bicycles on trains in South Australia. I don't know what the situation is interstate, but you're supposed to be able to, according to the railways,  
45 manage this yourself. We've been told with respect to using the wheelchair ramp, "It's a bike. We don't have to help with bikes." "If you can't manage it yourself, you shouldn't bring it on the train." "I can't help because the union won't allow it." "If I helped you and I injured myself, I wouldn't be covered." "No, you can't use the

ramp. It's only for wheelchairs, and we aren't allowed to use it for anything else."  
"You can't bring that on the train. It's not a bike and you can only bring bikes on the  
train." These are the sort of attitudes that, you know - and there are people who  
simply have stopped trying to put their tricycles on the train as a result. I think there  
5 are about three of us who use the train on a regular basis.

Now, as I said, I think this is a matter, perhaps, for a small amendment to the law  
which, you know, classes perhaps tricycles, when used by a person with a disability  
as a mobility aid.

10 DR TRUDZIK: I was actually going to sort of raise that question. It is in the  
context of a person with a - using it as a disability aid?

MS GUNN: Yes. Yes, as a mobility aid.

15 DR TRUDZIK: Yes.

MS GUNN: I mean, I couldn't come here today unless I used my tricycle. I put my  
tricycle on the train and then I rode from the Adelaide railway station over here. I  
20 couldn't safely cross a road on foot any more. I know another person who is in the  
same position. I mean, we can - we can ride a tricycle around the place, but ask us to  
move more than, you know, say, 50 metres on foot and we're in trouble. So we don't  
- we're in that in between category where we don't have sufficient of a disability to  
be classed as somebody who gets mobility assistance, but we nevertheless have a  
25 sufficient problem that we need to be able to use a vehicle of our choice.

DR TRUDZIK: Cath, do you have any data on how many similar users there are to  
you?

30 MS GUNN: I know of 11 people, but I believe that there are more. I could find out  
approximately how many tricycles there are in South Australia by going back to the  
person who provides most of them in this state, but I believe that - the numbers are  
fairly small. They're not big. There would be more of them - I've had people say to  
me, "Well, if I could put it on a bus or the tram, I'd get one," but they don't do it  
35 because they can't get the access that they need and they don't see any point in  
having it for other purposes.

DR TRUDZIK: In your experience, are there different requirements, whether it's  
ramp access or other forms that are different to a wheelchair, for example? Are there  
40 special issues that need to be considered with access for a tricycle?

MS GUNN: No. If you were using the ramp, the issues are very much the same.

DR TRUDZIK: The same.

45 MS GUNN: Yes. Yes. There's no - there's no great difference. The issues would  
be very similar to the people using Gofers rather than wheelchairs, I would say,

because a bike might not be quite as - they tend to be longer, for instance, than a wheelchair. They're more of the size of a gofer, I suppose.

DR TRUDZIK: Okay.

5

MS GUNN: I mean, if you want to have a look later, mine's out the front there. But I do feel that this is beginning to be a bit of an issue, because there are more people coming out. I was talking to the man at Bernie Jones Cycles recently who builds these things in South Australia and he's saying that there are more people looking for them, but they mentioned him, as they mentioned to me, that they cannot take it on all forms of transport and when they do want to take it on transport. I mean, the other day, for instance, I had to take my bike one stop because it had a flat tyre and my father picked me up from there. And I got the reaction from two transit officers sitting in – when I asked whether I could have some help they just looked at me and said, “Don't do bikes.” And fortunately a teenage boy got up and gave me a hand. But their reaction was, you know, “Don't do bikes.”

10

15

DR TRUDZIK: And in your experience the requirements to provide assistance is no different to the other modes of mobility aid?

20

MS GUNN: I don't think it should be. I think that it should be considered to be a mobility aid and they should have – have to be required to provide assistance if it's requested.

25

DR TRUDZIK: So, in your experience, the response is due more to its position within the act rather than any physical characteristic regarding the tricycles?

MS GUNN: I think in actual fact a tricycle would be easier to get on the train than a wheelchair or a gofer.

30

DR TRUDZIK: Okay. Well, I think that issue is fairly clear. In terms of your experience more broadly with the standards, are you able to make a – or provide a view on whether you think they are working in other ways?

35

MS GUNN: There are occasional problems, particularly on the Belair line with people being taken beyond the stop that they need to be taken to. I still think that there possibly needs to be some sort of communication when there's only the driver. There needs to be some sort of communication. My father won't use his gofer on the train, for instance, because he was once taken a stop beyond what he expected and it was only because somebody went down and knocked on the driver's window and reminded him that, you know, my father needed to get off that – this happened. And somebody else recently said she took a nice trip right up to Belair before anybody realised that she – you know – and she had no way of getting to the driver.

40

45

That is a distinct problem on our line. I don't – I can't comment on any other line, but I assume that the problem is the same wherever there's just a driver and no personnel in the carriage.

DR TRUDZIK: Okay.

MS DOSS: Could I ask just a question about the tricycle itself. When you say you  
5 would like it to be classified as a mobility aid for somebody who has a disability,  
does it look like a normal tricycle or - - -

MS GUNN: It looks - - -

MS DOSS: - - - could someone looking at it tell the difference between one that is  
10 being used as a mobility aid and one that is just a tricycle, I guess?

MS GUNN: It looks like a large size child's tricycle, but I can't imagine who else  
would use one because I think anything – any tricycle that was used in any other way  
15 would probably be recognisable for that purpose. I mean, if it was being used to  
transport goods or something – I mean, in Denmark, for instance, they have an area  
of Denmark and I believe all the postal services uses a tricycle, which is – you know,  
a wheel at the back and two wheels at the front and there's a sort of box affair that  
they carry the post and their kids and so on around in. There was somebody here  
20 who had a tricycle built and she had a seat built across the back for her two children  
and, I mean, it was perfectly obvious that that was what it was being used for.

But I haven't seen any other person without a disability using a tricycle. I think it's  
very unlikely that most people would want to use them. They are either – you know,  
25 perhaps – old enough that, you know, their mobility is impaired or their – you know,  
their mobility is impaired for some other reason.

DR TRUDZIK: Did you have anything else, Tanuja?

MS DOSS: No, that was my only question.  
30

DR TRUDZIK: Okay. So you've nothing further to add?

MS GUNN: I don't think there's anything else I can add to it. It seems like a small  
35 issue, but it's going to get larger – it is going to increase in - - -

DR TRUDZIK: Well, that's certainly something that we could look at what  
evidence there is or what the trends are and the – so that's something we will take  
into consideration in our review and report, so thank you for your submission, Cath.

MS GUNN: Thank you.  
40

DR TRUDZIK: Now, I think the next submission is from the Office of Disability  
and Client Services.

MR CORCORAN: Morris Corcoran and Helen Bevan. If I can just take a moment  
45 to get my - - -

DR TRUDZIK: Welcome, Morris and Helen.

MR CORCORAN: Just as a point of clarification, if I may, although I – my paid job is as Manager of the Disability Inclusion Unit within the Office of Disability and Helen works in there. My submission or comments today are more to do with my role as the representative of the Australian Federation of Disability Organisations on the – and as a representative of the disability community on the APTNAC, the  
5 Accessible Public Transport National Advisory Committee. I should also say that my background goes back to 1994 as an advocate who lodged complaints against the then Government and Minister for Transport in relation to public transport not being accessible.

10 And a hearing was held here in Adelaide at that time overseen by Sir Ronald Wilson, the then President of the Human Rights Commission, and that resulted in us being able to negotiate – there were three people at the time who were advocates. We were able to reach a conciliated agreement then with the Minister for Transport,  
15 TransAdelaide and the Passenger Transport Board and develop a conciliated agreement, which included that the Passenger Transport Board would develop a disability action plan for progressively implementing accessible public transport.

20 Just for the purposes of – without going into too much background, I’ve brought along a paper which chronologically puts in place a lot of key decisions that were made along the line, including the Australian Transport Council’s – some of their communiqués that came out directly after the full hearing here in Adelaide and other ATC communiqués that came out leading up and leading through the development of the standards. I should also – so there’s a copy of a paper and chronologically some  
25 of the progressions that were made in the development of the standards.

Also the reason that Helen is here alongside of me as well is Helen has had considerable experience in the UK in implementing access for public transport and a lot of experience in developing their transport systems to ensure accessibility and  
30 inclusion in Manchester for the Games. So I will let Helen talk a bit about that when I’ve completed my talk. I guess what I would say is that the transport standards were really first approved as technically feasible in 1996 by the Australian Transport Council, so although we’re talking about a five year review many jurisdictions began implementing accessible public transport from around that date and when there is  
35 general agreement that all new buses coming into line would be fully accessible and comply with those then draft standards.

So I think it’s really important to acknowledge that we’re really looking at about a 10 year timeframe since many jurisdictions have been following the standards as a bit of  
40 a guide. And I think we should also acknowledge when we’re looking at the effectiveness and the efficiency of the standards that, you know, low floor transport didn’t come about as a solution for providing disability access on buses. That was one of the things that we became acutely aware of as advocates back in 1994 where we started to hear about, through electronic bulletin boards, how they were operating  
45 in Europe and how the European Airports Corporation initially said to their engineers, “Can you design us a bus that we can load passengers on to very quickly and efficiently with all their baggage and luggage?”

So they actually came up with the first buses to have the chassis in the roof as opposed to underneath, which allowed the buses to then pull up to the terminal and people just to walk on to the buses dragging their bags and luggage around. And, you know, those initial low floor buses didn't even have any seats in them. They had rails, etcetera. They had only a few seats. But transport operators, as they started to become aware of those buses operating, obviously got the idea that they would be more efficient as well in the general public transport area and inner metropolitan areas because of the dwell time being reduced sufficiently because of the low floor technology and people being able to simply step on to buses as opposed to going up steps, etcetera.

And it was by accident really in many regards that they realised that if they could put a ramp on to them or that they could pull up to a kerb that we could also start to get people in mobility devices on them. And – yes, I guess the aspect in the early testing that we did here in South Australia and the introduction of low floor technology with automated ramps in those early stages around 1994 and '95 when we were looking at how we were actually going to design buses here – as part of the action plan that the South Australian Government committed to they also committed to consulting with people with disabilities and did that extensively.

At Royal Park where buses were manufactured here they designed a mock-up of a bus, which was a timber frame mock-up of the internals of a bus and some various ramps fitted on to that and we worked closely with the engineers and the designers in getting a whole range of people with different mobility aids, such as scooters, such as electric wheelchairs and manual wheelchairs, to try and get on and manoeuvre around into those allocated buses – into that mock-up of a bus, which is why it led to us in South Australia going for a design that had middle door entry on to the buses, because it was seen that there was a greater – a better turning circle where people could get on to the bus half-way down the bus and didn't have to go around the side of the driver so it was easier to negotiate to get into an allocated space directly opposite that door and have the other allocated space straight across.

So I just wanted to highlight importantly that the transport operators and State Government here were proactive in – once we had worked through that conciliated agreement to really engage with the disability sector and to try and jointly problem solve the early design of transport here. After the conciliated agreement when the Australian Transport Council met in Adelaide directly after the hearing in '94 they agreed to a taskforce, a national taskforce, to look at the implementation of the standards and how they were going to address that and established the national taskforce to develop those standards.

And we were fortunate, I think, to have John Stott from New South Wales, who is the chair of that national taskforce, and it brought together all the jurisdictions. It also brought together the Human Rights and Equal Opportunity Commission and representatives of the disability community, along with private transport operators such as the Australian Bus and Coach Association then, and the Australian Taxi Industry Association - so, the industries and all those are the regulators as well.

And in those early days of looking at what was around. and other transport standards around the world, and looking at the experience of America, where they've gone down a prescriptive model, we felt that that was not the best way to go and there was a decision made by that task force to develop performance based or outcome based standards because of the rapidly increasing technology and new developments in transport around the world that we didn't want to be locked into. For instance, the way that buses were made accessible in America was to retrofit ramps, hoists to them, etcetera, and, in our view, they were slow. They were ineffective in comparison to ramps that fitted our - and, you know, the dwell time was significantly greater with the hoist models. There was also - yes, so, you know, I think that was an important decision earlier on in terms of having outcome based or performance based standards.

But there was also an assumption made and commitments given to develop modal specific guides along the lines that there would need to be more detail of how each mode - such as taxis, buses and trains - complied in detail, and good practice examples within those codes. So, in the early stages, also, of the national committee that oversaw the transport standards, there were modal committees set up and established to work through those things. There was a rail modal committee and a taxi committee, etcetera. And I would have to say it was very difficult to get the airlines involved in that early development of the standards, and that was problematical.

But I would also have to say, as a person with a disability, that there was a lot of lost opportunities, I think, when there was debate between the states and the Commonwealth about, you know, funding and further developing guides for those modal committees and actually putting together the resources to do that properly. They were reliant upon state representatives and industry people coming together, and there was a sense that there needed to be funding to develop, you know, guides and codes of practice for each of those modes, as has happened in many countries overseas.

And I think Australia has - if we want to be really critical - hasn't developed anywhere near the amount of resources to guide people about how they comply with the standards in comparison to, say, the UK, which Helen will talk about later, but also the United States, and Canada, and elsewhere. And I think that's a really important message that I want to say, that we haven't put the same level of resourcing into developing good manuals and guides that clearly - and checklists, for instance, for conveyances, etcetera, as they've been constructed. We haven't done that anywhere near as well as a lot of overseas countries.

Allocated spaces on buses: I know that that was a very arduous - a struggle to get to allocated spaces on to buses where there was a seating capacity of more than 33, and the basis of that through our consultations was that there was a lot of people who travelled with friends who - so that, you know, there might have been a couple of people who travelled together - husband and wife, etcetera, who both use mobility devices, and in principle we thought that at least two people should be able to travel together, going out together on mobility devices.

The trade-off was that we always agreed that where there were allocated spaces, transport operators should be able to put down flip-down seats, etcetera, so that when there is not a mobility device, people can flip down and sit in those allocated spaces. And my experience has been that, certainly in rail travel, not only here but in other  
5 states, is that those seats are just about the first to go because people have got more leg room, etcetera, and so whenever I get on - and I use the bus and train every day to get to and from the office, and, you know, there's been plenty of times, in my experiences, when both those allocated spaces are required.

10 And, you know, the standards were always developed on the basis of: it is not just about wheelchair and people with mobility devices, that older people with shopping trolleys an pull-along carts for their shopping, and parents with pushers and prams - there is a whole range of benefits to the - benefit from low floor technology and benefit from allocated spaces. And I hope, in your review, that that takes that into  
15 consideration, because I know anecdotally through liaising with Council for the Ageing and other national peaks for older - representing older people, is that there were many older people who had got to the stage where they didn't have confidence using the old-style buses climbing up and down steps, and the risk of falling and having accidents, etcetera, felt far more comfortable and were able to go back and  
20 use local buses to get to and from their local shopping centres, etcetera, as opposed to paying for taxis.

One of the other things that I would like to highlight is that there's been a real lack of research and monitoring in Australia of the standards as they're being introduced,  
25 and I think that's a real lost opportunity to do - that I think it would have been beneficial for the Commonwealth to have undertaken research and monitoring of the standards as they've been introduced across all the other jurisdictions, and that hasn't been happening to the same degree as we would have liked, and we were really disappointed on the Accessible Public Transport National Advisory Committee,  
30 where the states - the different jurisdictions - couldn't agree on a legitimate reporting process to really monitor, in detail, adequate levels of monitoring of the transport standards as they were going.

And, you know, in terms of complaints under the Disability Discrimination Act, it's  
35 very difficult for someone to actually lodge a complaint with the standards because, you know, in terms of identifying whether a provider is complying with the standards, it is really difficult to know if they're not being carefully monitored and reported against. And there's a gentleman in this room who did an enormous amount of work on developing a reporting tool in great detail, and I think it was a real lost  
40 opportunity that states and territories didn't agree to a consistent report and monitoring process, and certainly that happens with far more regularity overseas. And if we are talking about regulations, which the disability standards for transport are, then they need to have a rigorous and appropriate level of reporting against our compliance timetable. And, along with that, again, I just reinforce, it is really  
45 important, I think, to have modal specific guidelines and codes, and checklists that the different modals can use.

I would just like to touch on, again, some of the efficiency and effectiveness issues to do with buses, taxis and air travel. I guess the graduated progress in accessible buses is something we acknowledge was always going to be problematical in that we're not, overnight, going to have a bus fleet that's fully accessible here in South

5 Australia or anywhere else, although we do now have a fleet here in South Australia that more than half our buses are fully accessible, which is good. But I think we could do more across Australia about maximising the use of accessible buses by better deployment and better promotion of buses as they're being implemented.

10 And I know there are many times that I've gone to catch an accessible bus at a particular time and the bus that turned up is not an accessible one, and I know that private operators in my area initially had a route which is fully compliant, which is one of the reasons we were keen to stay where we were, as the route was all fully accessible buses. Then a decision was made to spread them across all of their routes, 15 and I can understand why an operator would like to do that. But they, through negotiation, have agreed to try and run an accessible bus at a specific morning route and an afternoon route to meet up with the train where I actually go.

20 So where they - and they've proven that they can do that by deploying the 7.30 bus in the morning. It's nearly always accessible. I don't have any problems with that, and catching that bus around to the train, and then the 6.17 bus in that evening is virtually - you know, occasionally there are issues and problems with it, but it is - I've encouraged other consumers or people with disabilities to negotiate with transport operators on doing that, but also we think that the - what do you call it, the 25 thing that give you the bus - the bus timetables - I think we can do more about designating now which times buses are going to be accessible on those routes and for operators to try and ensure that, you know, at least every third bus - and that's designated in the timetable will be an accessible one.

30 Because there's been - I hear criticism at times from people saying, "Well, why do we make all these buses accessible? We don't have people - you know, we don't see many people with wheelchairs actually using them," and I just - what I would like to say to the hearing is that I wonder how many people would use public transport, like we do, when you might have to go to a bus route and watch two or three buses come 35 in and pull out, and you can't get on them because they're not accessible, but still persevere and use the - to try and use the mainstream public transport system, and many do.

40 I guess one of the real frustrations of people is when an accessible bus pulls in, and it's got the signage on it and everything - it's a low floor, accessible bus pulls in, but the ramp is not working - the automatic ramp is failing, and there's been a lack of - and certainly that's been a complaint lodged through myself here in South Australian and raised a number of times, where buses have gone out on their routes with faulty ramps that they're not using. And a suggestion that we've made is that the buses and 45 the ramp technology should be tested before they leave the yard and they should - if it's not working, they should carry manual ramps that can be deployed. And a lot of the automatic ramps now are being replaced by manual ramps here because of the reliability factor, and I would support wholeheartedly the deployment of manual

ramps on buses. They're cheaper, they're efficient. There's far less maintenance on those ramps and they don't break down anywhere near the same as the automated Bode and Medi ramps which were the ones that were initially imported from Germany.

5

Accessible taxi services: I think, as you would be aware, the compliance timetable for the standard says that within five years - this five year review - the performance for accessible taxis is that it should be able to deliver a performance equivalent to mainstream taxi services, and I've got to say that our anecdotal evidence across  
10 Australia is that this has not occurred in any way, shape or form, except in one jurisdiction, and that is Queensland, and Queensland, I think, does meet the accessible standards compliance schedule for taxis. And that's been backed up by a research project undertaken by the Australian National University on behalf of the taxi industry, and they have confirmed, for instance, that the policy decisions that  
15 were made in Queensland back in 1995/'96, where they made an agreement that the way that they would move forward with accessible taxis - and that is to promote them as multipurpose taxis and to highlight that across the taxi industry. But, for instance, in Brisbane, there's 330 accessible taxis; in Adelaide, we've got 72. And if you go out at night-time in Queensland, you will find that half the taxis on the rank  
20 are accessible; if you go out at night-time here in Adelaide, you will find that there might be five or six taxis operating across the whole metropolitan area.

Now, it is an issue that was - there was a lot of work done here and a lot of work done in other states and territories, and I would have to say that our other concern,  
25 certainly in Sydney and Melbourne, is about the lack of monitoring of the use of accessible taxis and, again, anecdotal evidence - regular, regular experiences of people coming into Sydney airports or Melbourne airports, where drivers will pull up in accessible taxis - Melbourne is probably the worst - and you go to get into those accessible taxis and the drivers have got no idea about how to load a wheelchair,  
30 they've got no idea how to tie the straps down. They're just working the airports. They've got the cheaper licence, the accessible vehicle, and they work the airports as opposed to making priority pick-ups of people with disabilities. And it's an issue that is of great concern.

35 I actually had an experience of two - I was running late for a meeting, got into the airport in Melbourne. First taxi came in. He pulled up. I could see right from the start he didn't know how - he tried; he, like, got me on, into the taxi, and then tries to do the straps. Couldn't do it. So they got another taxi to come through to the rank, and the first taxi driver said to the second one, "Can you show me how to do it?" and  
40 he said, "I'm sorry, I've never done one." So, in the end, I was assisted to transfer into a station wagon to get into this meeting simply because they had no idea. And so the monitoring and the training is, certainly in Melbourne and Sydney, is an issue.

45 Air travel: I guess this is one area that we would have to say, and admit, that there are more restrictions for people with disabilities in air travel in Australia now than there were before the standards started, and this is an issue, particularly for people wanting to travel independently. There has been some real progress made by some of the airlines. Qantas have, I think, made a significant investment into the eagle

lifter, which is a device that will – it's like a hoist that will lift, I can stay in my manual wheel chair to the door of the plane. It will lift me up and it can go straight down the aisle of the plane and put me into the seat so that no one has to lift. That was an important issue. The occ health and safety issues for the ground crew was  
5 becoming an issue with lifting and transferring passengers with disabilities. Now, that technology can be used in other airlines but it's not being used in other airlines.

The independent traveller requirements that Virgin Airlines have put in place state that if I want to travel independently with Virgin Airlines, as I do all the time with  
10 Qantas, then I need to pay for and take a carer, in their words, a carer with me on the plane, and it is just not feasible when I'm going – and lots of other people. I'm not just talking about myself but there's a whole range of people who now have to move around the country as part of their work and this is simply not compliant with the disability standards for accessible public transport and in terms of lodging complaints  
15 under the Disability Discrimination Act, against Virgin and their policy, that was – we lodged a formal complaint in July last year when they started to bring in their policy, and in terms of being able to try and conciliate that matter, Virgin basically say – we started off trying to conciliate but they basically said, "Look" – they basically thumbed their nose at us, and so it's resulted in us having to take a Federal  
20 Court action through the public interest advocacy centre.

Now the dilemma is nowadays is that under the Disability Discrimination Act, if you take a Federal Court matter, there is a cost jurisdiction. So, in order for me to try and ensure my rights are met under the Disability Discrimination Act and that an airline  
25 complies with the disability standards for accessible public transport, by providing that direct assistance or a reasonable accommodation, I basically have to put my house and a whole lot of things at risk, because if I lose a case in the Federal Court, then because of the cost jurisdiction and Virgin Airlines might very well say, well, you need to pay for our QC and damages and time out and everything else. That is  
30 clearly not in the spirit of the Act and certainly not in the spirit of the disability standards for accessible public transport. I will now hand over to Helen.

DR TRUDZIK: Maurice, sorry, before you do that, could I just get some further clarification on a couple of things that you mentioned. One of the points you raised  
35 was that it was difficult to get the airlines involved early. I just wanted to follow that up. Is it any different now?

MR CORCORAN: Yeah, it is different now but it's really only come about – we pushed and pushed APTNAC, the Commonwealth to actually get them involved. So,  
40 Virgin and Qantas are now involved in APTNAC and I must say that Qantas – you know, they have worked really hard in trying to develop a customer advisory group and are seeking representations from a broad range of people with disabilities to advise them on policy initiatives etcetera. But they are involved in the – certainly are now involved in the APTNAC and – but there is still a resistance, I must say, to  
45 trying to get compliance with the standards and I've got to say that regional airlines are a major issue for people with disabilities.

You may be aware that Kendall Airlines and Regional Airlines of Australia, sought and were given an exemption to the standards a number of years ago, on the basis that work be done on trying to overcome the technical difficulties that they had. Now we haven't seen evidence that they have actually pursued that. There was a  
5 meeting also held at the Human Rights Commission, I would think it would be about 18 months ago, with all the airlines, and the airports authorities and representatives of people with disabilities to try and work – and Civil Aviation Authority, CASA was there as well, to try and work through some of the dilemmas that the airlines were saying to us, around their occ health and safety issues, about CASA regulations  
10 and where they may come into conflict with the standards. So, there's been progression but not to the extent that we would have hoped.

DR TRUDZIK: Okay, thank you for that. You talk about allocated spaces and that they're often the first to go. In your experience, is it – what's the ease of reclaiming  
15 those for the priority users?

MR CORCORAN: Look, I've got to say that this is an issue that one of the areas that's in the standards and Cath raised the issue earlier on about where someone might be on a train and they need to get off at the next stop, the standards actually  
20 state that there needs to be a way of – you know, a button to be able to be pushed in those allocated spaces to alert a driver when you need to get off the train, because at times, and I've had experiences where you might say to the driver, "I need to get off at such and such a stop," and I might get a phone call half way down there and someone say, "Well, can you get off a bit earlier," or something like that. There are  
25 reasons why you might need to get off earlier. There's that, but I would also state that, you know, experience in trains here and elsewhere is that they're really not designated spaces as well as they should be. You know, the signage I know gets pulled off out of the areas but you know the yellow lines or wheel chair access etcetera and clear signage probably hasn't been adhered to as well as it could be.  
30

I think drivers are quite often reluctant to ask people to move out of those seats when we get on the train, more often than not and that's certainly been my experience. So most of the times, I sit at the doorway of the train. I don't sit in the allocated spaces, I've got to say. So, it's an issue.  
35

DR TRUDZIK: Thank you. Now, the next point I wanted to clarify, the modal specific guidelines that - you requested there be more modal specific guidelines, is it for providers for users, for both, any distinction between?

MR CORCORAN: I think they can be developed in the similar way to – and Helen has got some examples here to show you from what's been developed in the UK, that they are useful for a person with a disability to have a look at and to see but they're also very useful for a provider or person who is constructing conveyances. But there is a blend, I think of people. There's a whole range of people who need that sort of  
40 information, such as an access auditor. Someone who is doing access, you know, and for people who are manufacturing and developing the different modes, need to be clear that they have certainty. If they follow a particular way of doing things that it's going to comply, and that's where the guidance, and that's where I guess, the  
45

ARA application for exemption has been the foremost in their mind, is that they wanted certainty and they thought that the standards as they were drafted, didn't provide the detail that the engineers and designers actually needed in some of those areas.

5

DR TRUDZIK: Thank you, Maurice, and I'm mindful of the time so I will try and – this is the last one I wanted to follow up. You mentioned that, particularly for air travel, there are more restrictions now than before the standards and I really did want to just clarify whether your assessment is that the standards have caused those  
10 restrictions or whether there are other things that have been at the cause for that comment. Can you just expand that a bit more?

MR CORCORAN: Yes. Look, I think there's a number of things. Low cost  
15 airlines and competition has come in far more since the standards were first developed in '96, and following on from when they were first promulgated in 2002. I think airlines such as Virgin try as much as possible to run lean and mean with their – I don't mean mean, but lean is possible, with staffing levels, etcetera. And I travelled with my family recently using Virgin Airlines and the staff were terrific. They were fine. It's where someone is travelling independent, but there's also been  
20 restrictions on size of wheelchairs that have been placed by Qantas. So, people in electric wheelchairs where the wheelchairs – the backs won't fold down and they won't comply with some certain specifications now, can't be carried on some of the narrow-bodied planes that Qantas use. And basically they're – most of the Qantas planes coming into Adelaide are narrow-bodied planes.

25

It also has affected – and I'm happy to furnish you with a whole range of anecdotal stories that we presented to that airlines meeting if that would be of any use, which gives a full range of experience of people from a whole range of different disabilities about, you know, the meet and greet issues for people who are blind, for instance.  
30 There's been a lot of issues and problems with that. There's been issues to do with announcements about delays and changes of flights for – they're nearly always audible announcements, etcetera, so for deaf people, etcetera, there's been issues.

And there's also been now restrictions placed by airlines on the number of people of  
35 disabilities who can fly on each flight, and this has had a big effect on teams, for instance, that are trying to prepare for the Paralympics and teams who are wanting to travel together being restricted to travel on airlines here in Australia, and that's been a – you know, it's been a restriction that's only come in in the last couple of years. And again, we believe that that's more to do with, you know, cost-cutting. Some of  
40 it is to do with occ health and safety issues and the ability to carry a number of chairs, but we're still puzzled by why that was able to be done in the past and now it can't be.

DR TRUDZIK: Okay. In terms of – I think it would be useful for us to see those  
45 case studies or anecdotes.

MR CORCORAN: Yes.

DR TRUDZIK: But it probably raises the question, whether you will be making a formal written submission, in which case you could include those as part of that submission.

5 MR CORCORAN: Yes. The Australian Federation of Disability Organisations is making a formal submission. We're also making a joint submission with the Public Interest Advocacy Centre of New South Wales, who have been doing a lot of work around airline travel.

10 DR TRUDZIK: Okay. Thank you, Maurice. I'm sorry to hold you up, Helen.

MS BEVAN: That's all right. Actually, a lot of what I was going to say just supports what Maurice has actually already identified, in the fact that I would support the fact that there needs to be some reporting against the standards that's  
15 comprehensive, consistent and standardised across Australia, to ensure that you've got that kind of paper trail as to how these are moving forward and how we're importing. And also, I do support the need behind regulations for each modal specific, and the reason Maurice asked me to speak was because I worked in the UK, who, as a result of the Disability Discrimination Act introduction in the UK in 1995,  
20 did introduce regulations under the section 40 of the DDA over there, and that actually gives – that gave the Secretary of State power to make regulations to ensure public service vehicles are accessible to people with disabilities.

Some of the examples that the government have done in the UK is, they've actually  
25 brought in wheeled vehicle accessibility regulations, that came into force back in November in '98. And there has been a small number of amendments over the years, and because of the fact that they've got that reporting mechanism, they've been able to make amends to these regulations as they come through, so that they make sure that they're not constantly reviewing in chunks and changing things on providers,  
30 and they assist them with their implementation process.

There's also been the public service vehicle accessibility regulations, and that's for vehicles that are - actually exceed the capacity of 22 passengers, and they actually came into force in 2000. And there was also a regulation that any vehicle purchased  
35 after December 2000 had to be an accessible vehicle, and there was the benefits for introducing these regulations at that time. But also underneath these regulations they haven't just brought in the vehicle regulations, they've actually brought in codes of conducts, and some of the issues you were discussing with Maurice before around the code of conduct for drivers, inspectors, and requirements for passengers as well,  
40 are actually covered, sitting underneath the regulations themselves. So they've actually got that standardisation as to what they expect, not from just a vehicle, but the actual service provision element of the – when you're travelling.

Taxi regulations have also been developed, although they're currently still going  
45 through huge amounts of negotiation. And the Strategic Rail Authority also set a code of practice for train and station services for disabled passengers. And again, underneath that they also set a protection policy for disabled persons travelling. So a

lot of the regulations that are set, actually have policies underneath that actually give that kind of support and that commitment from them as organisations.

5 But all of the above have been developed to prescribe the minimum that's accessible to meet the needs of people with a disability, and the guidelines do give the intention of the regulatory requirements and provides advice on best practice that should be followed, and they recognise that in circumstances there are design and operational restrictions that need to be taken into consideration. And all that work was done extensively through consultation with lots of the disability organisations in the UK.  
10 But it was a fundamental move forward in regards to improving opportunities and independent travel.

15 But there are other things where they've not been able to get regulation. The Disabled Persons Transport Advisory Committee that sits in the UK under the government, who are actually the government's statutory advisors with regards to public transport and the needs of people with disability, also look to ways that they could actually look at specifications. Where regulations weren't set, there was actually the need to look at specifications for transport. So, a good example of that is around small buses, so anything that is a capacity of nine to 22 seats actually looks at  
20 specifications, and they've utilised that through a bus and coach working group to promote better practice and to improve design and develop suitable vehicles.

25 But again, they take into consideration that that's not just about the vehicle itself, it's around the whole process and how they can actually travel, and not just making a vehicle accessible means that you've actually provided accessible transport. So there's also – what they also tried to do as well was actually, not just look at specifications and good practice guidance around the vehicles, but also around the pedestrian environment. So rather than the interpretation of building codes, they brought in together a specification, best practice guidance, what transport operators  
30 could utilise and implement on services provision in the built environment.

35 And I'm guessing, really, what I wanted to emphasise with looking at the regulations is that they're good standards, and they're – they're not perfect, you know, but they are actually a good way of actually getting some clear definition and having some clear guidelines for implementation, rather than misinterpretation, and that was why the UK went along that line. But what they also recognise is that the built environment – I mean, if you develop efficiency in standards or regulations, they become questionable if they're not looked at in the totality with the whole built environment, because having an accessible vehicle doesn't – would be useless if the  
40 environment around it isn't accessible, and that was one of the clear defined things that they looked at.

45 When I worked on the Commonwealth Games in Manchester, that was one of the big emphases that was put on. We could put on every accessible vehicle possible, but if the journey to the actual stop or the – you know, from the hotels to the stops for people in the area, then it was going to be a useless exercise. And so we had to look at it in its totality. So, standards and regulations alone are one thing, but there is – there does need to have that consultation and that close relationship in order to make

it a seamless journey for individuals when they're travelling around independently. And I guess that's why, you know, the main thing for me would be to make sure that – where this clear mechanism should be adopted, whether that's through the standards or a modal of infrastructure regulations and guidelines to ensure that  
5 there's consistency of implementation with regards to these standards.

DR TRUDZIK: Thank you, Helen. Could I just, again, follow that up? In talking about the UK as a model, and the principles and approaches there, the whole process, have you had an opportunity to access the Australian standards against those? Is that  
10 discussion saying that there's – the comparison leaves room for improvement, or – it's just not clear whether that's one of the conclusions we should be drawing.

MS BEVAN: I think one of the things that I was – I have been able to look at both, probably not alongside each other, but I have looked at both, and I think the fact that  
15 the regulations are modal specific and a lot more clear and a lot more defined with regards to the vehicle design themselves and how that's implemented in order to run an efficient service, is probably a little bit more descriptive with regards to statutory regulations in the UK, and it leaves less for misinterpretation, where, I think, within the standards there is a questionable element of what you interpret here in Australia.  
20

DR TRUDZIK: Well, that – they were quite comprehensive submissions, and I thank you for those. Any further comments?

MR CORCORAN: We have got some documents here that we would like to table -  
25 leave with you. If we can - we - part of the - your discussion paper identified the issue about disability action plans. Our unit is predominantly - its major function is coordinating a South Australian whole of government disability strategy, and we have a detailed reporting framework that all state government departments have to report against, including the Department of Transport, Energy and Infrastructure. So  
30 we've brought copies of that along, as well. Helen, you've got some other copies of documents that you were going to leave?

MS BEVAN: Just as examples, I've actually brought you copies of the regulations from the UK.  
35

DR TRUDZIK: Thank you. I appreciate your time.

MR CORCORAN: Can I just - there's a copy of some correspondence - just that top  
40 copy - to the Commission about the lack of reporting that was sent by an Australian Federation.

DR TRUDZIK: Okay. I think we next have the Royal Society of the Blind, Tony Starkey. We have received a written submission in advance of this, so thank you very much for that. But I will certainly hand over you to introduce yourselves, and I  
45 guess, anything further.

MR STARKEY: Okay. My name is Tony Starkey from the Royal Society of the Blind in South Australia, and with me is Peter Scott, one of our orientation and

mobility instructors. And basically, we would just like to reinforce the issue that we do not wish to see any weakening of the tactile ground surface indicator standards and obligations, and as there has been inferences that they may not be required. We would just like to emphasize that any opening or steps that is unknown to the person entering or departing from the vehicle should be identified. For instance, with a train, such as - not necessarily those in South Australia, but the ones in Sydney, where they have the upper and lower decks, you can enter from various ends of the carriage, and as you're turning to the opening, you're not aware of where the stairs go down, and so forth. Same on some of the older ferries in New South Wales. That's an issue.

We do acknowledge, though, that - particularly, for instance, on a bus, where there's a - one level or maybe one step up, that that may be a bit excessive and there's opportunities there to do that. But if you can enter from one end and then suddenly come on a drop or an upgrade, we think it's important that there is some indication there for that. The other area we were concerned about is the reference to the standard, and that the Act does not allow for standards to be called up as they are upgraded. For instance, the tactile ground surface indicator standard is on a 1992 version, and when we are currently working on a 2002 version, and we're currently, particularly in South Australia, putting in the infrastructure changes that reflect the 1992 version, rather than the 2002 version. We believe there should be some consideration put in the Act to change that, and also to, you know, bring in a phasing period as a standards change, rather than have it strictly prescribed.

So they're the two main issues that we're concerned about. And just on the other areas that we'd like to comment about, following up from what Maurice has already spoken about, we are reasonably happy with our current bus fleet in Adelaide. It has changed to accessible transport. We have very good working relationships with the government on those issues, and we work through quite well. The area of taxis is an issue currently for us, where we have difficulty identifying the taxi that the person is travelling in, and we are currently hoping that relevance will go there to having a tactile and a Braille identification system put into taxis, so that we're able to work out which taxi we're travelling in, should there be any issues with any disagreement on either venue or price, etcetera. Because at the moment, it's - you can hail a taxi and you have no idea which company you're in, you have no idea who the driver is, as we're not able to see their identification. And we can - and of course, once we're dropped off, we can't identify the taxi independently that we travelled in.

As far as the airlines go, the main issue that we have with the airlines is the provision of information in Braille. Whilst it's clearly stated in the standard, and so forth, it is quite rare to find a plane that actually has one, or if the people know exactly where it is. So whilst they do provide it, we do find that there is an issue sometimes where it's not carried on a plane or it's not available or the person doesn't know where it is. The only other area that we see any concern is that the actual concept of holder transport approach could be improved, particularly in the area of, say, with the Adelaide Airport, currently. The rules are there that the taxi is not allowed to leave his vehicle to put a person into the terminal.

So for instance, if a taxi pulls up and he is not allowed to leave his vehicle, so unless there is a person - one of the taxi coordinators on the concourse, he has to basically leave a blind person there and - or grab another passenger to take you into the terminal. We feel that there should be some arrangements made to be more  
5 significant, so that you're able to be able to get from the vehicle to the actual check in area for that airline, and then the meet and greet system takes over. Basically, they're the issues that we wish to push forward for our sector, which is basically the blind and vision impaired, whilst we do support the other disability groups in their  
10 quests for their issues as well, as multiple disability is becoming a very common issue these days.

DR TRUDZIK: Thank you, Tony. In your written submission, you also talked about the exit sign and the clause relating to exit signs. Could you talk a bit more about that?  
15

MR STARKEY: That was mainly into - with the actual standards of within the transport facility of signage for toilets and exit signs and so forth. We find that there is no consistent message for signage within a transport hub, and currently, the only  
20 standard that a venue is for accessible signage is that toilet signs need to be in Braille in large print, and in a tactile form. But that's the only information within the standard. So egress is quite an issue if you're in an unfamiliar area. And once again, that's not necessarily called up in the transport standard, because it wasn't enacted until after the standard was going to parliament.

25 DR TRUDZIK: Okay. I don't think I have any further questions. Tanuja?

MS DOSS: No.

DR TRUDZIK: Well, thank you very much, Tony and Peter.  
30

MR STARKEY: Thank you very much.

DR TRUDZIK: That's right? Peter.

35 MR STARKEY: Thank you.

DR TRUDZIK: Now, we do have a - we were going to have a - my notes say Lunch Break, but I don't think that could be right. I think that's a - - -

40 MS DOSS: Little lunch.

DR TRUDZIK: - - - a little lunch break, a morning tea break. We might take the opportunity just to draw breath and maybe come back at half past. So we'll - that will get us a few minutes into our backlog. So tea and coffee are behind us, and we  
45 will reconvene again at half past 11.

**ADJOURNED**

**[11.25 am]**

DR TRUDZIK: Okay. With everybody fuelled up, or refuelled, let's start the  
5 proceedings again. I would now like to ask Glenda Lee from the Physical Disability  
Council of New South Wales.

MS LEE: No, Australia.

10 DR TRUDZIK: Of Australia?

MS LEE: Yes. That was a mistake in the first thing. Ann-Mason Furmage is  
president of New South Wales. Okay. Well, this is a bit of late notice for me. I  
15 thought someone else was doing our submissions, so I'm in for PDCA now. But I'm  
going to do it from a personal point of view, because I think that's the best way of  
illustrating the difficulties that I would say most people have. I have made three  
complaints through HREOC over the past three years, one in 2004, one last year, and  
one just about a month ago. I guess the first thing I want to say is that the complaints  
20 process for resolving discrimination is onerous, to say the least, and usually beyond  
the capabilities of most people with disabilities.

I have done many complaints, and I still get extremely stressed about it, and even -  
one of the problems is that you relive the complaint every time you have to deal with  
it again, and is again stressful, and you don't get, sort of, compensation additionally  
25 for reliving and reliving and reliving that complaint. You have it in the first place.  
You might, with transport, relive that problem every day, and then you have to write  
the complaint out, then you have to deal with it in letters and deal with somewhat,  
sometimes, or often, insulting replies and accusations that you're a liar, when, as a  
person with a disability, I personally don't make a HREOC complaint lightly, and I  
30 don't appreciate being told that I'm a liar when I do make a complaint, because that's  
just ridiculous.

So there's all the he said/she said stuff with complaints, which can never be  
corroborated, and reliving it is very painful. And I don't think - I know it's probably  
35 not a thing for this review, but that we shouldn't have to go through this complaints  
process. There should be inspectors, like we used to have building inspectors, like  
we have private certifiers now, that go and check on things and find them wanting,  
and then issue a notice of non-compliance, and that they have to fix it. Because it's  
just ridiculous for the most vulnerable, often least-educated people to be having to go  
40 through this process.

I understand in Adelaide - and I don't know whether that's across Australia - that  
TransAdelaide and most government departments, in implementing anything to do  
with the DDA, haven't been given any more money to do that, and I understand that  
45 TransAdelaide is really struggling with implementing the standards, and I think that  
might be the reason why the ARA applied for all their exemptions. But I also  
question that, because over the past couple of years in South Australia, while we  
haven't had the standards looking like they are being met, in relation to accessible

transport, other things have gone on in the rail system that I consider, personally, unnecessary, or could be delayed, perhaps.

5 One was that Adelaide railway - or suburban railway stations, there's a post that you can push a button and it tells you when the next train is coming. And they all, to my observation, work perfectly well. But they have been replaced with brand new ones, 18 months ago, or something, all across South Australia, probably at extraordinary cost. And recently, my local station was completely refurbished with new lights, signs, the whole garden ripped out and redone, and a very flash new shelter, all of which needs doing, but I don't think it needed doing now, when there are other 10 priorities for basic transport access that need meeting. And not having any money for implementations of a whole new bunch of laws is just ridiculous.

15 I would like to go through my complaints, going from the first one, which was in 2004, back to this time. And this first complaint is the complaint that I had success with, I would say. A driver abused me because I asked him to turn the ramp around so that the bent edge gripped on the top of the train, and it's got a sign that says, "This end on train," and stuff like that - or "Top end." And he refused and started shouting at me, and I just played the broken record, "No, I want you to turn the ramp 20 around." He got quite abusive, and then he threatened to leave me on the platform, took the ramp back on. And then he shouted at me, "Just because you're in a wheelchair doesn't mean you can order us around," which is actually, sort of, not true, actually; I can. So I made a complaint.

25 I mean, that was one of the most distressing experiences I've ever had, and I made a complaint through HREOC, and that's where I was called a liar because I was told I abused him, and I actually made sure I didn't abuse him, because I knew this situation was going to end in a complaint, how it was starting. That was resolved, I feel, because the drivers have lost their attitude, pretty much. There were some 30 drivers that were grumpy, that were sullen, they seemed to often get the ramp the wrong way round, and things like that, and that has improved. But the stress I went through to do that was extraordinary. So that was my one success, and I was very pleased that things smartened up with that area of it. But I've had complaints about - and it concerns me that an exemption has sort of - well, a temporary exemption has 35 been granted on allocated spaces in trains.

Previously to the last couple of years, there were signs - there is a seat - a space inside the door on most trains that had a sign on it that said, "This space must be 40 vacated when required for a wheelchair." And that was quite handy, because people could see the sign and they would just - some of them would get up and move automatically. Those signs - stickers have disappeared over the last couple of years, and I made a complaint about - beginning with that. There were a lot of other things in it, which I won't go into in detail. But when I got to the HREOC conciliation stage, the attitude of the TransAdelaide manager was such that there didn't seem - 45 when I explained all the problems with not having allocated spaces and the signs having disappeared, that was denied, even though I travel on the train all the time and I could see that they were gone. I could see that there were there, and I could see that they weren't being replaced.

I asked for them to be reinstalled, and other things to do with toilets, and things like that. And there were some attempts made to do that, but the signs have never been reinstalled. And what that means is that I don't feel like I have a right to ask. I don't like to have to ask people to move out of their seats. I think that should be the  
5 responsibility of the train company in relation to direct assistance. But what it means is that we don't have any allocated space. We're in the vestibule, and we have to move all the time to get out of the way of people. And I know there's people in South Australia that have been abused by other passengers because, you know, they might move back a little bit and bump somebody else, or - it's very awkward.

10 And the attitude seemed to be that we don't have to have allocated spaces until the end of 2007. And I made this complaint back - it was conciliated in July last year, and today, there still are no stickers, even though they were promised to be put back. And I consider that quite a good interim measure, without having to mark out spaces,  
15 without having to allocate lots of spaces. All I was asking for was these stickers to be put back, and it seems that that can't be done. Now, whether they are waiting for things - other things to happen, but the attitude was that, "We don't have to do it until the end of 2007." And I had to really, really push to argue for goodwill, passenger safety, passenger harmony, and it was promised that that would be done, but it hasn't  
20 been done, and I find that very distressing.

Consequently to that, I went to catch a train a month or so ago, and found that the train I was going to catch had been cancelled. There's a line where it goes - the  
25 trains go to Woodville, then one splits off to Grange and one splits off to Outer Harbour. They had cancelled the Grange train because the track from Woodville to Grange was being fixed, and hadn't replaced it, and so there was only one train per hour. I went to catch the 7.58. That was cancelled; I had to catch the 8.13. The train arrived and it only had one carriage. It was Friday night. They had halved the services. I had got there early to catch the 7.58, so I was there in plenty, plenty of  
30 time.

I moved onto the platform, out of the way a bit to let all the passengers get off. Heaps of people were waiting for the train because it was late, and the blokes that were getting the ramp out were, sort of, stuffing around a bit, and there were three of  
35 us, actually, wanting to board the train via the ramp, and worked out with the other two women that they need to get on first because I got off first. So they go on, and that end of the train was full, so - and the guy said, "You can't get on. There's not enough room." Able-bodied people were still getting on the train. I said, "All right. I'll get on the other end." So we went up the other end. I noticed there were empty  
40 seats on the way, and when we get to the other vestibule, it was full of standing people. They all scattered back, but this person said, "No, the train is full. You can't get on." And I said, "No, that's discrimination, you know. You can't" - blah, blah, blah.

45 Anyway, I was the one person left off the train even though there were still people getting on, which is a case of allocated spaces. If there were allocated spaces those - I said, "Get some of these people off the train. I was here before them." And they insisted they couldn't take people off the train, except they were preventing me from

getting on the train because they could. They got me an access cab and they paid for it, but that is not the point and if their allocated spaces had been attended to, as I asked in a conciliation hearing, that might have been avoided.

5 And to leave the one – one of the most vulnerable people off the train was just incredible to my mind and I couldn't believe that that happened. And that gets me on to training of all transport staff. I don't know how many have training, but they still seem to be of the attitude that they are doing us a favour and it's not about doing us a favour, it's not about, "We don't mind helping you," it's about that, "You have to help us." And that brings me to direct assistance. With the implementation of  
10 standards over such a long time it leaves us in a bit of a tricky situation. While we might be able to get on the train we might not be able to put our ticket in the slot or we might not be able to - as it is at the moment - be able to indicate to the driver which stop we want to get off on a train and have to depend on them remembering to  
15 get us off.

And I've got - know people that have been left on the train and I've nearly been left on the train, but I've got a huge bellow on me and on occasion I've gone and had to stick my foot in the open door to stop it closing. So I think direct assistance is  
20 something that really has to be brought into play with transport until, you know, probably somewhere in the 2020s where we've got something near most of the standards being implemented. There are things such as opening doors and tickets, getting people out of allocated spaces and things like that, that really need to be attended to. Signage and information is a problem. I will often look in any state in  
25 Australia and I know particularly in South Australia that really there's not any clear and easy to find information on disability access to public transport.

It was only after my complaint last year in July that a sign has been put up in the Adelaide Station to say how people can board a train. There are no signs on the  
30 platforms and there's only this one sign now, which makes it really difficult for tourists or anybody. I mean, unless you can see that something is there – I mean, you can't see that there's ramps to get you on the train, so you need signage around. Drivers often don't announce – sometimes don't announce the next stop or it's done – the sound system is really crummy. I went on your question list for people with  
35 intellectual disability because I thought that would get to the nitty-gritty, so I've made some notes on there.

About asking for help – I don't think people realise they can ask for help. People with disabilities have been seen and know themselves to be a bit of a nuisance to  
40 other people, so we've learnt not to ask for help and not to bother people. So direct assistance would not be known to most people and they often don't know – if they do know they can ask they wouldn't know to what limits they can ask. I think with things like – there's lots of things to do with transport where vulnerable people – wheelchair users are often a bit – a bit more safe than a wobbly walker, as I call  
45 them. Buses – a lot of bus drivers – well, they make it difficult for everybody, watch elderly people nearly falling over and often drivers – if they have got a wheelchair in there they don't take a bit more care going around corners or stopping and starting because wheelchairs can slide in a bus.

There's a bit of talk about restraints in buses, but many of us are not keen on that because that's unwieldy and gets everybody around us angry and that's difficulty and often makes us angry when people don't know how to tie a wheelchair down or something. Taxis: In South Australia the taxis are taken up by school runs, which is  
5 most inconvenient. They are taken up by permanent bookings for work, so if you've got casual work you just cannot get a taxi. So while John Howard wants people with disabilities to go out and work the transport system does not make that possible. I mean, you could get left on the train and end up not at work at all.

10 And you can't ever really rely on taxis. I've – many people I know have stopped using them because it's just too – too stressful. Another thing is you cannot often see anything out of a van. All you can see is the footpath and the road and as a tourist I find that – it makes me so angry because I go to another city to see the sights, just like anybody else, and most vehicles – taxi vehicles you cannot see out of. Driver  
15 training is quite lacking. They mostly – often they don't – they take ages to tie you down. I often end up with a seatbelt across my chest. I've never had a seatbelt put on properly.

I think – it seems a bit peripheral to me, but toilets – accessible toilets to do with  
20 transport. Quite frankly, I have never seen an accessible toilet to standard. Nobody seems to be able to read a plan and do it how it says. They just think, "Oh, we will whack the hand dryer up a bit higher. We will put the soap a little bit over here and it doesn't matter if the toilet is two inches too low." They all matter. They were all worked out over many years, those standards, and it just amazes me that grown  
25 human-beings can't read a map, plan and do it. And it's not just once, it's hundreds of toilets all over Australia and Adelaide Railway Station is no different, even though it's been asked to be fixed. It's been twiddled with a little bit to try and fix it, but it hasn't been fixed properly.

30 Airlines are a big concern for PDCA members across Australia. I don't travel by Virgin any more, because they require me to have a carer and that's outrageous. Qantas don't bother about that. I've been through HREOC complaint with Virgin and would still be continuing with that complaint if I felt I could afford to lose my home, which is what I'm risking, which is again why I say the complaints process is  
35 ridiculous. For me to have to risk losing my home against – to have to take a company – any company from Telstra, which I've tried, to Virgin Airlines to court is ridiculous. I can't afford it. I can't afford to be homeless. So I think that's one of the biggest things.

40 So Airlines – I heard – I think it was somebody saying earlier about things need to be more prescriptive and while they say, you know, a taxi has got to be accessible they just think, well, it doesn't matter if the passenger can't see. Or they interpret the rules like the Australian – what is it – the Civil Aviation Authority, the rule - - -

45 DR TRUDZIK: CASA?

MS LEE: CASA, that's it. They say – Virgin interprets that they are not allowed to have their attendants walking around attending to us if there's something happening.

Qantas says, you know, that's okay. We can't have that sort of arbitrary interpretation, I believe, and that's where the DDA, supposedly being higher than all other laws, seems to cause lots of arguments and the lawyers seem to like to pick up on those sorts of things. I will just have a little look here and see if I've got any –  
5 one of the questions was, "Has catching transport become easier in the last five years?" Well, trains hasn't in South Australia. I think generally trains have become easier to access across Australia. With buses - - -

10 DR TRUDZIK: Sorry, can I just confirm that? Trains have or haven't become - - -

MS LEE: I think they have become more accessible. I mean, to my - in Adelaide, they have become less accessible because our allocated space stickers have disappeared, and people don't like it when you try and, you know, muscle your way into a space without that sign. Buses - yes, when you can find an accessible bus, it's  
15 easier, yes, but the whole thing of having some buses accessible and some not accessible just - I won't even bother with the buses personally because who knows when an accessible bus is going to come, and if you do book one - if you can find out the information and the phone number to ring to try and book one on a route, and I know people have done this, and they tell you there's going to be a bus at, you know,  
20 11 o'clock on that route, and they don't turn up. So there go all your plans out the window. So, while it's such a slow process, I don't think they are more accessible, in a way, because you have to wrangle your head around it so much to get your connections and things like that.

25 In Adelaide, yes, we've got our beautiful new trams, and they are really good, but there are some stops that aren't accessible yet, and two of those stops are between the end of, like, the Grand Hotel on Jetty Road and Brighton Road, which is the full length of the shopping area of Jetty Road or full length of Jetty Road itself, which is a major tourist area, and none of the stops between Brighton Road and the Grand  
30 Hotel are accessible, and I watched a woman walk all the way pushing her elderly mother in a wheelchair right up to the other end, and that seems ridiculous. So I hope all the new stops they're putting in in the city are accessible and there's not any that are not accessible. And that's about it, I think. Have you got any questions?

35 DR TRUDZIK: Okay. I would like to follow up just a couple of points you raised, Glenda, thank you. The first one goes back to the signage for allocated spaces. Is it that the signage was removed - consciously removed or just degraded over time and not replaced?

40 MS LEE: Well, TransAdelaide said that they do get ripped off by people and I said, "Well, replace them," and they said, "We do." Well, I can't understand why they have disappeared when they used to be there on most trains. It doesn't seem like natural attrition to me. I don't know. I mean, I can make accusations, but I don't know. And they say that they haven't been deliberately taken off.

45 DR TRUDZIK: The next question I had was around - you mentioned that drivers - this related to your first complaint, that drivers have - their attitude has improved. Can you offer any opinion as to what's contributed to that changing of attitude?

MS LEE: Well, I mean, the terms of the conciliation of that complaint was confidential so I can't say, but you might get some indication, if it was made confidential, why it had an impact.

5 DR TRUDZIK: So that particular complaint, you believe, has had a general - has had a general impact?

MS LEE: Well, that - you know, that's presuming my own power, I suppose, which, you know, I kind of like to presume a little bit sometimes, but I don't see otherwise  
10 why it would have improved and, you know, I know particular drivers who used to be grumpy, they might just be a bit sullen now. But they are not sort of sighing and humping and slamming the ramp down and things like that. It just does generally seem to have improved, yes.

15 DR TRUDZIK: And at that stage, you were talking mainly around the train mode of transport but then you broadened it out later. Does that attitude issue, in your opinion, extend to all modes of transport or is it different by mode of transport?

MS LEE: No. I think it does extend to all modes of transport. I mean, taxis are a  
20 little bit different, but then there are problems there that are perhaps a bit separate. You might not get a grumpy driver but you might get a slack driver. But I know people that have had - that have - the driver's pulled up with a bus and then just ignored them and refused to put the ramp out and things like that, or said their ramp is broken, which sometimes can sound a bit suspicious. I mean, we can put our  
25 interpretations on things and sometimes they might be a bit paranoid, but that's based on probably experience rather than just cooked up fears, I think. Often passengers on buses get cross with people in wheelchairs because, you know, we take up room and they have got to shuffle out of the way, and because - because we're bigger, they have to shuffle out of the way more.

30 DR TRUDZIK: Probably my last question relates to your reference to the experience of raising a complaint and the stress that you've felt. I'm just trying to get a sense of: is that common across all members of PDCA? Is that something that is - trying to get a sense, I guess, of the weight of that experience.

35 MS LEE: Yes. Well, we have an email list, PDCA email discussion list, and most people that comment on there say that, you know - well, the comments vary from, "Oh, you know, I've lodged another complaint. Oh, I don't want to go through it all again," or, "Oh, don't lodge a complaint, it's a waste of time," to, you know, people  
40 urging people to lodge complaints because we know that's one way. But generally it's a difficult experience. Because the respondent somehow also always needs to defend themselves, instead of just saying, "I'm sorry. We mucked up. We'll do better next time." They always defend themselves, and that's just - that's just distressing, because the defence is the denial of what happened, and to have that  
45 denied when you've taken the trouble to put a HREOC complaint in is just astonishing.

I think people think we're mean-minded little people who just go around making complaints for the sake of it, and we don't. And I don't go back to TransAdelaide, or anybody else, be it my local, you know, Dymocks or the council, making complaints lightly. I, you know - and they've got another complaint to deal with now, and  
5 they're not going to like it, but I don't like being treated the way I am. I don't like ending up shouting on a platform, and the humiliation of it is incredible. And also the anger that I have, like, this last incident, nobody on that train - no other human being on that train - said to the person that was stopping me from getting on, "Come on, mate, let her on, you know. We'll move back." Not one person. And that leaves  
10 you feeling that - so when you have to go and re-tell that again, you know, just like I'm doing now, getting angry and upset, and outraged at it. And that's what making a complaint does, because you go through it again and again and again, and worse, because it gets denied. And that is Australia-wide. I know that most people with disabilities don't like making complaints, and they get very convoluted and turned  
15 around.

DR TRUDZIK: Okay. Well, thank you, Glenda.

MS LEE: And I've got copies of my complaints that you can have.  
20

DR TRUDZIK: We will also be getting a written submission.

MS LEE: Submission from PDCA as well, yes. Okay, thank you.

25 DR TRUDZIK: Thank you. Now, the next submission was from Paul Hilary. Do we have Paul Hilary? We didn't think that we had Paul Hilary, so what we might then move - if Ray Scott is here from the Physical Disability Council of South - no.

MS LEE: I'll just check outside, if you like.  
30

DR TRUDZIK: Well, I think, while Glenda is - - -

MS LEE: No.

35 DR TRUDZIK: Okay. Well then - now, Ian Grundy, I believe, has - you would like to make some comments or a submission, so we welcome you to the table.

MR GRUNDY: Thank you, Mr Chairman. I'm probably going to repeat a little bit of what Glenda has already said. I've been in a wheelchair since 1947, but I only  
40 went on welfare in 1998. I worked all my life. Now, I have had the place where we're meant to put our wheelchair cut off, and I politely ask the woman, could I please go in there as I was being a nuisance in the middle of the aisle, and I was told to take a walk in a four-letter symbol. Anyway, I wrote to the railways and they actually came back to me and said, "You were correct, that law has been enacted  
45 since 1994." Does this - do you people know about this? This is for positioning in trains - has been enacted since 1994. And then another time I had the same thing on the train. I politely - when I was going off the train I said to the driver, "Why can't you people ask these people to give us a fair go?" And he said he didn't want his

nose bloodied. The drivers are scared of the passengers, which is – this is showing off what our society has developed into. And - - -

5 DR TRUDZIK: I'm sorry, could I just interrupt there for a moment?

MR GRUNDY: Yes.

DR TRUDZIK: You're speaking as an individual user of - - -

10 MR GRUNDY: I'm speaking as an individual. I am in the PDCSA – of the board there, so I also hear of many other cases. And the comment about the signs, they actually did come up for a few months and it did make a difference, and then all of a sudden they just dropped. There's – I haven't seen a sign now for about the last six months. But it definitely did make a difference because it was something we could  
15 point at to say, "Well, you know, there's the law, get with it." And also too, sometimes, a lot of these people who make these laws up, I'd love to see them get on a wheelchair and try and position themselves in a confined space.

20 Now, Glenda has talked about toilets. I have a urostomy and a colostomy, so if they want the bag full all over the train, all over wherever I am – because I can't get into the toilet, so be it, because I tell you, it smells. And there are many toilets that I've not been able to get into. That's being personal and offensive, but that's the type of life we have to contend with.

25 Now – you see, this is another disappointing part, we ring up and book in for a train or a bus, and they just don't turn up. And even with the cabs, I've missed out on two – what do they call them, pre-op appointments, which are very important. And they've just said, "Well, I'm sorry, there's no cabs coming for you," but sadly my disappointment, as Glenda brought out, has been around the bus - when there's  
30 children getting off to school, or going to school. And that is a major hassle. Whenever the school runs are on, you won't see a taxi for miles, because it is very good money to them. I've got no – nothing wrong with them having good money, but they've got remember us as humans, and when we have important medical issues and we can't get to them, and then the hospital abuses you, it makes you feel really  
35 good.

DR TRUDZIK: Ian, you mentioned booking in for a train or a bus. Can you - - -

40 MR GRUNDY: Yes. Not so much a train, but I do ring in and book in for buses. And you'll get there on time - because it's quite difficult. I have two carers, plus my wife, to get me dressed and ready, and you fly off to wherever you're going, and there's no bus turns up. Now, the other point is, we all know what a mobile phone costs. If I've got to get on a mobile phone and ring the bus company or the train or whatever, that costs money, and a lot of us don't have that.

45 DR TRUDZIK: This isn't a generally scheduled bus with accessible features?

MR GRUNDY: It's the bus that normally comes in that hour, but I ring up at least 24 hours before and ask for one that is suitable for a wheelchair, and I'll say six

times out of 10 - in other words, they generally have ramps they can lift out - are not bad. But the – I had one the other day which had the old-fashioned hydraulic one. It didn't work.

5 DR TRUDZIK: So it's not so much the bus doesn't turn up, but with the right - - -

MR GRUNDY: With the right equipment. And the bus driver's attitude seems to be, the further north you go, the worse it gets. I've had some very good bus drivers in the middle of the city here, who've actually helped me in. You know, I'll give  
10 them a hundred per cent. But we seem to get – manners just goes as we go towards Gawler. So, it's the toilets and the accessibility and, really, our dignity, that we are – a lot of us – some of us have been on pensions for a long time. I paid taxes for many years. And people don't take any of that – I mean, someone that has been crippled from birth and has had to put up with many difficulties, and has been on a pension all  
15 their life, they're still a human being and they should be treated as such, not as something that has to be put up with. And this is the attitude that you get in the trains and in the buses, that you are a nuisance because you're holding the bus up. Someone is looking at their watch and – while you get assembled and get in it, which makes you feel horrible.

20

DR TRUDZIK: Ian, one of the major purposes of the review is to assess the effectiveness of the standards, and so the question that I would ask you is, what effect or what impact have you seen since the standards were implemented in 2002? What are the changes that you've noted, if any?

25

MR GRUNDY: 99 per cent of the trains are good, but there seem to be some bus drivers who do not know how to say, "Good morning," or "Good afternoon." I always say – I always give them a greeting and thank you when they get me off it, but they seem to have a zip across their mouth. The buses in the city have improved,  
30 but again, as I say, I live out in the north and the buses there are still – they will actually see me coming and take off. I've had that happen many times, because they can't be bothered in helping a person in a wheelchair to get on, because with the new ramps now, the lift-out ones, they do have to get off their little bottoms and lift it out. But I compliment them on those ramps because there's nothing mechanical that can go wrong with them, so that is a positive idea. It's just that the drivers have to get  
35 used to using them. And I do know, deliberately – I've seen them waggle their – when they had the mechanical ones, they would play with them and say that they don't work, and I know for a full fact that they worked. But that - as I say, they're getting more into the manual ones, which are an improvement. Okay. Well, I think  
40 I've had my little bit.

DR TRUDZIK: Thank you for your comments. If there's nothing else that you have to say, well then, we thank you.

45 MR GRUNDY: Thank you very much.

DR TRUDZIK: Now, it's back to Ray Scott from the PDCSA. I just thought I'd have Ray. Well, I guess probably that leaves us to have an early lunch, I think.

Well, I think let's adjourn for lunch, and we're due back at 1.45, so that's – that gives us a fairly substantial break. Certainly – I don't think there's anything else we really can do. I don't think we can bring any meetings forward, so let's break for lunch and reconvene at 1.45.

5

**ADJOURNED**

**[12.19pm]**

10 **RESUMED**

**[12.58 pm]**

15 DR TRUDZIK: Now, we probably should do a sweep-around, should we, because I think there are a few more – okay, well, after a premature lunch – and apologies to Ray for delaying you - but we now have all the facilities in place and it is important, as I said, that we are able to record it. So we appreciate your time and look forward to your submission.

20 MR SCOTT: Okay. Well, the Physical Disability Council welcomes this opportunity to make our points on transport known. I will talk just generally. This is not just transport that we're looking at. I want people to realise we're talking about quality of life and independence involved in this. It's not a matter of just going from A to B and treating however. I will start with the complaint that we've got in of the trains. It's quite extensive. Now, this is to deal with trains, in particular. The first  
25 point we've got is the lack of floor space that we have in there. We would like to see the driver's carriage front and back emptied of seats, at least along one side, and this is for wheelchair users, scooter users, prams and bicycles.

30 At the current stage we are put two or three in a doorway where we bump passengers when we have to move. Sometimes we have to get off to let others off and back on and we have to go in sequence. Now, when we bump other passengers we've got a number of reports of intimidation by other passengers and we feel that the railways is directly responsible for that through following bad work practices. I understand they are going to have allocated floor space which will be of some help, but we still feel  
35 that if we are half in our allocated spot or we've got more than what is allocated there, that people will tell us to jump in our hole and we are really wanting integration and not segregation.

40 So it's all more important to have that free open space because it allows people to shuffle around and gives us lots of other opportunities. Our next point would be the doors on the trains. We would like our system to work as functionally easy as possible in the terms that a lot of us have got some form of independence. And I'm alluding here to press-button doors to be opened. At present we're pulling them to the side and inside the carriage you can't manoeuvre to pull open the door. A push-  
45 button will allow just about any disability and put in an appropriate place, whether they hit the button with their head, elbow or nose will open the door.

The third point, we're worried about not needing a sound system to the driver to put out the ramps at a stop. Quite often when you get on the train you're overlooked or the train driver may already be in his carriage and he doesn't realise you're there and we have no way of notifying them where we want to stop once we're underway.

5 And we've got many cases of people being carried to the end of the line before the driver realises they are still on board and coming back. And the only other way to get around that is to, again, interfere with the passengers and tell me to go and talk to the driver or to make a noise or jam your wheels in the door to prevent the doors from closing and all of this puts people at risk, so we're not happy with that.

10

Now, on the trains still, as you know we're the Physical Disability Council and we also represent, to some extent, the blind and the deaf and we've got vision-impaired people that have expressed concerns that they don't hear a clear consistent voice of when their approaching train station is coming. We understand some of that is human error. Some of it could be done electronically, as with the trams. And there's another point to that, which I've lost. Another one was neon lights inside the train for those that are deaf that can see what signage – and I believe the trams and the DDA and everything covers all of this, so we would like the trains to move along a bit quicker.

20

Another one that was expressed by members was people that had balance issues when they are walking would like to see a grab rail on the raised platform outside the train, so when boarding and alighting they have got something to grab on to so they can clear that gap that is there. Of course, we would love that reduced. I mean, ideally we would love to see an air-operated ramp or a flip-out ramp that is easy and quick to use and possibly we could use it ourselves if it was done in the right manner. And we are having talks with the railways and we may come to something there, I don't know. Stickers – reserved seating. Now, years ago there used to be stickers on the trains on the back of the seat in a certain spot inside the door asking passengers to vacate their space required by a person with a disability or the elderly.

30

They have either been actively removed or actively not reinstated, please yourself. That has been going on for years. We had talks with the train station - TransAdelaide over 12 months ago about reinstating those signs, of which they said they would. There are none visible. There has been, from our opinion, no action taken and this is deplorable in itself. It's only a sign. They say that the vandalism is the reason that they don't do that. The buses manage their signs. They have very similar vandalism problems and we do recognise that vandalism is a big cause of some of our issues here as far as signage goes. So we would like to see the signage reinstated. I think that is that bit. Sorry, be patient, if you can.

40

DR TRUDZIK: No, by all means take your time.

MR SCOTT: Circulation space I've covered in there with the doorways. That is an issue. In a case of an emergency you're actually blocking the exit for other people to get out and so I think that should be brought to their attention as well. Now, I think I'm down to the toilets at the TransAdelaide Station. Do you handle that? We've also had discussions with TransAdelaide on that. They assured us it was compliant

45

with the DDA. We can guarantee it's not. We can go in there and measure things. We've had accidents happen, we've had people come in, not be able to use that toilet, and have to return home unable to fill what their daily plans were that day.

5 And this toilet is set at 420 high, I believe, and it should be 460. There are other issues in there with the taps, the sinks, mirror, but these need to be dealt with and they need to talk to appropriate bodies or look up their DDA. That's mainly trains. Buses: Buses are probably the one that has improved in the last five years, but unfortunately – and this is the frustration of this slow compliance – the ramps of  
10 access buses. We have people that can't count on the transport. We've got people that have made job interviews and so forth, arrive and their bus stop and there's no accessible bus. And I believe they are one in four, I'm not sure, but there should be an audit done to make sure that these people are doing what they are meant to do.

15 I've personally waited two and a quarter hours for a bus. I had a dinner arrangement that night. The first bus was full and this is at 5.30 on a Friday night. I thought I'd get the next bus or the next one after or the next one after. I'm a fairly patient fellow. 10 buses later, it was two hours later, I wasn't a very happy chappie, missed my business, but my real point is if people have got job interviews and we're at a stage  
20 where we're welfare to work with this Liberal Government. Now, if our people can't even get proper transport to a job interview, let alone access into the buildings for it, we've got no hope.

And at the moment we're being bullied by the Federal Government to work. Now,  
25 we can't do it if they don't get their act together. It's as simple as that. Now, the Federal Government should supply funding to TransAdelaide and other groups that need this to comply. They apparently haven't budgeted for it. They are in the throes now of trying to work out how to do these things as cheaply as possible. And, again, it is disability that pays this price. Instead of putting their savings on disability they  
30 need to be going to the Ministers and asking for more funding and we would be quite happy to help lobby and push for that and they know they would have an ally in us, but again they don't go that direction, they come back at us at penny-pinching and it's unacceptable in this day and age.

35 Now, the buses, we would like to see quicker. I think the main problem is just the inconsistency of not getting an access bus when you want it. Now, we've also got a case where people have booked an access bus two days in advance, and they were nice enough to - and this person said, "Well, if I can't make it, will I be able to get the next one?" They said, "We'll send you two access buses at 11 o'clock on  
40 Monday morning." And that person was there waiting for that, and again, for an appointment. No access bus rolled up. So this pre-booking is not a reliable way, obviously, and you would think the opposite to that.

45 Trams are fine. The thing that we've got with trams is that - and they're fine, because these are - is late rolling stock, and it has been built, designed to deal with the DDA. The only problem with trams is the stops are not all accessible. Now, I'm talking about the new trams that are here in Adelaide. I can't comment outside of trams here. And we see that as only - I think the signage is good, the voice

recognition system, electronic thing is good. And then we - who haven't I dealt with? Access taxis, taxi service. Again, very unreliable. Now, we are expecting a taxi service that is equivalent to what the general public get. We want the same response time, which would be about 15 minutes. We don't get that. We do in some stages, but what we're finding is late at night, where people might have a social life to go to or celebrate after work or something, they can't get their access cab very late at night, and I'm talking probably 10.30, 11 o'clock, through to early hours of the morning. This should be available 24 hours a day, this access service. We've also got them rolling up very late when they do come, so those issues need to be dealt with.

I think I've pretty well covered - we haven't used ferries. I've covered buses, trains, trams - air travel is an issue with Virgin Airlines. Now, something needs to be done in the design of these aircraft to ensure that their cargoes will hold wheelchairs, batteries, and so forth, because that seems to be their excuse for not taking these things. There's also issues over - and you'll see these in the HREOC complaint - about having to take a carer with Virgin Airlines. Despicable situation to be in. Many of them can quite manage quite comfortably, and the costs of taking an extra person is prohibitive to people. And I think I've covered it.

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DR TRUDZIK: Okay.

MR SCOTT: I'm sure I've forgotten something, but I think you've got the general gist that we're not happy people.

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DR TRUDZIK: And some of the points, Ray, reinforce a number of points that Glenda made before you. Can I just - - -

MR SCOTT: I have got a bit more. Yes.

30

DR TRUDZIK: Did you have some more?

MR SCOTT: I have got a little bit more, yes.

35 DR TRUDZIK: Okay. Well, I'll let you go first, and then I'll - - -

MR SCOTT: Just a brief one. We have had a number of people complain about the attitude of some of the people - staff that have to put out ramps. Now, this is another issue. This was some time ago, but there has been more frequent events with attitude of staff, and it's just - our people are not really empowered, and really need to be asked if they need assistance. Some - a lot of people don't know that assistance is available to them. So we would like to see a little bit more consideration in that area.

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DR TRUDZIK: I'll ask you as well, Ray, that attitude issue, do you find that across the board? Are there specific modes or specific types of roles that you see the attitude issue being greater?

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MR SCOTT: No. No. I think it's - you know, human error. You've got good staff and bad stuff, I think. They just need to have a word said to them, ask them to be a bit more considerate of some of our people. So in the meantime, until these things are taken care of, we would like direct assistance to be available to our people, in  
5 terms of - we really need a conductor on the train at all times. To leave it to the driver for him to have to leave his spot and do the ramp on the train is a bit much. I've spoken of the intimidation to our people, and I think that's a bit concern.

DR TRUDZIK: Okay. A question that I'd like to just explore with you, Ray, is the  
10 - you've highlighted a number of areas where there's a - you've identified requirements, I guess, for the standards to address. In terms of assessing the impact of the standards that were implemented in 2002, can you offer any view as to whether it - they've had an impact, it's better or worse in some areas as a result of the standards? What has been the effect of the standards as a - - -

15 MR SCOTT: I think they've been a very - a general improvement, and I mean - there has, but what they're actually doing is you're being enticed to take part, but then when you actually go to take part, a lot of these services are not there, only at different times. Over the years, I think there's no doubt the transport system is  
20 improving, but we're in this period in between, where, like I just explained, you're enticed to go out and take part in it, but then you're cut off half way.

DR TRUDZIK: Yes.

25 MR SCOTT: That, in itself, is very frustrating.

DR TRUDZIK: Well, that's been referred to as the whole experience, I guess, or the  
- more than transport, which I think you just mentioned as well. And our issues paper talks about compatibility of the standards, and are they - what's their coverage  
30 - level of coverage of that whole experience? One issue, in specific, that I would appreciate your views on is the - I mean, the experience often starts at the purchasing of tickets. What's the - - -

MR SCOTT: Oh, validating machines. I knew I forgot something. Yes.

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DR TRUDZIK: Okay.

MR SCOTT: We have difficulty reaching those validating machines. We would like them to be lowered down to a reasonable level, which - I'm not sure what it is,  
40 probably about 900. Have to look up the DDA. See, that's another thing. We've got some issue with the height that they're setting switches at and these things. We would like them to be another 150 mil lower than what they actually recommend in the standards for switches, and that type of thing. But by and large, things are getting better, but it's too slow, and there's a whole heaps of people just trapped in the  
45 middle.

In some ways, it might be better to say, "No, you can't come out and use public transport," rather than let us have this expectation of doing things and then being

chopped off. You know, so we would encourage a speeding up of the times, and of course, TransAdelaide and all the other groups will oppose that. The exemptions that the railways have asked for should in no way change any disability action planning. They are only temporary exemptions until 2010, and I would hope that they are not  
5 taken into considerations for new planning, because they're temporary, and that's exactly what they are. Time to comply, that's fine.

DR TRUDZIK: Okay. Now, something that either you or I said prompted Ian Grundy to raise his hand. I'm not sure whether Ian needs a microphone to be able to  
10 make a comment?

MR GRUNDY: I don't know if this has been brought up. Some of us used to be very strong in the arms when we were younger, but a lot of us now are very weak in the arms, and the majority of toilets take such a massive effort to open, and we're  
15 trying to drive our electrical devices to get in there, and we get ourselves all tangled in knots and a pair of wet pants, which is - the doors have to be made that they can push a button and they can slide open. They do have them in some shopping centres. Thank you.

MR SCOTT: I don't know whether this is appropriate, is it, but we have issues with the positioning of the toilets at the TransAdelaide concourse in that it's put furthest away for those with difficulties to walk, have trouble there. As Ian mentioned, the door springs are far too strong, and inside the toilet doesn't comply in most of it. We would like to see the old toilet reinstated up near the concourse. Of course, they  
20 plead that there's - the police come in our Adelaide one right near our doors, and we're getting people bumped by the police as they come through the doors.  
25

Now, speaking to TransAdelaide, they think it's better there because of security because there's a camera. But there's cameras all through there and, unfortunately,  
30 cameras are only good to catch after the event. Now, should some of our people fall over in that toilet block or anything, it's very hard to get assistance in there. If we're closer to the concourse where there's other people passing by, if you were to call out, you are more likely to get assistance. You are more likely if there is anything going on vandalism-wise or people being mugged to be taken notice of up near the  
35 concourse, and to put our people where it's further to walk away and putting them further at risk is not on for us either. So we would like to see them redo the whole toilet block and make it comply.

MS LEE: It is interesting that when we make complaints we have a lot of arguments  
40 about why things can't be done, and one of the things with the Adelaide station toilet - you don't want to get stuck in the toilet, but they've got a push button pad to turn the tap on, and the tap comes out of the back of the hand basin. It's not reachable, it's not satisfactory. And the reason that they said they couldn't have ordinary flip mix taps is because they get vandalised and, okay, but there's hundreds of toilets  
45 everywhere with ordinary taps that they either replace them or they don't get vandalised.

So they talk about vandalising in this toilet but, then, at the same time, when we said we don't like the toilet being down the end of quite a gloomy corridor, they said, "It's all right. The police door is down there and we've got cameras down there so you're safe." So, if, at the same time we're safe, why aren't the taps safe? So we get  
5 these sort of funny little answers and tricky little ways of getting out of things, and people are very creative in shushing our complaints.

And I've got just another thing to add that - with airlines, that I forget before, is a colleague and I went to an AFDO meeting in Melbourne and we were booked to  
10 travel back together, and I was rung because I was the second booked, to ask if they could change my flight to an earlier one because they couldn't fit the other person - they had two vehicles - two wheelchairs, scooters, whatever - and they couldn't fit them both on the same plane. So, being in a bit of an okay mood at the time, I just said, "Okay," and then, when I got on the plane, I noticed it was pretty much half  
15 empty, and I thought, "Oh, okay, that's because the next plane was very full so they couldn't fit on."

So I asked my - and when I explained that, "Oh, yes, that's because my colleague" - and they told me my colleague's name, and that's where our privacy goes out the  
20 window a lot with disability stuff, because they just seem to throw our names around. Now, perhaps I wasn't travelling, you know - and Margie told me that her plane was half empty as well. So why did I get moved and why can't they fit more than two wheelchairs on a plane, and I think it was a bit of shuffling us around just in case the flights filled up, and it's not on, and, you know, we missed an opportunity to talk  
25 about our two days' worth of meetings. I think that's all I've got.

DR TRUDZIK: Okay. Ray, was there anything else?

MR SCOTT: One more. On the buses, they have a handrail where our wheelchair  
30 sits on and grab on to it. We have people that haven't got hand movements and grips, and we would like to see what we would call, say, a four arm sling attached to that handrail so that the people can actually loop their arms through so it sits here, because we're getting wheelchairs fall over in the buses. We don't want to get to the stage where we've all got to be strapped in. Again, it's integration. Until such time  
35 that everybody in there has to wear a seatbelt, we don't want to do that either. But we feel a simple little strap on the handrail to stop that person from tipping over would be very valuable for quads.

DR TRUDZIK: Okay.  
40

MR SCOTT: Other than that, the system is getting better. We're just in that frustration limbo, you know, and it comes to money, apparently.

DR TRUDZIK: Well, certainly we are building a composite, I guess, with the  
45 submissions around the country. We're building up a composite picture of just those areas. So, appreciated your time. Thank you, Ray, and apologies again for the delay.

MR SCOTT: Yes.

DR TRUDZIK: That gives us 20 minutes for lunch now, so it will be a quick lunch for us but we will reconvene at quarter to 2 and then I think we have, at the moment, three submissions scheduled for the afternoon, unless any others nominate or offer in the meantime. So, look forward to seeing - - -

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MR SCOTT: Sorry. One more. Can we - we just want to put for a standard accessible taxi fleet, rather than a separate system, 100 per cent accessible taxi fleet. The general public taxi service, we would like to see that fully accessible for disability and use the same service.

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DR TRUDZIK: And at the moment it's a different service. Is that - - -

MR SCOTT: Yes.

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DR TRUDZIK: It's a segregated service.

MR SCOTT: Yes, a segregated service, and extremely unreliable.

DR TRUDZIK: Okay.

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MR SCOTT: And thanks for having us.

DR TRUDZIK: Thank you for your submission. So, for everybody, we will adjourn now till 1.45. See you back then.

25

**ADJOURNED**

**[1.28 pm]**

30

**RESUMED**

**[1.57 pm]**

DR TRUDZIK: Okay. Do we have a - I think we've got - seemed to be more people about just a little while ago, but - anyway, welcome to the afternoon sessions for the hearing, and we have, I think, David Hitchcock?

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MR HITCHCOCK: Yes, David Hitchcock and Murray Conahan.

DR TRUDZIK: From the Local Government Association of South Australia.

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MR HITCHCOCK: Yes.

DR TRUDZIK: So I appreciate your time. Welcome, and over to you for your thoughts.

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MR HITCHCOCK: Okay. Thanks for that, and thanks for the opportunity. With regards to - as I said, David Hitchcock. I'm manager of finance and infrastructure with the Local Government Association of SA, and Murray Conahan, he is the

infrastructure planning city services for the City of Onkaparinga, which is a large population council in South Australia, and covering a fair range of area to the south of Adelaide. With regards to today, I just take the opportunity to discuss a few issues regarding the standards, as they apply specifically to bus stop infrastructure; that is, the shelters and the bus stops, and relating to public passenger transport.

Generally speaking, councils themselves are involved in community transport where they run what they call a community bus, and they run that through their own processes, and would be regarded as a provider and an operator. However, by far the largest public transport is undertaken by the state government through the passenger transport division. And on the local government side, we see the state government as an operator and provider in that regard. The issue that we have, which is probably worth explaining, is that at the moment, there is a large amount of uncertainty as with regards to who is responsible for the infrastructure for these public transport processes, in regards that historically, the local government has been able to contribute to bus shelters, and that was done by a cost sharing arrangement whereby the councils and the passenger transport division both contributed to placement of a bus shelter. And then that was discontinued - the funding for that was discontinued in 2004.

The regards to that, local government accepts responsibility for an involvement there, but however, there's confusion after that with regards to who is then responsible for the bus stop - by that I mean the yellow pole that sits on the footpath - and then also who is responsible for bus shelters when the bus routes are changed, or new ones are put in place? And then obviously, in outlining this, then I will be leading on to the councils are actually having difficulty trying to meet their 25 per cent compliance with the standards. The standards are unclear with how the linkages for the paths and the gradients occur to the bus shelters, how they are linked into the bus stop, and if there is confusion between the local government and the state government as to who is responsible for which, then there's a bit of a problem in trying to sort that through.

I've got a couple of, I suppose - I had a look through your discussions paper, and I made some comments on a number of the questions, so I can give you some structure like that. Then I would like to hand over to Murray to put a bit of perspective of a council in regards to what they were experiencing. With regards to question 1, "Has the accessibility of public transport improved since the introduction of the transport standards?" we would say yes, in that councils are making efforts to upgrading bus stop infrastructure, and a lot of that would be with regards to the bus stops and the tactile services, and some councils are actually also being involved in the provision of ramps and gradients.

Question 2: "Have changes met expectations?" No, mainly due to confusion in responsibility with councils, and the uncertainty of the extent to which they should be undertaking the upgrades. Question 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?" We would say marginally. As before, efforts are being made, and Murray has got some really good photos to show the examples there. Question 4:

“To what extent do you consider current data on accessibility reliable?” Difficult to quantify. We have 68 councils. Mostly in the metropolitan area, there are 18 councils who have the passenger transport, and we have had limited surveys to getting percentages as to what they are doing, and it’s a bit hard to get a real specific understanding as to where they are at.

Question 6: “Are you aware of examples where improved accessibility of public transport has led to increased patronage?” No, but we would like to see such data in regards to the outcomes of this review to see what impact the effort has been, and indeed, has that contributed to an increase in patronage. Question 10: “Has the introduction of transport standards clarified your obligations?” No. If anything, it has led to confusion, as I have been saying. In particular, with the standards, there is some confusion as to the number of spaces that are required in the bus shelters. Is it two, is it four? Those issues need to be clarified.

Question 11: “Are the transport standards sufficient?” And as I said, no, more clarity is required. And 17: “Are there requirements that have proven to be impractical or difficult to implement?” Yes, and the best examples are from Onkaparinga, that they’ll be able to show us from there. And I would like to see if some of those example photographs, how that might or might not apply to unjustifiable hardship, in regards - you’ve got a bus stop, and then just the physical location of it is quite challenging. With that short one, I’ll hand over to Murray to outline some of his comments.

MR CONAHAN: Right. Just following up on what David was saying, I suppose the first thing we would like clarified is the onus of responsibility for the installation of appropriate infrastructure, and to go further, in the event that there is a complaint received about a noncompliant bus stop in particular, who would be pursued to rectify that deficiency? Would that be seen as being local government or state government responsibility? And I suppose, in answering that question, we answer the question of responsibility for everyone. At the moment, the state government is saying that they are not responsible for anything, as far as infrastructure of bus stops is concerned. Whether that’s changing in the coming weeks, we don’t know. There is certainly discussions going on.

In the interim, we have had legal advice that says we are not responsible for bus stops, but where we have a bus shelter that was installed under a 50/50 funding arrangement that we have now taken ownership of, that we are responsible. We had advice from the public transport division on what they would like by way of a bus pad installed at these stops. The pad itself is quite significant, and for a normal bus, as opposed to an articulated bus, the estimate for the bus pad is upward of two and a half thousand dollars.

Since they have given us that design, which included the concrete pad with tactile ground indicators in it, they have since said that they view - after reviewing the requirements of the Act, that they see that any hard surface, be that dirt or whatever, would comply. And we would just like the actual infrastructure required at these stops be clarified, whether we do need a hard concrete, paved pad with tactile

indicators, or not; whether that also then requires that a seat is included at all these stops where there isn't a shelter; where there is a shelter, do we require to have two wheelchair places and two disabled places at each shelter? I suppose that's fair enough for all that.

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Then we go further to: if we were making all the stops DDA compliant by the year 2022, what timeframe have we got for paths leading to those stops? Because in some areas, whilst the costs of making those pads DDA compliant is fairly high, due to the amount of cut, the fill, there might be native veg issues, we can't get a DDA compliant path to the pad. So what is the need to actually make all of these pads DDA compliant? I suppose that pretty much covers what I was going to bring up, and I think we really do need clarification before we move on with onus of responsibility and what is reasonable and what is not as to where DDA compliance is required.

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MR HITCHCOCK: Is - would it be worth if Murray handed some of the photographs he's got? I think they're quite visual in respect to the challenges facing councils in regards to - - -

20 MR CONAHAN: I can bring them all up, if you like, but I suppose that photo there best sums it up. There is no way you can get a DDA compliant access path to that location.

25 MS DOSS: When you referred to a bus pad, is that the area around the bus shelter or what is that precisely?

MR CONAHAN: I've got another piece of paper here that we also make clear – unless I've included it, have I? There is a diagram of a bus pad.

30 MS DOSS: Yes.

35 MR CONAHAN: It is – and the green bit is the extension for the articulated buses. The blue bit is the – there's a 10 metre pad that we are installing at the majority of stops. As you can see by some of those photos there is no way that we can install a pad that will take both an access path and a shelter and still provide access. You can't do it either because of the slope behind being too high or there's just nothing behind it in the case of some.

40 MS DOSS: Yes.

DR TRUDZIK: Could I ask that – the question of the – what are the normal processes for planning approvals for – presumably, they need planning approvals, the pads?

45 MR CONAHAN: No.

DR TRUDZIK: They don't?

MR CONAHAN: No, because if the council is installing them then there is no planning approval. And I think to the same degree State Government don't need planning approval either, because it's – generally they are in roadways, so they are the governing body anyway.

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DR TRUDZIK: And in terms of – presumably there have been efforts made to clarify the responsibilities, but there are different views on what those responsibilities are.

10 MR CONAHAN: Yes.

DR TRUDZIK: So it's not a question of the discussions haven't been had, they just have different points of view.

15 MR CONAHAN: Yes. Yes.

MR HITCHCOCK: Indeed, with the Local Government and State Government, we are entering discussions with the Minister's portfolio to try and address that, because quite realistically I imagine the standards – what would you say – the standards probably are not that relevant in regards to who is responsible, but what the requirement is. That is what I was trying to say. The Local Government needs to get some clarity and we are working on that with the State Government, so it may well be a longer process than December 2007.

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25 DR TRUDZIK: But from your submission it appears as though the bus shelters are the major area of – you know, can I put it – intersection of interests from your point of view?

MR CONAHAN: Well, that's – at the moment we're accepting responsibility for stops that we have installed a shelter and we are also, therefore, by default taking on responsibility of installing the pads at those stops. Where there is no shelter we are saying the onus is on the public transport division. And, indeed, where they change bus routes, which they do from time to time and they certainly have been very active in that down our way of late, that they also be responsible for relocating and if they produce new stops they be responsible for ensuring DDA compliance. They have gotten around that with us on numerous occasions by saying that they will have the stops there on a temporary basis to see how they go. They may not be there permanently, but they have given us no timeframe for how long that temporary arrangement stays in place.

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And they have since said since they have given us that diagram on the pad structure that they want installed – they have since reneged on that and said, for want of a better word, that any hard surface is suitable. So, be it dirt, grass, whatever, any flat surface is suitable. So I don't know how they apply TGIs to dirt or grass, but – and that's the other question too. Are TGIs required in all instances or only high traffic areas? Because then if the bus stop is to be completely DDA compliant then one would assume that the access path – and the definition of access path are on – I'm

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saying for the path from pad to the nearest street corner should also be DDA compliant.

5 And is that required or not? At the moment we've – we're not making all footpaths DDA complaint. We're not – by way of we're not installing TGIs on all the intersections, only high use areas and is that acceptable as well?

DR TRUDZIK: And you're not clear whether it is or isn't?

10 MR CONAHAN: No.

DR TRUDZIK: In terms of achieving clarity what avenues do you think you have available to seek that clarity?

15 MR HITCHCOCK: Is that towards the standards or - - -

DR TRUDZIK: Yes. Well, on the issues that you're referring to. The number of - - -

20 MR HITCHCOCK: Seats.

DR TRUDZIK: The number of wheelchairs and disabled access, places in a shelter, those sorts of questions. Whether the footpaths need to be a visual source of arbitration on the - - -

25 MR CONAHAN: The first point of call would have been the guidelines, but they don't go far enough. And I believe David has been making a few – been making a few inquiries around the place.

30 MR HITCHCOCK: Yes. In regards to the standards and having a review, my understanding of the issues paper is that the standards were deliberately left with enough consideration in there that there weren't specific standards, so that there was room to be - of reasonable outcomes. And in that respect then at the LG what we've been doing is we are looking at interstate examples and specifications and they are  
35 all different to what the examples and the expectations of other states are, so it is quite difficult then if councils ask us, "Well, what should we be doing? How many places should we have there or how much of a set-back," it's quite difficult.

40 MR CONAHAN: And I suppose as far as people's expectations go I would say that there's a reasonable expectation to have uniformity across the board, that everyone is doing the same, so that when you go to one of these spots you know that you've got a certain standard that's met, not a different standard at every stop you go to.

45 DR TRUDZIK: So to paraphrase this, it is flexibility that is - - -

MR CONAHAN: It has clouded the issue.

DR TRUDZIK: - - - unproductive in your mind.

MR CONAHAN: Yes.

MR HITCHCOCK: And there's simply not enough direction to get conformity across the sector in that regard, because everyone has a different interpretation. I do  
5 acknowledge that you've got specific standards and if they are one mil or two mil out, so to speak, with a standard then there are some difficulties. But as Murray is saying if it was – you do need two of this or three of that and whatever configuration of that would give some conformity.

10 DR TRUDZIK: What about in the minds of the commuters or the disabled persons travelling, do you think that confusion – do they know who to go to for the issues that you're involved in?

MR CONAHAN: We have already had an issue that has been taken to HREOC in  
15 relation to a footpath, so I'd say, yes, they do. If they approach their local councillor or they are actually not – normally if they approach their local councillor they are more than likely going to get some action to rectify or hear their grievance and go as far as we can towards resolving that. The issue that we had brought to us was by a person who has now become a councillor, but before that he was a member of a  
20 community group, so they were trying to push the issue to make – to force council's hand to do certain works, which we were willing to undertake anyway had they come directly to us, but they wouldn't.

They took it to HREOC and then HREOC just referred the complaint to the council  
25 and we worked with them to resolve it anyway. So I'd say generally, yes, that they are – most people are fairly well informed and they do know the avenues available to them.

DR TRUDZIK: Okay. I think they are probably all the sort of questions for  
30 clarification that I had. Is there anything further that you would like to add?

MR CONAHAN: Only that we see these as being important issues, and we would really like to have clarification so that we can move forward and plan because at the moment - I can't speak for all other Councils, but our Council in particular, we have  
35 mapped our upgraded bus shelters, and at the moment it's looking like we can meet the first three targets but the final target, we will probably be five years late in reaching at the current funding levels. But if we were to then include all the bus stops that we haven't currently got infrastructure at, if that was to be deemed to be our responsibility, then we're in no – we're not going to even come close to  
40 complying. And that's where, I think, we'd – we'd tackle all the ones that are achievable in the short-term, and then the ones that – as they become progressively harder, are going to be very much at the end of the list.

DR TRUDZIK: Okay. Thank you for raising those issues. Now, will you be also  
45 providing a written submission on that?

MR CONAHAN: I – we discussed this before we came, and I said that I would be prepared to do that, but I would really like to have clarification on onus of

responsibility before I give that, because there would be no point in doing a written submission about something which is completely out of my jurisdiction or responsibility. But yes, I certainly will follow up with that if it's required.

5 DR TRUDZIK: Okay. Well, we've certainly noted the issue. Thank you for raising it, and thanks again.

MR CONAHAN: Thanks for the opportunity.

10 DR TRUDZIK: Now, I think next we have, and I don't have the first name, I'm sorry, but F. Husner from CARA.

MR CRABB: Wayne Crabb. I'm representing CARA as a director and I'm on CRC residents group for CARA.

15 DR TRUDZIK: Was that residents group, or reference group? I didn't get the first name. Wayne. Wayne Crabb.

MR CRABB: I've been with CARA. Mainly all the resident people think just not  
20 enough access cabs - - -

DR TRUDZIK: Not enough access cabs?

MR CRABB: - - - in South Australia. And no – after 9 o'clock you can't get a cab.  
25

DR TRUDZIK: This is after 9 o'clock at night?

MR CRABB: Yes. And they told me there's not – about buses, they think they  
30 think it safer to travel by bus. I know it would be a lot of work for the bus driver, but they told me to bring it up anyway.

DR TRUDZIK: So, Wayne, these are seatbelts in buses that - - -

35 MR CRABB: For wheelchairs.

DR TRUDZIK: For wheelchairs.

MR CRABB: So they don't move around.

40 DR TRUDZIK: Wayne, do you mainly use taxis or buses?

MR CRABB: I use both.

45 DR TRUDZIK: You use both.

MR CRABB: But I don't have much trouble, but what taxis – I catch a normal taxi – normally I catch a normal taxi. I don't get access cabs.

DR TRUDZIK: And how do you find the experience of catching a normal taxi?

MR CRABB: Pretty good. They're pretty good. Sometimes they are a little bit late, but they're usually pretty good.

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DR TRUDZIK: Okay. So the issues that I've got down here are: not enough access cabs, particularly after 9 o'clock, that they're not available; a need for seatbelts in buses for wheelchairs.

10 MR CRABB: Yes.

DR TRUDZIK: Were there any other issues that you had – you wanted to bring up?

MR CRABB: No, not really. Not really.

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DR TRUDZIK: Well, I'd like to thank you for going to the trouble of speaking to us on this issue. I very much appreciate it.

MR CRABB: I'm doing it on CARAs behalf.

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DR TRUDZIK: Thank you. Now, the next submission is from David J. Frick. Is David here? But you're eating, and we're also ahead of your time, so you should use your time. I guess we're due to commence your session at a quarter to three, so enjoy your lunch. Was there anybody else that is here, wanting to make a submission as well? This is really all – I think all that we have listed down, so - - -

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MS LEE: We keep wanting to add things but - - -

MR SCOTT: Yes, I've got another one to add.

30

DR TRUDZIK: I guess I'm caught between wanting to use everybody's time, but also, just in case somebody was going to be coming at quarter to 3 to hear what you wanted to say, David, I don't want to bounce the ball - - -

35

MR FRICK: No, they wouldn't be ..... and the Minister of Transport's office aren't that interested. They wouldn't know what it's like.

DR TRUDZIK: Yes. Look, I suspect that they would already be here if they were. But we can - while you're finishing your lunch, we might just reopen the session for Glenda and for Ray. Just if you were able to come to the microphone and just raise those additional issues.

40

MR SCOTT: It's just - Glenda will need this, but my point is that TransAdelaide are doing raised platforms at their - up to the same height as the trains as some stations, and we congratulate them on that, and we would ask them that any time they refurbish a train station that they build in a raised platform. That allows some commuters to jump on and off independently - not everybody, but it would save some work.

45

MS LEE: I noticed that Lorna - Lorna came in before, an elderly woman on a scooter, and I helped her lodge a complaint a couple of years ago about TransAdelaide again about a driver who was harassing her. And we did lodge the complaint, but Lorna got terribly stressed about it and withdrew the complaint, and so therefore her issue never got addressed because of the stress of complaining. So that's one point. And just in listening to the Local Government Association people, if they are confused, then imagine how people with disabilities are confused. You can hear the buck passing in that situation of the council saying it's the state governments, and the state government are probably going to the federal government - you know, the roads that are federal governmentally controlled, and they seem to think that people with disabilities know who to complain to.

But, I tell you what, when you've got to complain about something and people start doing that buck passing, it's a nightmare, because you think you've got the mob, you know, the people that supply the bus, and then you find out it's the council, and then the council tells you it's state government, and then the state government tells you, no, it's the council, and you're spinning in your wheelchair getting very dizzy and getting nowhere, and that is common with every DDA complaint, whether it be - say, you're going about a toilet in a shopping centre. Well, some other company maintains the toilet, somebody else built the toilet, and it can get to be a real shemozzle. So I think if government authorities are confused, then people with disabilities are going to be somewhat worse off than them, I think, especially when we get this buck passing backwards and forwards, and the buck always ends in our lap, and we still haven't got a bus or something to go on with. I think that's about all, really. Yes. Okay, thanks, for the second go.

DR TRUDZIK: Thanks, Glenda, and I think the timing is good because David - you've just about finished. Now, if you move the mike in front of you.

MR FRICK: Specifically, I'm involved in access taxis; probably the first private owner of an access taxi in Adelaide, and as I left my notes in the car - I specifically looked at where the question was asked: how has the - - -

MS DOSS: So is it question 7 on page 13: has the introduction of the transport standards helped you better?

MR FRICK: Yes.

MS DOSS: Page 13.

MR FRICK: Actually what - I've got to agree with everybody else - everybody who's - the consumers predominantly, that there has never been enough accessible cabs in this state, or in any state, and the argument that I've heard from the cab industry and through the government, and then through HREOC, was that it's claimed to be financially burdensome for taxis to be - all taxis to be wheelchair accessible, which I found to be a little bit flawed. Due to the number of consumers that we've got now and due to the number of consumers we will probably have by 2012, members of the taxi industry higher up in the Australian Taxi Association

have, in the back rooms, explained to me that one of the best things for the taxi industry would be a universal general taxi. But, then, other members of government have said to me after meetings they attended, the universal taxi ended up looking like a For transit van, which was aesthetically burdensome for the industry - financially  
5 burdensome for the industry, all that kind of thing.

I feel as though the standards being introduced in 2002 has only highlighted the need for it to go a lot faster than what it presently has. It's just opened up a can. You've given the consumers, you know, a piece of cake and told them they can have a bite  
10 today but they can't have one tomorrow. There's no point of it unless it's all accessible. We make all the buildings accessible and we make all of the venues and recreation, and everything else, accessible to a point, but then they can't get there or they can wait, as Ray has, two and a half hours for a bus.

15 And I believe half - a lot of - not a half, a lot of the reason that access hasn't taken off, the people - the general public, the people that build the buildings and build the buses and all this - why hasn't it taken off? It's because the consumer groups haven't put their case forward in a way that other minorities have in the past. And some people have called me an anarchist or a little bit more passionate towards it, but  
20 I believe in the concept of, I would suggest, Christmas week, that consumer groups and lobbyists and activists bring 100 people in wheelchairs into the city and shut down every taxi rank in the city. That might give them the point. It might show the point to the cab industry that we want access - not access cabs. We want access to life itself.

25 It's highlighted how burdensome it is for the consumer to try to get any kind of access when you get bus drivers that have, on occasion, driven straight past people that I know are waiting at bus stops, with a wheelchair accessible bus and with a smirk. I take all these things down. I've got files at home which I can't put in as yet,  
30 but waiting for the cab industry to put in. I've also heard that at this time - a recent article in The Advertiser in Adelaide stated that 94 per cent of our consumers who are members of the public that use a wheelchair can get a cab in the same timeframe that anyone else can, which may look like it on paper, but it's my opinion that these figures are somewhat corrupted.

35 It doesn't really show the truth of what happens, whereby bookings - we have cases where booking have been made and, for instance, a person will ring at 10.46 for a taxi. Now, the cab won't pick them - there won't be a cab assigned to hem, there won't be enough cabs or they're having a busy day or a short day or whatever - for  
40 whatever reason - the person is going local or not in the direction some driver wants them to go in. So at 11.30 that person will ring back again and that first booking at 10.46 will then be cancelled and a new booking will be put in at 11.30. Now, that's the first 45 minutes has just disappeared into cyberspace. The booking doesn't exist. Then at 11.30, this booking just happens to be picked up by a driver, and the driver gets there in 10 minutes, 15 minutes, and it all looks fabulous on paper, but the  
45 reality is the person waited an hour for taxi, after waiting between two and seven minutes on the phone. It just continues to be an emotional strain on the consumer. Their anxiety stress and feelings of basically - shown disregard as a part of the

public, is then transposed onto the driver, which causes the driver the same - similar kind of stress.

5 I have to agree with Ray that - all taxis being wheelchair accessible, a general purpose taxi, a very simple concept. And when the cab industry comes up and says it's financially burdensome, and manufacturers like General Motors, Ford, Mazda, they all say it's financially burdensome and, "We couldn't do it," they're telling you the truth. They couldn't build a wheelchair accessible taxi in Australia for the Australian Taxi Industry that is wheelchair accessible, because it would just cost  
10 them so much, and it would be such a price, it would be ridiculous.

But at the moment, we're working with another company to build a general purpose taxi, which is, in a sense, through the back door; the government is funding it. Within probably another two to three months, you'll have a general propose  
15 wheelchair accessible taxi, which will be of such a standard that there isn't anybody in Sydney or Melbourne that's actually building anything as good. And that will be built in Adelaide, and when it comes to the cost of such a vehicle, at present, the government, in this day, have introduced a thing they call an on-time bonus for drivers. That is, whenever a driver picks up a person within 30 minutes of the due  
20 time or within 30 minutes of a person being off the phone, they get paid \$5.50 on top, if they use a South Australian Transport Subsidy Scheme voucher. I don't know how much that equates to, but it's got to be up tot he \$60,000 a month mark, just paid to drivers for one month of doing a job that they're basically going to do anyway, because they want the money.

25 I've said to the - the other bid is that the present centralised booking service are paid a yearly fee of - rumour has it it's around 250 to \$280,000 a year to run the centralised booking service to take bookings. I don't know if anyone knows the figure? I was told 280,000. I don't know if it's true or not. I've said to certain  
30 members of the government that you could have at least one-third of the general taxi industry who would voluntarily want to gain access to a consumer base with the millions of dollars that are out there, at no extra cost, no extra cost than what they're spending at this time. And within five to six years, you would have 300 plus wheelchair accessible, general purpose cabs, no extra money, and every taxi  
35 company in the state would have a portion of these vehicles in their fleet. Bring back the responsibility onto the cab industry, where it belongs. But we're still waiting on that to go to the government. It will eventually wait until they bring down their rules, which will put in writing and find out the exact figures and all the rest of it.

40 Mine's just taxi industry. I don't know that much about buses, but I would have to agree with Ray and Glenda that we - it would be far better to have it done faster, as fast as physically possible. Bring up the timeframe, the buses have to be chucked - tossed aside. It just seems the only way of going forward. Statistical information that you receive regarding these response times with the taxi industry is responsible  
45 for - I have to call into question the validity of those statistics. If the cases that I've heard of where a client's booking can be cancelled or tossed aside in cyberspace somewhere, are those bookings within the statistics you get, or is it - or are they not?

Can we - is there some way of auditing that process? Because at the moment, I don't think we're actually getting the real facts.

5 DR TRUDZIK: For my clarification, access cabs, is there a restriction on who you are able to pick up as a passenger?

10 MR FRICK: Supposedly, yes, if written to the letter of the law, but there are so many out there that - if I drive out of here, for instance, this minute, and there's no work waiting from the access side, and somebody hails me in the street and they're dressed nicely, I'll pick them up, if I feel like it at the time. But I've really got to be in the mood for it. There are others out there that use their taxi exactly as it is designed to be. First in, closest to you, you take it. A lot of the drivers don't know how to drive a cab. They're driving minibuses. They wouldn't know the first thing about running a cab, they wouldn't know the first thing about driving a cab. They're 15 confused with their responsibilities. They've been betrayed by the present centralised booking service, and probably each and every centralised booking services run this as some kind of community service operator. They're not portrayed as business people.

20 Glenda and Ray are consumers. Everybody I know who uses a mobility device or some form of wheelchair, they're spending money the same way anyone else spends money, so they're a consumer. And this is where I argue the point in the way they're advertising the system. They advertise the system as if we are some sweet, nice, caring individual that is doing a wonderful job for the community. We're not; we're 25 capitalists. The consumers are spending millions of dollars per year, some on hospitals and all the other places like Disability SA, Julia Farr. It's millions of dollars going through the system. We're not out here creating a charity, and I think it comes down to the - in a lot of other areas, where if you keep betraying the consumer as some person that's just a charity case, they'll never evolve past being a charity case. It will always be regarded as - the Julia Farr Centre, that used to be called the 30 Home for the Incurables, and we don't want to go back down that track. Which, in turn, allows other industries, such as Sir Richard Branson's industry, allowing to just - "It's all too hard. Let's not bother." Find an excuse, find a way out. Use any law it possibly can to get out of having to transport a person, which starts with a person in a wheelchair, and the next thing it will be a person - depending upon their age, are they 35 able to push that button? Can they get themselves off the plane in an emergency?

I, myself, as I take air travel, if I have a crash, I'm going to die anyway, so there's not much point. It just seems irrelative if you're in a wheelchair or you're actually - 40 or you hit the ground, you hit the ground. What I'm trying to get to is that consumer, they spend money. The cab industry is missing out on this money. They're being led by people that they've been led for - led by for the last 20, 30 years, and it's never changed. It was stated to me in the back room of a meeting that - by some of the higher ranking people that, "We're just waiting for the government to pay for it. 45 Soon as the government pays for wheelchair access, we'll put wheelchair accessible vehicles on." And at the moment, there's a couple of states in Australia that pay a lifting fee - have you heard of this thing called a lifting fee? Lifting fees?

MS LEE: In Victoria, yes.

MR FRICK: Victoria, \$10. Ten dollars to put a person in a wheelchair in their vehicle. The amount of money that is actually - that adds up to per year. If you're  
5 only paying 15 to 25 thousand dollars for the modification, well, instead of applying it to one small group of people, you might as well get volunteers actually with general taxis, and we'll put them in a vehicle that the government can pay for the modification. A very simple system; take away the lift fee. By paying a lift fee -  
10 even though I assisted in orchestrating the \$5.50 on-time bonus in this state - it's a disaster. All it does is portray the consumer as somebody that costs more to transport, and it portrays them as - and in - cases are now that if the person is not using a voucher - which I think Glenda could confirm.

If you're not using an access voucher, you will be brow beaten, like, "Why are you  
15 not using a voucher? You must use a voucher. I must get my \$5.50." This kind of thing occurs on a daily basis. A person wants to use cash, same kind of thing. Comes down to the type of, I suppose, attitude of the drivers. Because they're a small and very exclusive little club, they fairly much have control over the consumers. They - the consumer books a cab when they're told to, they book a cab  
20 to go where they are told - they specifically are told, "You will be dropped off at this point or that point. You can't be dropped off there, or you can't be dropped off somewhere else." And there's excuses why: there's no parking or there's no loading zone.

25 And the Adelaide City Council have advised me that, "We don't care where you park. As long as you're not parked in the middle of the road and you're going to get run over, well, you can park on a yellow line, an unbroken white line, an unbroken yellow line. We don't care. As long as you're not really causing interference with the traffic, drop off anywhere, and we won't - our inspectors will leave you alone."  
30 But the company in its - not the company. The environment that we work in has allowed the drivers to become the more powerful. The consumer hasn't got - the consumer is not empowered. They are told, they are instructed.

They're in a sense, in a kind of passive aggressive way, told you'd best book your  
35 cab ahead, if you don't book your cab ahead, then you're going to be blamed for it if it's late. If you don't book your cab at night, you're going to be blamed basically because we didn't have enough cabs out. They've never got enough cabs out there. There's probably myself and one other driver that are out there on a full time basis at night and that other driver has only just begun driving an access cab in the last six  
40 months. Apart from that it was me, and I would be up until three or four in the morning, just waiting for the phone to ring.

Now, this has gone on for that many years, that it's just tired all the consumers out. They keep stressing and they keep trying to get it, which is why I bring it back to  
45 anarchy is the only way. Much the same way as they did in London about 25 years ago when they had consumers tipping themselves over in front of double-decker buses. If the bus isn't accessible and you've arranged to have one there, sit in front of the bus, blockade, shut it down, don't move, let them get you a bus there. That

will get some action for you. They did in the earlier – every minority there is out there has had protests of such a magnitude. It's the only way they get listened to and in my way of thinking, nothing has changed.

5 We have a lot of consultation and they have a lot of communication but it seems the human species really is predisposed to confrontation, and it seems to be the only way of getting action. Now, I am asking them, that they add at least another 300 cars on the road, which they had the opportunity to do about 15 to 17 years ago, but the South Australian Taxi Association head, I think his secretary at that time, told me  
10 they didn't want wheel chair accessible taxis, they want normal taxis because we can sell them at \$180,000 to \$200,000 a piece. That will go into a taxi industry research and development fund which can be used to develop the industry and make all things wise and wonderful for us.

15 The sale of those licences went on for four years, 50 per year. Until the last year when Diana Laidlaw, the Minister for Transport for the Liberal Party was in power and changed that fund from the taxi industry research and development fund to the transport industry research and development fund thus eliminating the control the taxi industry had over those funds, at which point in time the head of the taxi council  
20 then stood up and said, "We don't need any more general taxis. We need more access cabs." So that stopped the Minister for Transport from getting hold of any more money out of them, which they thought was their money. Now that money is being used, I believe, to actually operate the Taxi Council of South Australia. They had the chance then. I wrote to every member of Parliament and I tried pushing it. I  
25 pushed it for the companies to actually try to change Frank Levens who was the – in the beginning was the Minister of Transport at the time, didn't want to know, because at that stage, 50 more vehicles on the road per year equated to, I think about \$5000 a week in radio base fees that went into the companies.

30 Over a year, they made that much money. No, they weren't going to give it away. You add another 200, 200 times \$110, \$120 a week per year, the cab industry who ran the general inaccessible cabs, they weren't going to give up that. Plus control of another, God knows how many million dollars. So, we lost the opportunity. What I am putting to them now is that they use that same kind of funding to fund general  
35 taxi owners, who voluntarily want to become part of this, can do it without any added costs.

DR TRUDZIK: So, David, can I bring that back to the standards themselves, and particularly the notion you raised of the power shifting from the consumer to the  
40 driver. Have the standards contributed to that, and how could they address it if they have? What would need to change?

MR FRICK: I would be giving the consumers true power, control. At the moment, the drivers – we've got it easy. I've been telling the government this for years. It is  
45 easy. Driving an access cab is like driving a general taxi was 20 years ago. It's like printing money. It's beautiful. It's a reliable consumer base. They pay. You don't have the aggression. You don't have the yobbos. It's beautiful. They're far more civilised members of the species than the yobbo other people we have to deal with,

which is why I stick with what I do. It's a lot simpler than having to deal with those other people. Apologies to the rest of the members of the public but it is, it's a lot simpler. You know, they have a bad hair day and the whole world is ending. It's just too hard to bother, and you make more money. I think last year's gross was  
5 about \$98,000. For this State, that's pleasant. I don't know what they do in Sydney and Melbourne but over here, that's pleasant. It's a nice simple system. Giving the clients power – we haven't got enough cabs to do it. If we were in control, and at the moment you've got the factions of the access group who are so organised that they're basically taking over areas.

10

We have groups in the south, groups in the north-east and they're trying to maintain control over those areas, where they particularly hand out their mobile phone numbers and they just split it up between them. It's just little factions, all running around thinking they're running their own little world, and doing so because they  
15 think somebody else is getting a better deal than they're getting, which I can't see there's anybody getting a better deal than anybody, if they just went to work, running a general taxi, running their taxi just like any other. The consumers who try to point that out though – I had one only last night, who advised me that he was told by a driver that he wasn't going to pick him up again because he didn't use a voucher, because he couldn't get his \$5.50. To actually be able to do that, to actually stand  
20 over a person as if, you not wanting to pick them up because they haven't got a voucher, I mean, I can understand how they thought they had the right to do it.

At the moment, there's not enough cars to make them desperate enough to need that  
25 client. Is that my time?

DR TRUDZIK: No, no. But I would actually like to come at this from a slightly different direction. Given the experience that you have with the commuters, something that we have talked about today is the completeness of the experience.  
30 Now, you can control that while they are in your cab but what about before and after, are there any observations that you've made about the accessibility of getting to you, or leaving you and one example mentioned earlier today was, help into an airport for example, after leaving the cab. Have you any observations to make about the completeness of the experience outside of your cab, for your passengers.

35

MR FRICK: The airport – the airport is a bit of a disaster because cab drivers are so profoundly – indicative of being terrorists, we can't park our cars out in front of the terminal. I laugh, you know, we pull up there and a person like, I can drop off  
40 Glenda and she might have two suitcases, technically I cannot leave the vehicle and take those suitcases inside. I have on occasion dropped people off there, who have been assisted by the little concierge people or the little parking people, whoever they are, but at other times, you feel as though you're leaving a person stranded. Either you park downstairs and you go up in the lift and where you go into the parking area, or you are supposed to move your vehicle on. You cannot park your vehicle or leave  
45 it unattended out front. That's the airport itself. Everywhere else, I'm a bit more arrogant than most. I basically, as long as I'm not in front of, you know, in the middle of traffic, blocking up a bus lane, I will park where ever somebody wants me to drop them off.

As is the case with any other cab, you tell them you want to stop over there, they just pull up, you get out, that's the end of it. It take it the same way. If somebody wants me to drop them out the front of that building, if it's not a bus zone, that's all right. You just pull up and drop the person off where they like, no big deal. I have been  
5 told by clients that, "No, the driver won't drop me off there. He won't let me go to there. They tell me I would have to be dropped off here." It's taking them out of their way. I think it's just unlawful detainment and it's because the driver thinks he's got control of it. I understand the fear they might have, dropping off in a clearway, or dropping off on a certain road on King William Street, especially at the moment,  
10 or Poultney Street, but none of the police I've ever met, or parking inspectors, care two hoots where we park to drop someone off and pick them up.

They've told me implicitly, if we saw you pull up in the clearway, or pull up on the unbroken yellow line, and wander into a deli and come out with a roll, and we're not  
15 able to get your ticket there. We will get you one day. But if we see you unloading somebody in a wheelchair, or loading into a wheelchair, well, yeah, whatever. They leave you alone. They're quite polite. Does that anywhere near answer what you were asking?

20 DR TRUDZIK: I guess I'm seeking any examples that you've observed. The other part of the issues paper that is probably worth just reflecting on – I mean, there are questions 10, 11 and 12. Haven't the standards clarified your obligations as a transport operator or provider? Have you – are they sufficient, or have you had to resort to other sources to get clarity; and are you aware of other operators who aren't  
25 aware of the standards?

MR FRICK: Yes, the South Australian Government, or actually more so the inspection stations, who inspect taxis. I don't think they're actually – they're really not being made aware, or they've been instructed not to really get too involved.  
30 Something has gone amiss. As many consumers will tell you, they have cars out there with ramps that are – you know, on an extremely high degree. They have lifters out there which are a little bit antiquated, vehicles that are basically bolted together in such a way that numerous people think it's just – they're just frightening to travel in.

35 I've asked – I actually asked in writing about a few years ago to have every vehicle out there have straps in their vehicle, marked – marked with a non-erasable paint, little pen paint things – marked with the registration number of the vehicle. Because we have a few multi-owners that were able to swap – they go in – the car goes in for  
40 an inspection and they pull the straps out of another vehicle, put them in that vehicle, take it in for an inspection, and he says, "You've got all your straps, not a problem." And he goes out and goes to the next car and they swap the straps over to that one. So instead of having enough straps for each and every vehicle, they're actually – they might have two or three. They might be able to carry two people in chairs safely, but  
45 three – and then they start chopping and changing things.

I don't think the drivers are fully aware of the impact that not – you know, not only to the consumer but to themselves if they do not strap the mobility device down to

start with. You know, they don't even – they don't even try to put a seatbelt around a person, and they don't even give them the option of a seatbelt, and on impact the damage that's going to be caused, not just to the person in the wheelchair but as that wheelchair itself flies through the air. And I've explained to a numerous number of  
5 drivers, it will decapitate you in a second. At 30 kilometres an hour the driver is just – the driver has had it. But they don't care.

I've had numerous clients, and they think – the clients themselves think it's quite funny at times. They've gone, "Oh, God, we were rolling around the place. He  
10 didn't even bother putting any straps on me on the way here." I mean, that is remarkable to me. I was brought up in a family where my father was a superintendent of St John's and the family went through SAS and things, so I've seen the statistics and seen the crash photos of things like this, and the – just that small, unrestrained device. Plus, I met a little girl that was made a quadriplegic because the  
15 lap top computer came out of the lap – came out of the hatchback they were in a few years ago in country, SA.

I don't think they're made aware, and I think sometimes they just don't think. They're just not – maybe not the brightest people around, but the cab industry itself  
20 is not the cab industry it was 15, 20 years ago, hence the problems that it suffers today. So I don't think yet – no, they haven't taken – I think there's a lot of people that don't actually know what the standards are. They don't know what the gradients of ramps are, what an assisted, unassisted ramp gradient is. They don't – I don't think a lot of them would even know that the compliance of 2012 is a 1.5 metre roof  
25 height and a 1.5 metre entry level. Unaware of – unaware of things that are coming.

Even though I say that, I would suspect the – it's a bad standard. The 1.5 metre roof height is fine. They have – I have a 1.5 in mine. I have a 1.4 – 1480 mil entry level, and I suspect that's probably – it would be advisable to have a limit. You don't want  
30 a person to be sitting at 1.5 metres to actually drive through and think, "I'm fine, I'm driving in and I've got 1.5 clearance." The first pothole they hit, they're going to – it's going to go – do damage to the spine. If, on the other hand, we cut it down to sometime like a 1450 entry, 1460, 1470, something that gives you some indication that you have clearance. And I don't know what the ADRs are on clearance,  
35 headroom and all that kind of thing, but you'd want some kind of clearance.

DR TRUDZIK: For your point of view though, the standards are clear? There aren't areas of ambiguity?

40 MR FRICK: I take it – standards, as in what respect: the dimensions - - -

DR TRUDZIK: The disability standards. You know, we heard in the previous submission that that flexibility which has been part of the design – not to be too prescriptive in that situation. It was suggested that that created some ambiguity or  
45 some difference in interpretation. From your point of view, do you have examples where the standards aren't clear for you, even though you might have a view that they – there might need to be a different standard, but - - -

MR FRICK: I suppose they're not – I don't look at things as being, well, okay, that's – it says 1.4; 1.39 is okay. Or it says 4:1, so we can make it 5:1, or we can make it 3:1. I don't – I rather exceed the standard than just scrape in. I don't see the point in bending the rule. I've seen too many of them that use the cheaper way out,  
5 trying to just bend it just a little bit to get by, and all they seem to do is put everybody else's – make everybody else's job harder, including the inspection stations that have to go through all this and look at vehicles which are an abomination. To me it's not like tax law. It's quite simple. You want it accessible. You want that much – that wide, that high, at that gradient.

10 You just build it. It would have been 10 years ago, a lady called Debbie Clark told me, it's very simple, you just make the vehicle wheelchair accessible and then build everything else around it. It's true, which is exactly what I'm doing to the vehicle I've got now, which is in the engineer's shop. We just make it meet the standard,  
15 and then build everything else around it. It's not that difficult. Not that I can send people to the moon, but engineers can, so I suppose they can build this. It's only a car. No - no problems.

DR TRUDZIK: Okay. Well look, thank you, David. There weren't any other  
20 issues you wanted to raise?

MR FRICK: No, only the actual size. I don't – is there anything in the standard that says X per cent of the taxi industry must be wheelchair accessible by X time, or is it  
25 – they've actually stated down at the moment, all they're talking about is response times.

MS DOSS: I think the standard says they need to be as accessible as possible for disability as the other cabs are, yes, by the end of this - - -

30 MR FRICK: Well, the statistics you've got in here, basically - I've already said that. I don't believe they're really worth looking at.

DR TRUDZIK: Yes.

35 MR FRICK: But response times are only a small portion, very small portion of quality, experience of trip. Clients - I run a vehicle that's a lot different to anything else out in the street. Everybody who gets in my car, they can see out of every window in the car. You can see what you're doing. It's - it may not be the best vehicle in the world in my eyes. I mean, I look at - I'm changing a taxi over after  
40 two years because I think it's trash, but the consumers love it because they can see everything. That's a big portion.

I take people out from nursing homes that don't get out that often, and they can actually see what's going on. They can see round the - they can also see the meter,  
45 which is astonishing to a lot of them, because the drivers seem to have these meters stuck in places where the clients can't see them, or they have them in places where their jumbo size Hungry Jack's container covers up the meter. All the weirdest of

things. Being able to see the meter is a very important part of it. People want to know what they're being charged. Where was I? I do go off into tangents.

5 DR TRUDZIK: I think we were probably thanking you for your submission, and just making sure that there weren't any other issues relating to the standards that you haven't already mentioned.

10 MR FRICK: Only that I would prefer to see the standard increased to incorporate everything. It's not just that you're on time or not just that you will be in a few minutes of the due time, but a vehicle must be of the same standard and quality that every other taxi in the street is. Otherwise, just any cheap, leftover courier van you can buy at an auction two years after it's in Sydney and Melbourne and bring it over to Adelaide, and you're a super duper access taxi. And you rely on the fact of your exclusivity to get away with it. I want the drivers to actually be forced into a  
15 position that you must provide a standard. And I can't emphasise enough: it is a gold mine for this fleet. And another - what I'm after is something like about 300 cars, at least. Piece of cake. I'll leave you in peace.

20 DR TRUDZIK: No, thank you. Thank you, David. It's - thank you for the time, and putting those thoughts together, particularly remembering them from the notes in your car, and as I said earlier, the written submissions are still open til 24 August, so  
- - -

25 MR FRICK: I was about to ask.

DR TRUDZIK: - - - if you want to put in a written submission, you still have a couple of weeks or so. So with that, I think that brings to an end all of the planned sessions for today. So thank you for coming and your time. And we have the - in fact, the mention of the Victorian one, we - the Victorian hearings are later this week,  
30 so it will be interesting to see that issue in terms of the lifting fee, how that gets treated there.

MS LEE: Yes, it's interesting, the loading fee in Victoria, because they - it's only charged to Victorian residents. The companies state they're not supposed to charge you, but you would be amazed how they try and do it. So we get, you know, crap all the time.

40 MR FRICK: Or the 75 per cent voucher. "No, we don't do that here. You only get 50 per cent."

MS LEE: Yes, that's the other one.

45 MR FRICK: Although they will be paid the 75 per cent by our government, they will try to impose that. This is actually happening in every state. I've had five phone calls from people in Sydney and in Queensland. So - this is - at one point, one on a Friday night when I was sitting at home, I had a phone call from a lady - one of my clients in Adelaide, telling me she was - they were harassed beyond their belief from this driver that they can't - no, they're not allowed to give 75 per cent, "We only give

50 per cent.” And others in Queensland, they - so I spent time on the phone ringing up ministers and whoever our counterparts are in Sydney and that, and I just ring them and they ring the taxi company and the taxi company explains it to them what’s going on. Yes. I can go on for hours. Everybody knows.

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DR TRUDZIK: Okay. Thank you, again, everybody, and that formally concludes today’s hearing.

10 **ADJOURNED**

**[3.12 pm]**