Written Submission on the Third Review of the Disability Standards for Accessible Public Transport (2002)

QDN

QUEENSLANDERS WITH DISABILITY NETWORK
NOTHING ABOUT US WITHOUT US

Submitted To:
Department of Infrastructure, Regional
Development and Cities, Australian
Government

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About Queenslanders with Disability Network (QDN)

QDN is an organisation of, for, and with people with disability and the organisation's motto is "nothing about us without us." QDN operates a state-wide network of members who provide information, feedback and views from a consumer perspective to inform systemic policy feedback to Government and peak bodies. QDN also provides information and referral support to people with disability.

QDN has over 1500 members and supporters across Queensland who provide QDN with the perspectives of people with disability.

Value Statement on People with Disability

QDN's work in providing feedback and input into systemic policy issues is based upon the organisation's core values and the place of people with disability in an inclusive Australian society.

QDN believes that:

- All people with disability have a right to a place in the community and have contributions to make to community. This is as empowered, free citizens who are as valued, present, participating and welcomed as members of any dynamic and diverse society.
- The place of people with disability in the community is not just about people with disability having a house in the community. Core to this is that they are welcomed in the community as ordinary citizens where they are genuinely given opportunities to contribute and actively participate. People with disability need to be in communities where their individuality, their talents, and their lived experiences of disability are recognised and acknowledged.
- Culturally and historically, people with disability are not afforded the same value, opportunities or access to community life.
- Any inclusion in community for people with disability is conditional and vulnerable to withdrawal.
- Many people with disability in Queensland are excluded from the most basic experiences of ordinary lives.
- Current exclusionary practices are unacceptable and must be challenged.
- These issues affect not only people with disability but the whole community.
- The responsibility is shared. It lies within government (federal, state and local) and the community at large, to ensure that people with disability have a place and are resourced to belong in community.

- Above all, we believe in, and seek to model, a human rights approach that recognises disability as a social issue and recognises the rights of all Australians as equal citizens.

Introduction

QDN welcomes the opportunity to make a submission to the Third Review of the Disability Standards for Accessible Public Transport. QDN acknowledges there have been some improvements to access to public transport for people with disability however there is still much work to be done to ensure people with disabilities can access public transport on an equal basis with others. QDN's submission responds to the questions in the discussion paper and highlights the lived experience of our members with disability[1] who access public transport (or attempt to) in metropolitan and regional Queensland. QDN thanks members who have contributed their knowledge and lived experiences to this submission

Has your accessibility to public transport improved since the commencement of the second Transport Standards review in 2012?

QDN members had mixed feedback on accessibility improvements to public transport since the second review in 2012. Generally, in metropolitan areas people note broad improvement, however, there were some key concerns raised as detailed below.

How has your accessibility to conveyances changed? (for example, trains, buses and coaches, trams, ferries, wheelchair accessible taxis and aircraft). Can you provide examples?

"We have an awful long way to go before the vast majority of people with disability in North Queensland are able to access public transport." David, QDN member

Accessibility of fleets has increased as new, accessible conveyances have entered service and older, non-accessible conveyances have left service.

QDN shares disappointment with our members about the New Generation Rolling Stock and the retrofitting that will be required. Effective consultation before procurement would have avoided this. It is also concerning that NGR trains remain in use while they do not meet standards. QDN also expresses a number of concerns with regards to ride-share operators, and the impact upon the ongoing viability of the current market and access to wheel-chair accessible vehicles. There are few accessible vehicles that have entered the ride-share market

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[1] Names have been changed.

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and QDN is concerned about the ongoing viability of Wheelchair Accessible Taxis (WATs) in the face of rideshare competition resulting in WAT owners and drivers leaving the industry and causing critical access issues in the availability of accessible vehicles for people who have no other option for their transport.

Trains

"I used to use trains a fair bit and when I did I found it pretty good as the station master knew me and would go out of his way to accommodate me but I wonder if you had a disability where you could not build up that relationship. What would that look like for people?" Katrina, QDN member.

The accessibility of much of the rail network in Queensland depends upon staff giving passengers with disability direct assistance to board and disembark trains. This has at times resulted in error and people being left on platforms or trains. QDN was concerned when a member of staff who needed assisted boarding was left onboard a train which had finished service and was then stabled at Brisbane's Mayne Junction[2]:

"To get myself out of this situation I had to ring Translink and identify a carriage number printed near the exit of the carriage so that Queensland Rail had some way of identifying where I was. This would have been impossible if I couldn't read or see to identify the number". QDN Staff member.

On NGR trains, passengers with disability isolated from the toilet by lack of an access point have no option but to request assistance to alight and reboard via a door adjacent to the on-board toilet. Train designers must ensure that for new rollingstock any on-board toilets are connected by 'an access path that allows continuous and unhindered passage' to allocated spaces, priority seats and entrance doors.

Guards in some new trains are stationed several carriages away from the designated assisted boarding point when the train is standing at the platform. The Disability Standards for Accessible Public Transport should require that the guard or driver's workstation is adjacent to the designated assisted boarding point when trains are standing at platforms.

People who have communication needs, intellectual disability, vision impairments and physical disability particularly benefit from the guard's workstation being adjacent to the designated assisted boarding point. Identification of the passenger is quick and convenient for guards, and passengers can easily indicate to guards that assistance is required. This is

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[2] See: https://www.abc.net.au/news/2017-05-28/woman-karin-swift-wheelchair-stranded-brisbane-train-apology/8566628

particularly critical for passengers whose disability prevents them from using any of the pre-booking or on-platform communication channels.

"Quiet carriages especially Q Rail trains are still not regulated because patrons are still noisy, disobeying the signs" Martin, QDN member

QDN believes there is a risk that people who require boarding assistance may in future be required to book this request prior to travel. A clear statement is required in the DSAPT to the effect that while pre-booking boarding assistance is an option that can be offered for un-booked services it can never be a condition of service.

Ferries

QDN understands that a proportion of the existing fleet of ferries predates the DSAPT and is not easily upgraded to compliance. QDN recommends that Legacy ferries that cannot be upgraded successfully should be phased out of service as quickly as operationally possible.

Buses

"I only use buses and overall I think accessibility and the drivers' willingness to be of assistance is pretty good" – Mark, QDN member.

QDN is pleased that most fleets have reached 90-100% low floor accessible vehicles nationally. This is very welcome. Apart from this there are still shortcomings with the national fleet including:

- Navigating mobility aids through to the allocated seating space – a possible solution would be to consider mid-door entry and exit of mobility devices.
- Stability of mobility aid so that it does not tip during travel – developing a range of mobility aid restraints for use during travel that are included in DSAPT is a solution.

- Passengers with vision, cognitive, intellectual or physical disability may be unable to hail an approaching bus - The DSAPT must require that drivers are able to be informed in real time of a waiting passenger and be able to identify passengers who require assistance and who are waiting at nominated bus stops for the service.
- Identification of desired service at a bus stop or Interchange - The DSAPT should require that when multiple services pull in simultaneously or sequentially passengers can either easily identify their service or be identified by the driver of their service.

Taxis

According to QDN members perennial issues still exist with the use of taxis, including:

- Wait times – excessive wait times still exist for most WATs. Minimum Service Level Agreements (MSLs) should mirror DSAPT requirements for comparable wait times for WATS.
- Driver training and competency – members regularly report a number of issues in relation to driver training and competency, including interpersonal skills, knowledge of how to safely tie down a mobility aid to prevent injury to the passenger and knowledge of how the EFTPOS system works or most effective routes to destinations.
- Canvassing for business – due to the deregulation of the transport industry, QDN members are starting to notice drivers are canvassing for ongoing work. Many asking passengers if they travel to certain destinations every day and offering their mobile numbers so passengers can call them directly.

How has your accessibility to information (for example, maps, timetables, announcements) changed? Can you provide examples?

Apps

QDN members have given mixed feedback on the use of apps as a reliable and accessible source of information in terms of public transport. In general, while advances in mobile phone technology mean that people are accessing information quicker, some people face real barriers to their digital inclusion[3]. Not all people with disability have or can operate smartphones. Ultimately, smartphone apps, even when provided free online, place a cost on the user rather than the service provider. QDN members have given the following feedback on apps:

"I use the Translink app regularly and it was updated a little while ago and they have changed the way it works. I now find it difficult to navigate the app. I think it is worse. It's difficult to find the times of the buses sometimes." Mark, QDN member

"They should have the information available in different formats." Jennifer, QDN member

"I know of a young blind person who travels on the bus with the app and it's supposed to tell him when his stop is and he has missed it a number of times. The intention is there – they are trying to do the right thing but cannot come up with a product that actually works." James, QDN member

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[3] Social inclusion in the 21st century that ensures individuals and disadvantaged groups have access to, and skills to use, Information and Communication Technologies (ICT) and are therefore able to participate in and benefit from today's growing knowledge and information society. See more: https://digitalinclusion.nz/about/digital-inclusion-definition/

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QDN recommends that information derived from apps must be available in several other formats and that app reliability and usability needs to be improved. The expertise of people with disability should be sought and paid for in the designing and testing of apps.

Audio announcements

QDN members identified a number of issues with audio announcements, particularly for those who are deaf or who are on the autism spectrum:

"Hearing loop systems are being promoted, but they are not accessible due to lack of regulation nor technology response." Martin, QDN member

"There still unplanned or unscripted audio announcements which do not display on electronic signs nor public computer screens." Martin, QDN member

It is a current DSAPT requirement that all passengers are given the same level of access to information of their whereabouts during a public transport journey[4]. In addition to smartphone apps, operators must incorporate next stop announcement systems into the software of their conveyances. These systems must serve passengers who have vision, intellectual, cognitive and hearing impairments, and must take into account changes in journey or unplanned announcements.

How has your accessibility to infrastructure immediate to boarding a conveyance changed? (for example, any structure or facility that is used by passengers in conjunction with travelling on a public transport service). Can you provide examples?

Train Stations and Network accessibility

QDN members are concerned that the deadline for the schedule of compliance on train stations is looming, 31 December, 2022, and with over 25 percent of stations still to reach compliance nationally[5], this may not be achieved. QDN recommends that operators and providers should publish a detailed action plan on how they intend to fund and implement works that allow them to meet the Schedule for Compliance deadline in 2022 with a focus on essential features of all stations being identified and prioritised for upgrade.

Lifts

QDN members often report dissatisfaction with the inconveniences associated with regular mechanical failure and breakdowns of lifts at train stations. SMS messaging is one strategy to mitigate these inconveniences as demonstrated by Jane's story below:

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[4] DSAPT requirement for information **27.4 Access to information about location**
[5] For further information, see: https://www.abc.net.au/news/2018-08-29/the-unconscionable-state-of-australias-train-stations/10147174?pfmredir=sm

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"I catch a train to work three days a week. The train is 10 minutes away from my house. I use bike paths to travel to the station in my power chair from my house. For the most part this works well. However sometimes the lifts at my station are not working due to maintenance or mechanical failure. This is frustrating and costly as this makes me late for work as I either need to get a maxi taxi to work or travel 20 minutes in the opposite direction to get to an accessible bus stop. An SMS messaging system that alerts me and other users in the area ahead of time if the lift is not working would be a useful strategy to address this issue and would enable me to make an alternative plan to get to work" – Jane, QDN member.

Wayfinding

Passengers with vision, cognitive and intellectual disability often find wayfinding a challenge when they are on rail premises and infrastructure. QDN believes that clear, consistent wayfinding technical standards that can be referenced by DSAPT must be developed and/ or adopted including specific standards for:

- Signs
- Tactile Ground Service Indicators
- Bluetooth availability
- Audio cues
- Clear shorelines - use of landscape elements such as garden bed edges, contrasting textures and colours

Accessible toilets

QDN believes that all disability toilets located in or on rail and public transport infrastructure and premises should conform to AS1428.1-2009. If the geometry of an existing station makes this impracticable then the Equivalent Access and Unjustifiable hardship sections of DSAPT and the Premises Standards can be appealed to.

Ferry terminals

QDN members have reported issues of crowd management at ferry pontoons at peak periods making boarding a ferry difficult. Pontoon ramps (gangways) can appear unsafe and have awkward gradients depending on high or low tides. Pontoons service a variety of vessels, therefore it is important to have a variety of mechanisms to board a vessel. There also needs to be clarity in the DSAPT regarding requirements for gangplanks and levelling pontoons.

Bus stops, stations and interchanges

QDN members have identified a number of usability issues with bus stops, stations and interchanges both from a metropolitan and regional perspective:

"We are not only having issues around the fact that we still have a considerable proportion of our fleet not yet wheelchair accessible but the majority of our bus stops themselves are not wheelchair accessible. So, no matter what you did to the buses, you would not be able to load and unload a person in a wheelchair at the bus stop." David, NQ QDN member

QDN members highlight the following suggested strategies:

- An audit done at a local government level of all bus stops to assess their accessibility and usability and the actions required to make them accessible. This should be done in consultation with local people with disability and include budgets and timelines for making bus stops accessible. Where this is not possible due to topography, action plans are required to determine solutions and alternative public or community transport options.
- Customer liaison officers to be present at bus stops and interchanges during peak periods to be of assistance to people with disability
- Identification of desired bus board point – the DSAPT should have specific requirements of a diversity of identification methods to accommodate people with differing meeds

Taxi ranks and loading zones

DSAPT requires taxi ranks and loading zones to be accessible but does not have technical information around this. QDN believes a national standard is needed on this for the safety of people with disability.

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

Information formats

All service related information must be provided in multiple formats to meet the needs of people with disability. QDN believes this should be a requirement in the DSAPT. Targeted strategies need to be developed on providing information in the following formats:

- Easy read[6]: information that is clear and easy to read and understand that is developed to support people with intellectual disability better understand written information
- Online
- Mobile (including SMS messaging)
- Telephone
- Hard copy
- Radio

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[6] See here guidance for making easy read documents: https://www.odi.govt.nz/guidance-and-resources/a-guide-to-making-easy-read-information/

- WCAG 2.0 issues: WCAG AA 2.0 does not fully cover apps developed for smartphones, nor does it require captions for languages other than English for audio visual information, nor does it require Auslan interpretation for audio visual information, nor does it require audio description of audio visual information, nor does it fully incorporate the needs of passengers with intellectual disability

Ticketing

The move towards electronic and digital fare payment systems are narrowing the options for people not able to use either payment method. There is sometimes a discrepancy in journey price with hardcopy tickets costing more for the same journey than electronic or digital tickets. QDN believes multiple fare payment options should be available for people of varying abilities. There should be no price discrepancy between the fare price of paper tickets and electronic and digital fares for the same journey.

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

Digital inclusion and accessible information provision

The DSAPT was first developed in the mid 90s, prior to the advances in digital technology we experience today. It is essential that the DSAPT include benchmarks for digital accessibility and inclusion so that all people with disability can have equitable access to digitally-based information on public transport. For example, text based alternatives should be made available for people whose software is not compatible with Google maps. DSAPT should require accessibility information on bus stops, train stations and ferry terminals to be displayed on generic apps like Google maps.

Furthermore, all information should be made available in accessible formats. Currently this is limited to general information, but the scope should be widened to include all information.

Rideshare services

Rideshare services are not currently covered in the DSAPT. Aside from the current accessibility issues which preclude most people with disability benchmarks reflective of the taxi industry need to be included for service, safety, amenity, and driver training need to be included. Alternative payment mechanisms and the incorporation of current government subsidies such as the TSS also need to be sought.

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Other areas needing to be included in the DSAPT

QDN members have provided feedback that the following areas need to be included in the DSAPT:

- Driverless vehicles – specifications needed around buses and trains (monorails)
- Toilets – the inclusion of changing places toilets[7] in major transport centres, ceasing the locking of accessible public toilets, regulation around installing emergency/ assistance call buttons, providing assistance dog toileting areas
- Transfer of fare concessions between states – this would also align with the portability of funding of the National Disability Insurance Scheme (NDIS)

Have new ways of providing public transport, such as ride sharing or on-demand bus services affected your ability to access services?

Ride sharing

"Ride sharing is an absolutely unregulated system of public transport resulting in a lack of awareness and skills. Drivers should be trained to communicate with different people." Melanie, QDN member

QDN members have given much feedback about ride share services. In summary, the following issues need further exploration with clear guidelines included in the DSAPT:

- The DSAPT must include standards around Ride share vehicle accessibility and vehicle safety
- The proportion of WAT's in the Ride share fleet must be equal to the proportion of WATs in the taxi fleet (currently around 20%[8])
- Ride share drivers must have screening equivalent of WAT drivers due to the vulnerability of people with disability
- Disability awareness training ran by people with disability should be mandatory for all ride share drivers
- Ride share services must have a clear and transparent complaints system
- To be fully accessible, payments must be able to be mad by more mechanisms than electronic systems or credit cards

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[7] For more information see: http://www.changing-places.org/the_campaign/what_are_changing_places_toilets_.aspx

[8] For further information see "The Future of Queensland's Personalised Transport Industry: a Green Paper for consultation": http://apo.org.au/system/files/65826/apo-nid65826-72306.pdf

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- To be fully accessible, bookings for ride share vehicles must be able to be made by more mechanisms than smartphone apps
- Taxi Subsidy Schemes (TSS) must be extended to ride share services

Community Transport

Community transport is available to help people who have a disability travel for shopping and social activities and medical appointments. Free or low-cost transport is available for eligible people in some locations: The Community Care program provides transport services for people who have a disability or condition which restricts their ability to access shops, day centres or appointments. Councils often provide low-fare shared taxi services from home to shopping centres, and Community centres also run localised transport services in some areas.

This is a vital service for people who currently get no or very little other formal supports. With the full roll out of the NDIS imminent, ongoing viability of this service is in jeopardy. There will need to be an ongoing commitment for subsidised transport assistance for people with disability who are not eligible for the NDIS. QDN recommends the TSS and other taxi subsidy systems be extended to Community Transport programs to ensure the ongoing subsidisation and viability of this essential transport service.

Do you find that the current processes with regard to making a complaint or seeking information are sufficient or sufficiently responsive?

Transparent and responsive complaints management systems

QDN members reported difficulties with lodging complaints or registering issues with public transport. Some members suggested there needs to be guidelines of reporting complaints or incidences in DSAPT, QDN also received feedback that complaints processes can be about resolving the complaint rather than the problem and systems make it difficult to make a meaningful complaint.

Seeking information

As discussed earlier, over-reliance on websites as a provider of information, whether well designed or not, places people with limited or no access to the internet at a disadvantage. A full suite of information formats should be available, including: access to call centres, hard copy information for distribution from public places, and SMS bulletins.

As a body representing the views of people with disability, do you have any specific responses or perspectives with regard to the issues raised in the questions above?

Consultation BEFORE procurement

"People who are going to provide new services need to actually consult with people with disability in a meaningful way to project completion. Make sure what they are doing will actually work. We don't want another NGR!" James, QDN member

QDN has repeatedly pointed to the value of people with disability being consulted from the beginning of the design and construction of projects. All parties have experienced the ramifications of when this does not happen in terms of inaccessibility of services, costly retrofit, project delay, the potential to not meet Standards and for costly and drawn out litigation that may follow, and the risk of injury or trauma to individuals. QDN believes clear guidelines on consumer consultation should be a requirement in the DSAPT to build a more engaging and consulting culture within government and the private sector. This could be included as a regulation to ensure engagement with people with disability is part of the planning, design, delivery and evaluation of infrastructure, policy and services. There is a plethora of lived experience and technical knowledge within the disability community that wants to be engaged in effective co-design processes.

Disability Awareness Training

Many QDN members were complimentary about the courteousness of the many staff they come into contact with in accessing public transport, However, the need for some clear, consistent, disability-lead training on awareness and skill development for staff cannot be underestimated. QDN believes that the requirements for such training should sit within DSAPT and this training should be co-designed and delivered by people with disability.

Regulatory body or advocate

QDN supports the call for a well-resourced and effective regulatory authority to monitor public transport and ensure compliance to access standards. This must have clear terms of reference and consequences for breaches or non-compliance. People with disability needing assistance with an individual or systemic issue concerning public transport need access to effective, independent advocacy to support their efforts to seek redress and affect change.

What other issues you would like to see addressed?

A human rights approach

Accessible public transport for people with disability is a human right enshrined in various UN treaties and protocols to which Australia Is a party, at legislative levels (local, state and federal governments) and policies, action plans and position statements at government, Disabled Persons Organisation (DPO) and Civil Society Organisation (CSO) levels. Governments are legislated to provide the funds required to ensure the Schedule for Compliance is met and must do this urgently. Failure to do this creates breaches and non-conformities that DPOs and CSOs can report to the various review mechanisms that exist at an international human rights level. Governments can be called to account as to why they have not met their obligations and are at risk of litigation for having non-compliant public transport conveyances in service.

QDN calls for the QDN-developed principles of rights, choice, inclusion and control to be enshrined in the DSAPT:

- **Rights:** People with disability have the same right to use public transport as the rest of the community and are encouraged and supported to exercise those rights.
- **Control:** Where people require transport as a component of the services and supports they receive, they have a right to choose the transport provider that works best for them and for this decision be free from conflict of interest regarding other services and supports they receive.
- **Choice:** People with disability can choose from a range of safe, accessible and affordable public and community transport options that best suit their needs, convenience and circumstances.
- **Inclusion:** Safe, accessible and affordable public transport provides pathways to independence and enables social and economic participation.

Other issues

QDN members have identified the following other issues that currently sit outside DSAPT that need urgent attention:

- Ensuring seamless transition from one public transport type to another, for example, co-located transport modes with integrated timetables journeys and routes that complement each other – QDN members have reported repeated frustrations about missing connecting services due to inaccessible infrastructure, broken-down lifts and lack of staff assistance
- Fare structures that focus on whole journeys with multiple no-disadvantage payment options
- Including the premises and infrastructure of public transport within the scope of DSAPT

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- Including information on the accessibility of pathways and bus stops in accessibility maps and other apps