



Creating
an inclusive
community
together

Australia's Disability Strategy Advisory Council

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Chair

Australia's Disability Strategy Advisory Council

The Australia's Disability Strategy Advisory Council wishes to make a public submission to the 2022 Review of the Disability Standards for Accessible Public Transport (the Transport Standards) recommending that accessible air travel is an area requiring greater focus by government, regulators and service providers. We also want to recommend that the Australian Government consider legislative change to enhance the effectiveness of regulatory arrangements supporting the operation of the Transport Standards, including public reporting on compliance and enforcement mechanisms.

Australia's Disability Strategy 2021-2031

Australia's Disability Strategy 2021-2031 (the Strategy) is Australia's 10-year national disability policy framework and plays an important role to protect, promote and realise the rights of people with disability. The vision of the Strategy is for an inclusive Australian society that ensures people with disability can fulfil their potential, as equal members of the community. The Strategy has been committed to by all levels of government; Australian, state and territory, and local governments.

The Strategy includes seven Outcome Areas which people with disability have said are important to them and need to be improved to achieve an inclusive Australian society. These Outcome Areas set out where governments at all levels will focus on delivering the needed changes to improve outcomes for people with disability.

The Strategy also includes eight Guiding Principles for policy and program development that are based on and reflect the human rights principles of the United Nations Convention on the Rights of Persons with Disabilities (UN CRPD). Under the Strategy, governments have agreed to use these Guiding Principles when developing policies, programs, services and systems.

Role of the ADS Advisory Council

As part of the Strategy's Governance Model and Engagement Plan, Australia's Disability Strategy Advisory Council (the Council) was established to provide independent advice to Disability Ministers and Australian, state, territory and local governments on the main elements of the Strategy. The Council, along with other engagement approaches under the Strategy ensures people with disability have an active role and shape the implementation, monitoring, and evaluation of the Strategy.

Review of the Transport Standards

In undertaking the Review, the following relevant Outcome Areas and Policy Priorities in the Strategy should be considered:

- Inclusive Homes and Communities Outcome Area, which supports people with disability to live in inclusive, accessible and well-designed homes and communities
 - Policy Priority 5 – Transport systems are accessible for the whole community.
- Safety, Rights and Justice Outcome Area, which supports the rights of people with disability being promoted, upheld and protected, and people with disability feel safe and enjoy equality before the law
 - Policy Priority 1 – People with disability are safe and feel safe from violence, abuse, neglect and exploitation
 - Policy Priority 4 – The rights of people with disability are promoted, upheld and protected

The Review should also ensure that any actions are implemented with an intersectional and diversity lens, including tailored approaches designed to enable and include people and groups who face intersectional barriers. Actions should also consider how to meet the needs of people in rural and remote locations. This will support a focus on the most vulnerable people with disability and complement broader government efforts, including through the National Agreement on Closing the Gap.

In identifying areas of reform to the Transport Standards, the Council recommends the Review have particular regard to the transport related issues raised in hearings and workshops held by the Royal Commission into Violence, Abuse, Neglect and Exploitation of People with Disability (Disability Royal Commission). Evidence provided to the Disability Royal Commission includes:

- the right for people with disability to access public transport
- inaccessible transport providing barriers to attending employment/education

- people with disability experiencing violence, abuse, neglect and exploitation on public transport.

The Council notes the following as issues requiring particular attention:

1. Make air travel a priority focus

The disability community continue to report barriers and discrimination in relation to air travel. The Council discussed these concerns in details at a special meeting held on 22 June 2023.

As part of this discussion, the Council noted in November 2022, the Disability Royal Commission Community Engagement team held [focus workshops](#) (link) with people with disability on how they have been impacted by domestic air travel industry systems, procedures and infrastructure. Over 60 people participated and raised a range of issues and provided recommendations for a more inclusive travel experience for people with disability.

The Council is aware Infrastructure and Transport Ministers have already confirmed a first tranche of 16 reform areas on 11 February 2022 (including reforms to improve staff training to better meet the needs of people with disability, which will cover airport and airlines staff). We understand Infrastructure and Transport Ministers will confirm proposed Stage 2 reforms later in 2023.

Council recommends that the Review of the Transport Standards carefully review all of the air travel issues raised through the Disability Royal Commission and identify where further amendments can make air travel safer and more accessible for passengers with a disability. This process should take care not to overlook the interests of passengers with a disability residing in remote and rural Australia who utilise small aircrafts and airports.

Council also recommends that the Australian Government establish new disability-specific governance arrangements to coordinate work under the 2022 Review of the Transport Standards with other reform including the development of the Aviation White Paper, the re-launch of the Aviation Access Forum and the Department of Home Affairs' management of airport security screening. Doing so will help ensure that all reform is working harmoniously toward the vision and goals of the Strategy.

2. Enhance the regulatory regime supporting the Transport Standards

At its 22 June 2023 meeting, Council also discussed more fundamental concerns among our members and the broader disabled community about the effectiveness of the regulatory regime supporting the operation of the Transport Standards.

A key issue discussed was the lack of reporting requirements or public information on the level of compliance with existing duties under the Transport Standards. Reform with regard to the Transport Standards would be highly valued by the disabled community. Under the Strategy, governments are committed to collecting and sharing relevant data to support effective monitoring and reporting of outcomes for people with disability in order to drive change.

Council is supported by a small research team and further analysis of effective regulatory design will be undertaken in the coming months. This will inform further a submission to the Minister for Transport and the Disability Reform Ministerial Council.

Inclusive and accessible consultation

Council notes that the Department of Infrastructure, Transport, Regional Development, Communications and the Arts has worked hard to ensure that this consultation process is inclusive and accessible. We commend its publication of materials in easy read and Auslan.

Required information

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Confirmation whether or not your submission can be made public: Yes