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Mr David Mason
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Dear Mr Mason

The Disability Services Commission welcomes the opportunity to comment on the application for temporary exemption to the requirement that response times for wheelchair accessible taxis (WATs) should be the same as for non-wheelchair accessible taxis, by the Queensland and Western Australian Taxi Councils.

The Commission recommends strongly that the Human Rights and Equal Opportunity Commission (HREOC) refuses this application.

An exemption would effectively leave people with a disability who often have no other means of accessing public transport with an unreliable, inequitable, second-class service. It would also deter the taxi industry from making much-needed improvements to an already compromised service.

Failure to provide an efficient and equitable service has already had a significant detrimental impact on the lives of many Western Australians with a disability. The Disability Services Commission has been inundated with complaints about the lack of reliable services from people with a disability, their families and carers, and is extremely concerned that any exemption would mean that efforts to resolve ongoing problems would be sidelined for another five years.

The information that follows relates specifically to the Western Australian situation but may also be applicable to Queensland. Please note that in Western Australia, WATs are also known as multi-purpose taxis.

It is the Disability Services Commission's view that the application does not provide any evidence to demonstrate actions taken to comply with the Disability Standards for Accessible Public Transport (DSAPT).

The applicants have not advised:

- why immediate compliance with the Disability Discrimination Act (DDA) is not possible;
- of any consultations with people with a disability, their families, carers or representative organisations;
- of any measures planned or implemented to achieve compliance; nor
- measures proposed to minimise any hardship occurring to people with a disability and their families, carers and representative organisations.

The Commission understands that the applicants argue that radio networks and co-operatives do not have the ability to ensure compliance of response times of WATs nor compel drivers to accept specific work from wheelchair users. It is the Commission's view that if this is the key challenge facing the taxi industry, then steps must be taken to address this situation, rather than allow an unacceptable situation to continue.

The Commission understands from the Department of Planning and Infrastructure that there are sufficient WATs in the Perth metropolitan area to meet current demand. It also understands that there is little or no communication between the two WAT companies to ensure that the closest available WAT is given the job.

As a result, many vulnerable people with disabilities have been left in situations where they are concerned for their safety. Even pre-booking a taxi months in advance has provided no guarantee that a WAT will be available to people to get to and from their appointments/functions/gatherings.

The Commission believes that arrangements must be made to ensure that WATs attend to the jobs requested by wheelchair users as an absolute priority.

These vehicles have been put into service to meet a specific need and should not be used for any other work while there are people who use wheelchairs waiting for a taxi. It is obvious that the current system is not working — and has not worked for at least the past decade — and changes must be made quickly to ensure compliance with the DSAPT.

The HREOC *Report of Wheelchair Accessible Taxi Inquiry*, March 2002, advises among other things that the DSAPT, including the requirement for same response times for WATs, was approved in principle by all Transport Ministers prior to 1997.

Given that there are around 100 WATs in the Perth metropolitan area, the question has to be asked — how hard is it to coordinate 100 WATs? The industry has had more than 10 years to improve response times but has failed to do so. It would be totally unacceptable to allow this WAT service to continue for another five years without ensuring accountability and significant progress within a short timeframe.

In contrast, over a similar period of time, the State Government of Western Australian has made significant inroads to the overall accessibility of many hundreds of buses, trains and ferries and their related infrastructure. These public transport options also run on time all year round.

In an effort to address on-going difficulties, the Western Australian State Government has provided many concessions to ensure that the provision of a WAT service is financially viable for drivers and operators.

In 2007, an \$8 million, four year funding package to improve service provision included:

- doubling from \$5 to \$10 the lifting-fee subsidy to multi-purpose taxi (MPT) operators for Taxi User Subsidy Scheme wheelchair jobs allocated by taxi dispatch services;
- a 40 per cent increase to \$7 for Taxi User Subsidy Scheme wheelchair jobs under private arrangements;
- increasing the existing Vehicle Modification Grant from \$8,500 to \$15,000 to help meet the cost of modifying a vehicle to be wheelchair accessible;
- offering a new \$700 Vehicle Equipment Grant to pay for installation of an additional taxi meter which could be read by passengers in wheelchairs;
- introducing a six-month, 50 per cent discount lease period for new entrants (worth \$1,300 per lease);
- continuing the existing Cadetship Scheme, which provides new MPT drivers with up to \$1,500 for training and other industry entry costs; and
- establishing a mentoring program to offer support from experienced MPT operators to new entrants.

Given these considerable government concessions, the Commission would support the establishment of a working group of key stakeholders to oversee the development and implementation of a time-lined action plan to achieve compliance with the DSAPT as soon as possible. This should be a publicly available plan allowing WAT users to see the changes planned for their service.

With regard to regional areas, the Commission also believes that:

- incentives available in the metropolitan area should also be available in regional areas;
- a WAT should be available wherever a taxi service is provided; and
- the first taxi working in any new areas should be a WAT.

The HREOC *Report of Wheelchair Accessible Taxi Inquiry*, March 2002, also specifically encourages the taxi industry to consider the use of an Action Plan and plan for compliance with the DSAPT, in consultation with consumers. It is regrettable that no such plan was developed and that wheelchair users continue to face discrimination.

I look forward to the outcome of your deliberations and trust that any recommendations will provide a pathway to rectify this poor service provision.

Yours sincerely



Dr Ron Chalmers
DIRECTOR GENERAL
DISABILITY SERVICES COMMISSION

4 February 2008