**Stand Up For Your Rights: Access to Public Transport**

**A guide to Standing up for your rights.**

## About this guide

In this advocacy guide you will find information on what you can do when you encounter barriers to participating in the community due to your blindness or low vision generally and in particular barriers to accessing public transport.

You will find information on communication strategies, and skills you can use, to develop an organised approach to addressing barriers you encounter in your life due to your blindness or low vision (including barriers to accessing public transport). The information provided will include an overview of State and Federal disability discrimination legislation that protects your rights to participation in all aspects of community life, who you can approach for assistance and the most effective ways to go about it.

In particular, this guide covers information on:

* What is advocacy?;
* Important advocacy skills to develop;
* Your rights and relevant laws, conventions or policies; and
* Strategies and practical steps for addressing barriers in accessing public transport.

## What is advocacy?

Advocacy is a way of promoting, protecting, and ensuring full and equal enjoyment of all human rights which enables you to participate in any area of life you choose. You may at times experience a barrier to your full participation in everyday life and seek to address this barrier. The action you take to address the barrier is known as advocacy.

**Advocacy skills**

### Disclosing your vision impairment

If you experience a barrier to accessing public transport or other aspects of community life, you may need to disclose that you are blind or have low vision. You will be more effective in self-advocating to overcome access barriers if you are knowledgeable about your level of vision impairment and you can clearly communicate your needs, and the benefits of meeting your needs (such as a company retaining you as a customer, protecting its reputation, and avoiding complaints of discrimination). It is not necessary to disclose detailed medical or personal information about your vision impairment. However, in some instances, it may be of assistance to explain how particular aspects of using public transport are problematic. For example, if you have low vision and you find the information screens are mounted too high for you to see, explaining that you have low vision may assist others to understand your difficulties. Similarly if you are unable to read any information screens and rely on audio announcements which you are finding are inaudible or unclear, explaining that you are totally blind emphasises that audio announcements are crucial elements of knowing the destination of a train.

### Communication

Given the standards and policy surrounding access to public transport (explained further below), transport providers should be well on their way to achieving full accessibility. However, many aspects of using public transport are still problematic for people who are blind or have low vision. Therefore, in reality you may still find access barriers when using transport and completing a journey. While you may be contacting a government department of transport, or transport provider about services that are not accessible, be mindful that the individual with whom you speak may not necessarily be aware of or responsible for the access barriers you have experienced. Therefore, it is best not to begin your advocacy by communicating in an accusatory way but rather start from the position that they may be unaware of the barriers.

To be an effective self-advocate, it helps to be able to communicate clearly and confidently, be proactive and assertive, while also being polite, respectful and patient. It is likely that you will have to discuss your matter with someone more than once to have it addressed, so when you first raise an issue, using positive language, like ‘inclusion’, ‘participation’ and ‘access’, may help to open up the lines of communication at this early stage, compared to using language like ‘discrimination’, ‘disadvantage’, and ‘exclusion’, even when it’s these circumstances you are trying to address. If you are becoming frustrated with a situation, be mindful not to come across too aggressively; staying calm and focused is more likely to get you a considered hearing and keep the lines of communication open.

**Proposing Solutions**

You are the expert in your own vision condition and the changes which you think need to be made for public transport to be accessible to you. You should feel free to suggest the solution. If it is a solution which either does not meet the various standards or guidelines or may not necessarily meet the needs of all people who are blind or have low vision, or others with disabilities, it is up to the transport authority or provider to find the best solution for all. An example of this may be that a smart phone app is what you consider to be a good solution for informing you of the destination of approaching trains or busses, but there is currently a fairly low number of people who are blind or have low vision able to access this technology and so for them, audio announcements which are clear and audible would be the better solution. It is the transport authority or provider who has the responsibility to ensure that they address the needs of all travellers.

### Tenacity and resilience

You can’t put the same amount of energy into every accessibility issue, so picking your battles and thinking about what efforts are needed is important to ensure you have the resources, resilience, and patience to commit to the effort, and consider how much it impacts your life. While some barriers you are attempting to address may be an easy fix, others may be a long-haul, and you may need to take a slow and steady approach in the energy you devote to them.

### Be prepared and keep notes

Good preparation is an essential element in assisting you to be assertive and feel more confident in asking for what you need. Keep notes, including dates and times of conversations, people spoken to / communicated with and results and agreements made in conversations. This is important should you wish to escalate the matter to senior personnel or lodge a formal complaint in the future.

## Know your rights

The United Nations Convention on the Rights of Persons with Disabilities recognises the rights of all people with disabilities to live independently, inclusively and with dignity in the community. You may at times find yourself in a situation where your rights as a person who is blind or has low vision are compromised. It is important to know your rights so that you have an idea of what is possible, what is reasonable to expect and how your needs may be met. Knowing the laws, policies and practices that are in place to protect your rights will ensure you can speak up for yourself. These may include:

* The Disability Discrimination Act 1992 (Cth) and State disability discrimination laws;
* Accessibility standards and guidelines; and
* Organisational policies and procedures that aim to address the needs of people with disabilities and other specific community groups.

The following sections of this guide provide details of the relevant laws, standards, and policies that apply specifically to public transport.

## Public Transport Accessibility

### The United Nations Convention on the Rights of Persons with Disabilities

Article 9 of the United Nations Convention on the Rights of Persons with Disabilities (UNCRPD) recognises equal access to transport as necessary to enable equal participation in all aspects of community life by people with disabilities. Australia has ratified the Convention, and policies and practices should be implemented having regard to these obligations under the Convention.

### The Disability Discrimination Act 1992

The Disability Discrimination Act 1992 (the DDA) is Commonwealth law which makes it unlawful to discriminate against a person with a disability.

The DDA defines two types of discrimination against a person with a disability: direct and indirect. Direct discrimination occurs when a person is ‘treated less favourably than a person without a disability’ (section 5), or when there is a failure to make reasonable adjustments. An example of direct discrimination in public transport may be the refusal to carry a person accompanied by a Seeing Eye dog in a taxi. Disability discrimination can also occur indirectly (section 6) such as when a requirement is imposed which a person cannot meet because of their disability. An example of this may be the completion of hard copy print application forms such as applications for transport concessions including the Taxi Subsidy Scheme, which while required to be completed by all people applying for the concession, particularly disadvantages people who are blind or have low vision who are unable to complete them. There may also be indirect discrimination if a person with disability could meet the requirement if reasonable adjustments were made, and those adjustments are not made.

## Standards under the Disability Discrimination Act

The DDA allows for the development of Standards in specific areas, such as transport, education, and access to premises. The Standards provide certainty for organisations in meeting their obligations under the DDA in relation to the specific areas covered by the Standards. The Standards also serve as a guide for people with disabilities about what they should reasonably expect in the areas covered by the standard.

### The Disability Standards for Accessible Public Transport

The Disability Standards for Accessible Public Transport under the DDA, or The Transport Standard, covers taxis, rail, bus, ferry and air services.

All state transport authorities have obligations to progressively make the transport they operate or regulate accessible to people with disabilities in a way which provides equal access for a whole journey. In addition, local governments may also have a role in ensuring that the footpaths, bus stops and taxi ranks are designed to meet the needs of people with disabilities as part of a continuous transport journey.

### The ‘Disability (Access to Premises — Buildings) Standards’

The ‘Disability (Access to Premises — Buildings) Standards’ under the DDA (The Access to Premises Standards) set out minimum standards for access to buildings including railway buildings which amongst other things, includes accessible lifts and toilets (incorporating Braille and tactile bold print signage) as well as Tactile Ground Surface Indicators (TGSIs) at stairs and platform edges.

### Disability Action Plans

Most states of Australia have also developed ‘Disability Action Plans’ to set out a time table of how they will make transport services accessible and compliant with the Transport Standard, and many states have ways to consult with the disability community on best practices to meet their needs. Vision Australia and other blindness sector organisations are represented on many of these consultative bodies. We have provided a list of some of these bodies under “Related Resources” at the end of this guide.

### What Can You Reasonably Expect On a Transport Journey?

It is reasonable to expect that you can access public transport with the same ease and dignity as those without a disability.

Under the Transport Standards, the Access to Premises Standards and the various states’ Disability Action Plans, there are a number of elements to an accessible transport journey you could reasonably expect as a person who is blind or has low vision. Some of these elements include:

* Access to information to plan your journey such as through telephone information services, web sites friendly to screen reading software, and customer service assistance;
* Easy and stress free movement between transport modes – such as Tactile Ground Surface Indicators to warn of hazards – including indication of stairs and platform edges;
* Identification of the destination of transport – through audio information services;
* Information about your current location along a journey – through on board announcements; and
* The right to be accompanied by your Seeing Eye Dog.

### Access with your Seeing Eye Dog

Under The DDA and the various state laws covering discrimination, it is unlawful to deny you access with a Seeing Eye dog. In addition, in some states the taxi regulating body takes particular interest in instances of taxi drivers refusing to take passengers using a Seeing Eye dog. For more detail about access with your Seeing Eye dog you can refer to Vision Australia’s guide entitled ‘Stand Up for Your Rights: Travelling with a Seeing Eye Dog’.

## What can you do when you encounter a barrier to accessing Public Transport?

Whether it is another passenger blocking stairs or walkways at your local railway station or a system wide problem with lack of audio announcements on busses, the following steps should assist you to advocate for improvements.

In summary the elements in addressing barriers in using public transport are:

* Contact the closest representative of the transport provider – such as the station manager, local bus depot, or taxi company;
* Express and clarify the Barrier as it relates to your blindness or low vision and possible solutions you may think about;
* Contact the transport complaints and feedback line in your state;
* Seek support from Vision Australia’s Advocacy team who can give you some advice or connect you to the body responsible for accessible public transport in your state.

These steps are further explained below. It is important to remember that there is no right or wrong order for these steps and in many instances they may not all apply.

### Identify and Clarify the Nature of the Barrier

If you are having difficulty accessing public transport due to one or more barriers, it is very useful to identify that there is actually a barrier. That is, clarify that there is not something you have missed which will provide the access you need. For example, if you are having difficulty navigating your way into a building, you may have missed that directional TGSIs are available to guide you.

To assist you to clarify whether this is a difficulty experienced by others and whether there is a simple solution, you may like to contact a Vision Australia Orientation and Mobility Specialist by calling 1300 847 466. They may be able to assist you to identify what is causing your difficulty and help you to articulate the issue to the transport provider or organisation concerned.

### Contact the provider

If you find barriers when attempting to access any element of public transport, it is helpful to be clear about details such as:

* Where and when you were trying to travel (including to and from);
* What happened or what the barrier was;
* How it has impacted you as someone who is blind or has low vision, and
* What could be changed to afford you more equal access.

Start by contacting the transport provider, government transport authority or local government directly. It is useful to try to find out who would be the best person to receive your feedback. Some organisations will take your feedback over the phone; and some have a link on their website home page entitled ‘Complaints’ or ‘Feedback’. This link may take you to a web form or email that you must complete and submit online.

Some organisations have their address, phone, and other contact information on the front page of their website. However many organisations provide contact information via a link, usually labelled “Contact Us”.

Some organisations can only be contacted via a web form which is usually provided on the “Contact Us” page. If you can, save the page containing your enquiry or complaint and note the time and date you submitted it. We have provided some key phone numbers for each state and territory to assist you with making initial contact. These can be found under “Related Resources”.

### Key information

Information that we advise you to include in your communications to an organisation is as follows:

* Subject. In your email or letter the subject line should identify your correspondence as relating to access for people with disabilities.
* Disclosure. An explanation about the relevant aspects of your vision impairment and how you access elements of public transport or a transport journey. For example you establish train destinations by listening to announcements or reading print screens up close.
* Your status as a customer. For example you use the bus route on a daily basis.
* How the inaccessibility has impacted on you, such as that you are unable to identify the next train on a platform because the colour contrast has been changed on the screens; or you are unable to feel confident about where the bus is because there are no announcements.
* Arguments supporting the need to rectify the elements of inaccessibility you experienced. For example, it is a requirement of the Disability Standards for Accessible Public Transport; it is good customer service which will benefit customers beyond just those who are blind or have low vision; or why it makes good business sense to address these issues – for instance, you have been a loyal customer of this airline for many years and the organisation should be enabling you to travel with the same convenience and dignity as the rest of the community.
* A request for action, for instance, an indication of when the organisation will remove the barrier to accessibility;
* A time frame for the organisation to get back to you in order for you to consider your next steps.

A sample letter is provided at the end of this document which incorporates many of these elements. You can use this letter as a guide as to how you might go about writing your own letter or email.

**Making a complaint**

If you have approached a government department or representative directly and have received a poor response or no response at all, you may wish to consider lodging a complaint. You can do this in a number of ways; either by accessing the transport provider’s internal complaints procedures, approaching the relevant government transport authority, contacting the local council (in the case of such things as bus stops), or contacting the Australian Human Rights commission (AHRC) or any of the state-based anti-discrimination commissions and boards in respect of alleged discrimination. There is no requirement to exhaust an organisation’s internal complaints procedures before approaching the AHRC or other commissions or boards. These complaints handling services are free, and a person does not need a lawyer to make a complaint. A complaint can be in English or another language. A translator/interpreter can be provided if required. Information about this process can be obtained by contacting Vision Australia’s Advocacy team or the AHRC.

You might also consider contacting your state or territory transport authority’s team responsible for overseeing their transport Disability Action Plan. Vision Australia can assist you to identify the most relevant person for your state or territory. We can also in some instances raise your concerns at one of the state transport disability consultative forums.

### Using social media

If you are unable to have your accessibility barriers addressed via direct engagement with the organisation, and you don’t want to lodge a complaint with an external body like the AHRC, social media can be an effective tool for enabling change as many organisations want to protect their reputation and will respond quickly to negative publicity posted on public forums like Facebook and Twitter.

If you decide to use social media, your post should be worded in a similar way as you would write a complaint, including outlining the transport services or facilities you are attempting to access, where or how you are making this attempt, how it has impacted on you and what could be changed to afford you equitable access. Even though social media is used to connect socially, when you use it as a tool for self-advocacy, it is best to avoid using bad language, and slander. Adopt a reasonable tone and be succinct. As social media is a very public forum, it’s best to avoid including any personal information, such as contact details or particular details about your vision impairment.

Business social media accounts may not be monitored by the person who will be able to address your issue, so your post may be referred to another person within the organisation. It’s also important to remember that while social media is used all hours socially, business accounts are generally only monitored during business hours, so your response time may be limited to those hours.

## Other common scenarios

### A transport service/company is governed by a parent company overseas

The DDA applies to discrimination which occurs in Australia. However, if a company or organisation is based overseas but explicitly provides goods and services in Australia (for instance, an international airline licenced to operate services into Australia) it may be argued that the DDA applies and that the company’s goods, services and facilities should be accessible.

**Willingness to address the accessibility barrier**

If you receive a response indicating that the organisation is keen to address the issue, it is important to remember that you don’t have to take responsibility for solving the problem or approving the solution. It is often enough to express your difficulty in particular public transport journeys as someone who is blind or has low vision.

With access barriers which appear to be of a systemic nature, it is recommended that organisations engage the services of an independent accessibility expert such as a certified access consultant.

## Sample email / letter

Below is an example of a letter to a transport authority concerning the lack of audio announcements on buses. It is a guide only and should be adapted to suit your particular situation and access barriers you encounter. However, we do advise that you follow this sample email/letter, as it may avoid the organisation having to contact you for clarification of the issue.

Email: Insert email address

Subject: Absence of Audio Destination and Location Announcements to Assist Passengers who are blind

Dear Sir/Madam

I am writing about difficulties I experience in using your bus services as someone who has a disability. I am totally blind and need to travel from <insert starting point> to <insert destination> on a daily basis.

I find it extremely stressful that I am forced to travel without the benefit of audio announcements to indicate the location of the bus, and announce my desired stop. Being totally blind, that is the only way I can reliably be sure of getting to my destination without being concerned that the driver will forget to stop at my stop and let me know.

I know that there are other parts of Australia and the world where such announcements are available on busses, so I believe it is not unreasonable to expect this to be provided on all busses.

The United Nations Convention on the Rights of Persons with Disabilities recognises access to transport as necessary for people with disabilities to participate equally in community life, and I understand that the Disability Standards for Accessible Public Transport (the Transport Standards) under Australia’s Disability Discrimination Act require that a passenger be given information about their location on a public transport journey.

Would you please advise when I can expect to have access to audio stop announcements on busses? Announcements would enable ne to travel with the same convenience and dignity as the sighted public, as I would have access to information about my location on a bus journey.

If you have any questions, please let me know.

I would appreciate a response from you by <insert date>, so I may consider any next steps.

Yours sincerely

<Insert name>  
<Insert your contact information>

### Networking with Others

If you have faced a barrier to accessing public transport or elements of a public transport journey which you want to address, it can often be useful to talk with others who are blind or have low vision to gather information about whether they have also faced this barrier and if so what they might have done to address it.

It can also help you when contacting the transport provider organisation concerned to be able to identify that others in the blindness and low vision community have also expressed the same difficulty.

You can seek out others through:

* Vision Australia Community Groups – call Vision Australia and ask for the Coordinator of Volunteers who can put you in touch with a Vision Australia Community Group nearest to you;
* Through email lists such as the vision impaired persons list for Australia;
* Through Blind Citizens Australia’s local branches in your state; or
* The Blind Citizens Australia members email list

## Related resources

### Transport Information and Feedback in your State

QLD – Translink: 131 230.

NSW – Transport Information line: 131 500.

VIC – Public Transport Victoria information line: **1800 800 007.**

TAS – Metro Tasmania: 132201.

ACT - Transport Canberra: 13 17 10.

NT – Northern Territory Public Transport Information line: 08 8924 7666.

SA - Adelaide Metro Info Line: 1300 311108.

WA - Transperth Information line: 136213.  
Vision Australia National Call Centre

Telephone: 1300 847 466

Email: [info@visionaustralia.org](mailto:info@visionaustralia.org)

### Vision Impaired Persons email list (VIP-L)

To subscribe, send a blank email to [subscribe-vip-l@freelists.org](mailto:subscribe-vip-l@freelists.org)

### Blind Citizens Australia

Tel: 1800 033 660

Email: [bca@bca.org.au](mailto:bca@bca.org.au)

### Australian Human Rights Commission (AHRC)

National Information Service: 1300 656 419

Email: [infoservice@humanrights.gov.au](mailto:infoservice@humanrights.gov.au)

[AHRC website](https://www.humanrights.gov.au/complaint-information)

### Anti-Discrimination Commission Queensland (ADCQ)

State wide telephone information and enquiry line: 1300 130 670

[ADCQ website](https://www.adcq.qld.gov.au/contact-us)

### Victorian Equal Opportunity and Human Rights Commission (VEOHRC)

Enquiry Line: 1300 292 153

[VEOHRC website](http://www.humanrightscommission.vic.gov.au/making-a-complaint)

### Equal Opportunity Commission (WA)

Ph 08 9216 3900

Email: [eoc@eoc.wa.gov.au](mailto:eoc@eoc.wa.gov.au)

[Equal Opportunity Commission](http://www.eoc.wa.gov.au/complaints-inquiries/making-a-complaint)

### Anti-Discrimination Board NSW

Ph: 02 9268 5544 between 9am – 1pm and 2pm – 4pm

Email: [adbcontact@justice.nsw.gov.au](mailto:adbcontact@justice.nsw.gov.au)

Email: [complaintsadb@justice.nsw.gov.au](mailto:complaintsadb@agd.nsw.gov.au)

[Anti-Discrimination website](http://www.antidiscrimination.justice.nsw.gov.au/Pages/adb1_makingacomplaint/adb1_makingacomplaint.aspx)

### ACT Human Rights Commission

Ph: 02 6205 2222

Email: [human.rights@act.gov.au](mailto:human.rights@act.gov.au)

[ACT Human Rights Commission website](http://hrc.act.gov.au/)

### Northern Territory Anti-Discrimination Commission

Ph: 1800 813 846

Email: [antidiscrimination@nt.gov.au](mailto:antidiscrimination@nt.gov.au)

[NT Anti-Discrimination website](http://www.adc.nt.gov.au/index.html)

### Equal Opportunity Commission (SA)

Ph: 08 8207 1977 between 10am – 3pm Email: [eoc@agd.sa.gov.au](mailto:eoc@agd.sa.gov.au)

[Equal Opportunity Commission SA website](http://www.eoc.sa.gov.au/eo-you/making-complaint)

### Equal Opportunity Tasmania

Ph: 03 6165 7515

Email: [office@equalopportunity.tas.gov.au](mailto:office@equalopportunity.tas.gov.au)

[Equal Opportunity Tasmania](http://equalopportunity.tas.gov.au/complaints)

## Further information

For information on self-advocacy strategies or to obtain this guide in another format, call Vision Australia’s advocacy team on 1300 847 466 or email [advocacy@visionaustralia.org](mailto:advocacy@visionaustralia.org)