



Media release

9 March 2018

- **Bold Decision by Human Rights Commission**
- **Queensland's rail discrimination plan in tatters**

Queensland's new trains have been judged and found wanting. In 2013, the Newman government ordered 75 new trains for Queensland's south-east. Canadian company Bombardier designed the new trains here in Brisbane and had them built in India for Queensland's Department of Transport and Main Roads. Some have arrived now from overseas but they are not fully accessible.

For wheelchair users, the trains have on-board access paths that are too narrow for wheelchairs. The bathroom circulation space is too small for wheelchair manoeuvrability. The guard is 70 metres from the accessible boarding point.

Queensland's plan is to run the trains, fix the access challenges on the fly, and apply to the Human Rights Commission for temporary exemptions from the Disability Standards for Accessible Public Transport.

Established in 2004, the Standards are nationally agreed minimum provisions. Transport providers can get temporary exemptions from the Human Rights Commission if they promise to remedy access challenges in good faith.

Queensland, however, has asked for exemptions for new trains. The Commission received 20 submissions in its public consultation. Like many others, QAI opposed any exemptions. New trains should not be permitted to run until they are compliant with the standards.

'Green-lighting the application', QAI said, 'and allowing the [new] trains to run sends an unfortunate message: that transport providers can deliberately or negligently commission and run non-DSAPT-compliant conveyances, and if someone objects, they will be permitted to run the non-compliant vehicles as long as they undertake to fix them.'

The Human Rights Commission won't have it, and last week publicised a preliminary 'No'.

Putting non-compliant trains into service is inconsistent with the state's 'All Abilities Queensland' disability policy platform ~~or~~ and with the National Disability Strategy goal of 'inclusive and accessible communities'.

The Commission cannot do much more. Train users are seeking remedies under federal discrimination laws, but they are David to Goliath. Well-framed national or Queensland human rights legislation could ease the pressure from individual complainants. In the long term, though, we need forward planning to make all public transport universally accessible, and consultation with people with disabilities is the first step.

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