

Submission by Brendon Charles Donohue to The Australian Human Rights Commission regarding Application for temporary exemptions under the Disability Standards for Accessible Public Transport 2002 (Cth) and The Disability Discrimination Act 1992 (Cth) on 15/12/2017. Joint application by the State of Queensland (acting through the Department of Transport and Main Roads) and Queensland Rail.

1. The guard cabin:

On all former Queensland Rail Trains, In the middle of the Train, in the third car, there is a cabin where the guard sits and provides assistants to people with a disability especially to someone who can't see.

The process that used to be in place is that the person with a Disability turns up at a Queensland Rail station, moves to the middle of the station platform (The disability boarding access point). Which is marked by raised dots or a raised mat, stands behind the Yellow Line. The train pulls into the station, guard steps out of his cabin and provides the person with a disability with the level of assistants that the person with a disability requires through voice or other communication methods. This has been an affective, safe and reliable method in providing assistants to travellers with a disability for over 30 years.

On the New Generation Rolling Stock Trains, this cabin has been removed and the guard has been moved to the back of the Train (The 6th car). This is very problematic because now:

The guard is no longer providing assistants to the person with a Disability. The guard is 70 meters away from the customer with a disability that requires assistants and the Disability boarding access point on all Queensland Rail stations. Station staff have now been given the task of looking after people with disability.

For a person with blindness disability it's important to have a consistent boarding Process From the start to finish of the journey. Once the NGR Trains are in service, a person who is blind will have to negotiate two different boarding processes - the old one with the guard on the train, and the new one with the platform staff providing assistance. This will lead to a deterrent for persons with disabilities to use train transport in Queensland. This has knock on effects. In the blind community the unemployment rate is 70% according to Vision Australia's estimate in 2012. For blind people public transport is one of the few available options. A lot of blind people live near Train stations. The NDIS will provide people with supports they need to engage with the work and the community. But inaccessible trains will make this far more difficult.

3. Station staff have not been trained in walking with a person with a blindness disability down a station platform by Queensland Rail. Queensland Rail should have engaged with Vision Australia or Guidedogs for training of staff.

4. A significant amount of station staff are casual employees of Queensland Rail and can be dismissed at very short notice.

5. There is no contingency plan in place in how to deal with this if station staff are sick or unable to turn up for work, only that the guard will walk the 70 metres down the station platform from the back of the Train (The sixth car). If he is unsure if someone with a disability is waiting at the disability boarding access point he will have to walk the whole 70 meters down and back along the station platform to check if it is safe and to assist a person/person with disability to board the NGR Model Train. The guard will also have the responsibility to walk down the platform to the disability boarding access points at all unmanned stations across the network. This holds up the Train and provides unnecessary attention to the person with a disability who just wants to board the train safely and independently. It personally makes me feel humiliated and like I am not part of the community. The safest and cost-effective decision is to restore the guard cabin to all 75 NGR Train units over the next two years.

6. There was no consulting by Queensland rail - Accessibility team to Queensland Rail disability customers on this new boarding process in a relevant safety timeframe that people with Disability could provide our feedback and comment on this new procedure.

7. No braille on the emergency door release sign. I believe as a person with a blindness disability, I should have access to the sign and the safety information to understand safety relevant information that it displays to the community.

8. The height of the braille on the emergency access console and the door open buttons in the NGR Model Train is much too low to read comfortably. There are two buttons on the console now, "Emergency" and "Press and wait for assistance". Due to this console now having two buttons for doing the same process, talking with the guard for assistants. The Braille is very hard to read because the Braille is very low down to the floor on the emergency console.

Several persons with disability have had trouble with communication to the guard because when they have pressed the assistance button. The guard has not been able to hear them and is unable to act on their requests.

9. The new generation rolling stock train project was not published at all through the accessibility@qr.com.au email address. The disability community was not given any notice of the NGR Model Train by the above email address: Of NGR Trains coming into service, the timetable was not provided by the above email address to Queensland Rail

disability travellers of the network. This is very disappointing and doesn't make me feel like I am a valued member of the community.

10. Persons with disabilities were not consulted at all from the beginning of the project when it commenced back in 2013. Had people with disability and disability organisations been consulted none of this would have happened. We need procurement legislation that guarantees persons with disabilities are consulted on a project by project bases from start to finish.

11. The Toilets:

Based on former Queensland Rail Trains currently running across the network, it is possible to construct a carriage in a way that has a fully accessible toilet next to a fully accessible access path. This should have been done from the start of the project.

Thank you.

Brendon Charles Donohue.