1. All Aboard is pleased that the ARA is no longer working to seek legal recognition of the RISSB Accessible Rail Services Code of Practice under the DDA 1992.
2. All Aboard recognises that ARA members work within a “complex rail environment” (a term that is used regularly throughout the ARA submissions) but this should not lead to a situation where temporary exemptions are granted that are inclusive of jurisdictions where solutions have been found to problems that still exist in others. For example, new railway stations in Melbourne meet (or come very close to meeting) the 40mm x 12mm Part 8.2 standard (see <http://www.all-aboard.com.au/Train/MelbourneTrainStations/Mitcham.html>). This shows that it is possible to meet this particular Standard, contrary to the protestations and “evidence” presented by the ARA.
3. It appears that the alleged inability to meet the Part 8.2 standard is a driving force behind the ARA’s enthusiasm in participating in the “modernisation” of the DSAPT via the Rail Standards Working Group.  All Aboard understands that at some older railway stations, including those with curved platforms, some type of mechanical device may need to be deployed (in contrast to the matching height roll-on, roll-off boarding at the new Melbourne stations) to assist boarding by passengers who are not able to manage the gap safely. However, in the 13 years since the DSAPT began, negligible progress has been made by ARA members in this area. The ARA reports that Melbourne is the only place that has even begun to contemplate solutions (recently appointed consultant by PTV).
4. All Aboard is of the view, after reading all the available documents, that the ARA would be pleased if “modernisation” of the DSAPT was completed before the expiration of any temporary exemptions granted in the near future by the Commission. While some ARA members may be working towards compliance with the DSAPT as it is now, other members may see temporary exemptions as a stalling process until a set of lesser Standards are in place. In essence, to use a sporting metaphor, this would equate to moving the goal posts further apart instead of practicing to kick more accurately.
5. In response to the ARA secondary submission, point 7 on page3: It is critical that there be recognition of the differences between new (after 2002) and existing (before 2002) infrastructure and conveyances. For example, as shown in the Mitcham link above, it has been possible for some time to provide compliance with Part 8.2 at all doors of a conveyance without the use of a boarding device. Yet many new stations have been built since 2002 that have relied upon the temporary exemption to Part 8.2, and have not acknowledged or complied with the conditions to that exemption. When All Aboard has made enquiries as to the reason that new platforms, as recently as 2010, were not built at the same level as the trains that service them, the best answer we received was (paraphrased) “that’s the way we’ve always done it”. More recently, the design philosophy in Victoria has become more thoughtful and progressive. Carefully considered and targeted temporary exemptions and conditions will encourage progress such as just described.
6. In response to the ARA secondary submission, point 7  on page 3: the ARA makes it clear that it wants certain Parts removed from the DSAPT. This does not recognise the efforts and achievements of some individual members. Blanket temporary exemptions are likely to be a slap in the face of those members. All Aboard does not see this as a proper forum to discuss the merits or ramifications of a “modernised” DSAPT.
7. In response to the ARA secondary submission, point 8  on page 3: All Aboard does not understand the statement “It is matter of significant concern to operators generally that the legislation has progressively begun to be interpreted much more literally than was intended or envisaged.” Surely Commonwealth legislation is meant to be interpreted literally. Indeed, some ARA members were involved in the work prior to 2002 that resulted in the DSAPT and therefore must accept some responsibility.
8. In response to the ARA secondary submission, point 9 on page 4: Generally we do not see conflict between the Transport Standards and Occupational Health and Safety Standards. In the example provided, the problem with providing Direct Assistance to a wheelchair user to use a ramp with a gradient of 1:4 is a failure to provide a safe environment for the passenger. This leads to a potentially unsafe environment for the railway staff when providing Direct Assistance. The ARA should not separate the responsibility of providing a safe environment for their staff from the responsibility of providing a safe environment for their customers. Solving one problem will inevitably solve the other. A temporary exemption in this example would lead only lead to discrimination against the customer by the railway operator. See also 6.4, page 8, where the ARA suggests that an alternative to Direct Assistance is that the person with disability could have a companion that would, apparently, be able to safely push a wheelchair up a ramp with a 1:4 gradient.
9. In response 4 to People With Disability Australia (page 6), the ARA states “In WA, the Public Transport Authority is going above and beyond the standards…”. All Aboard would be pleased if that statement would be reflective of the ARA as a collective, rather than just some of its more progressive members.
10. The ARA response 2 to the Victorian Council of Social Service on page 7 is demonstrably false. Since 2002, many new conveyances and buildings have been brought into service that do not meet DSAPT compliance (for example new trains not meeting Part 9.6 and 9.10). Many older conveyances and pieces of infrastructure have been upgraded since 2002 but DSAPT compliance has often not been integrated into those upgrade works even though little, if any additional cost would have been involved (for example platform resurfacing raising the platform height only partly, but not enough to make compliance with Part 8.2 easy).
11. The ARA secondary submission 6.4 4. page 9 is false. In fact the refusal of Metro Trains Melbourne to adopt this procedure, which is actually a condition of the current temporary exemption to Part 8.2, has been the subject of many complaints to the operator, provider and other bodies.
12. The statement “Due to a combination of technical, operational and safety factors, it is not practicable to achieve the horizontal and vertical gaps required for independent access by all people with disabilities even when building new stations” that appears in both 6.4 1. (page 8) and 8.2 1. (page 9) of the ARA secondary submission can be demonstrated to be false by reference to the Mitcham station example above.
13. ARA response to People With Disability Australia in relation to Part 8.2 (page 15). New stations in Melbourne, such as Mitcham and Springvale demonstrate that platforms can be built such that compliance with Part 8.2 is achievable without the provision of a boarding device or direct assistance. Further, as the ARA states, PTV has engaged a consultant to investigate potential solutions to boarding – it recognises that the “alternative door” conditions are not being met by the operator.
14. At question 6 on page 16, the Commission asked the ARA to provide a list of ARA members who are also members of the APTJC. The ARA did not answer the specific question asked, but instead supplied a list of APTJC members who are also members of the ARA Disability Policy Working Group. It is entirely foreseeable that other ARA members, who are also APTJC members, would have input either directly or indirectly, into policy that affects disability access.

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Admin

All Aboard Network

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