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**To:** [Legal Mailbox:](#) [REDACTED]  
**Subject:** Response to AHRC re NGR exemption application refused  
**Date:** Friday, 16 March 2018 3:29:31 AM

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Australian Human Rights Commission  
by email : [legal@humanrights.gov.au](mailto:legal@humanrights.gov.au)

I would like to acknowledge and thank the Commission for its refusal of New Generation Rollingstock temporary exemption in its preliminary decision.

Along with others, I have been following this process for a number of years.

The State of Queensland carelessly and negligently procured DSAPT non-compliant rolling stock in 2013. It did this without consulting appropriately, particularly with disability sector reference groups, until after the contracts were signed and the design finalised.

Successive governments, who have had the opportunity to enact appropriate changes, failed to consult fully with reference groups in achieving a more sustainable outcome. An exemption application was made in order to address the compliance shortcomings of brand new trains.

And then in flagrant disregard for the intent of the exemption process the Queensland government proceeded to put the non-compliant rolling stock into revenue service prior to any decision of the exemption application. This was announced in front of the Accessibility Reference Group and AHRC staff on the morning of the first full train trial offered to and attended by the ARG and the AHRC.

Full revenue service commenced only a few days later, while the exemption was yet to be considered or granted.

It should be noted that people often make whole of life decisions around the availability of reliable and safe public transport. Transport options play a large part of deciding where to live, where to work, where to go to school.

The non-compliant trains should be removed from revenue service and not return until rectification modifications have been completed to ensure a compliant, sustainable and non-discriminatory transport solution is available to all users.

regards  
Wendy

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