



Response to AHRC preliminary view - State of Queensland NGR exemption

Inclusion Moves commends the Human Rights Commission for its preliminary decision to refuse temporary exemptions in relation to Queensland's New Generation Rollingstock exemption application. The commission made it clear that these are newly acquired trains and their standing as compliant with the standards of the day is paramount. The State of Queensland without due care and attention procured rolling-stock that is not compliant with the Disability Standards for Accessible Public Transport. Furthermore it did so without consulting with people with disabilities in a manner that was best practice and did not keep compliance to relevant standards as a priority through project governance procedures.

Exemptions for new vehicles would set a terrible precedent in relation to the Standards, giving transport providers permission to build inaccessible and non-compliant vehicles. The concept of incremental improvement must not be lost on the commission as it is the framework that builds trust with people with disability that products and services will become more accessible over time. Incremental improvement in relation to the standards can only be achieved if no backward steps are taken in adherence to compliance.

Inclusion Moves is heartened that the preliminary view of the AHRC has jump started a conversation of legal reform with respect to the DDA. It seems clear that the State of Queensland intends to continue to run non compliant trains no matter what the AHRC determination. This is a regrettable situation that in our view must be tackled through legal reform in order to avoid a repeat.

Also noting the AHRC see's boarding procedures and such out of scope of the DSAPT the 'teeth' that the DDA has in respect of ensuring people with disability are able to obtain justice is an issue that should be examined in the view of this author. For people with disability to have no other course of action than to lodge potentially costly legal battles to counteract poor service outcomes that can be easily predicted before service (and have indeed now occurred as predicted) is surely a sign of a system whose balance is off kilter.

In summary Inclusion Moves welcomes the interim decision and wishes to convey its utmost thanks to the commission for a job well done, but recognises there is a long road still to be travelled before people with disabilities rights are fully upheld and incremental improvement both in terms of standards and legislation must occur.

Many thanks

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