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MINISTER FOR DISABILITY SERVICES; TOURISM;  
CULTURE AND THE ARTS; CONSUMER PROTECTION

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Our ref: 05-012556

Mr David Mason  
Director - Disability Rights Policy  
Human Rights and Equal Opportunity Commission  
Disability Rights Unit  
GPO Box 5218  
SYDNEY NSW 2001

By E-mail: [disabdis@humanrights.gov.au](mailto:disabdis@humanrights.gov.au)

Dear Mr Mason

I am writing in relation to an exemption being sought by the Taxi Council of Western Australia from the operation of Part 1.2 of Schedule 1 of the *Disability Standards for Accessible Transport 2002*, and from the operation of section 24 of the *Disability Discrimination Act (DDA)*.

I understand that Part 1.2 of Schedule 1 of the Disability Standards for Accessible Transport provides that response times for multipurpose taxis (MPTs) are to be the same as for non-wheelchair accessible taxis, and places responsibility for this requirement on taxi radio networks and co-operatives.

The WA Taxi Council application argues that radio networks and co-operatives do not have the ability to ensure compliance and is thus seeking an exemption from compliance for five years.

As the Minister for Disability Services in Western Australia I would like to advise that I do not support the application.

I can advise you I am contacted, on average, on a weekly basis by constituents who have received less than acceptable service when booking an MPT.

Indeed, on one particular occasion I had an appointment in my Ministerial Office with a wheelchair bound constituent who, after waiting over an hour for her taxi to arrive, had to telephone my office and cancel the meeting because she had no idea when her MPT would arrive.

People with disabilities report on a regular basis they are forced to wait in extremes of temperatures for extensive periods of time, which can be highly detrimental to their health. Many also report they are often left waiting for their transport, after dark, again

for long periods of time, which not only makes them highly vulnerable to crime, but also leaves them feeling unnecessarily fearful and anxious.

Apart from the many people with disabilities who are reliant on a timely response from these vehicles, there are a significant number of other people in Western Australia who have a permanent mobility disability that restricts their ability to utilise public transport.

The Western Australian Government has introduced a number of initiatives and incentives into the sector over the past years to improve the services for people with mobility disabilities and provide co-operatives with financially sustainable MPTs.

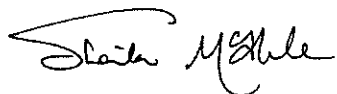
The proposition that networks and co-operatives do not have the ability to ensure compliance is, to my understanding, simply incorrect.

I have been informed there has been little effort on the part of the co-operatives over the past five years to comply with the looming deadline for equal response times. Some genuine action over this period would have demonstrated a measure of good faith to consumers, however the continued inaction over this period has caused many people to lose their confidence in services.

On behalf of people with disabilities in Western Australia, I respectfully request the application for exemption being sought by the Taxi Council of Western Australia from the operation of Part 1.2 of Schedule 1 of the *Disability Standards for Accessible Transport 2002*, and from the operation of section 24 of the *Disability Discrimination Act (DDA)*, be rejected.

I would be grateful if you could advise me of the outcome of the application when determined.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Sheila McHale', with a stylized flourish at the end.

Sheila McHale MLA  
**MINISTER FOR DISABILITY SERVICES**

31 January 2008