NATIONAL ETHNIC DISABILITY ALLIANCE

Submission to the Department of Infrastructure, Transport, Regional Development, Communications, Sport and the Arts

Re: Reform of the Disability Standards for Accessible Public Transport 2002

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Acknowledgement of Country

NEDA acknowledges the Traditional Owners and Custodians of the lands across Australia. We pay our respects to Elders past, present and emerging, and acknowledge their long history of advocacy and self-determination. These efforts continue to inspire and guide our work for equity and justice.

Introduction

NEDA welcomes the opportunity to comment on the exposure draft of the amending instrument for reforms to the *Disability Standards for Accessible Public Transport 2002* (Transport Standards) and its supporting Guidelines. As a national Disabled People's Organisation and peak body, NEDA advocates for the rights and interests of people with disability from culturally and linguistically diverse (CALD) backgrounds. NEDA's submission is framed around both equality and equity as essential foundations for effective reforms.

As noted in the Government's reform summary, accessibility enables participation in essential aspects of life, including employment, education, healthcare and social inclusion, and public transport remains a key site of discrimination for many people with disability. For CALD people with disability, these barriers are compounded and complicated by language and migration factors, digital exclusion, racism, stigma, and socioeconomic disadvantage.

In strengthening Transport Standards, it is also important to recognise Australia's broader human rights and policy landscape. The *Royal Commission into Violence, Abuse, Neglect and Exploitation of People with Disability* highlighted that inaccessible public transport remains a systemic barrier to safety, participation and inclusion, particularly for people experiencing intersecting forms of disadvantage, including CALD communities. Australia's obligations under the *UN Convention on the Rights of Persons with Disabilities (CRPD)* require governments to ensure transport systems are inclusive, safe and usable for all people with disability without discrimination. Recent government policy work, including the *Multicultural Framework Review (2024)*, further reinforces that Commonwealth systems and services must be culturally responsive, linguistically accessible and designed to meet the needs of Australia's diverse population. NEDA therefore encourages the Department to ensure that cultural and linguistic accessibility is embedded throughout the Transport Standards, consistent with these national and international obligations.

Context

NEDA advocates for people with disability from CALD backgrounds. It is important to note that people with disability from CALD backgrounds are not a homogenous group. They include people with varied cultural identities, migration pathways, languages, and family and community structures. Various factors shape how individuals access supports, navigate barriers, and travel. Research shows that disadvantage does not arise simply from cultural or linguistic difference alone, but from how systems are shaped by structural barriers, restrictive migration regimes, and institutional norms that define who is regarded as "normal" or "legitimate." From this perspective, the challenges faced by people with disability from CALD backgrounds within transport systems are complex and intersectional.

Lived Experience Insights

NEDA consults with individuals with lived experience. In the recent past, community members have highlighted broader, persistent accessibility gaps that remain unaddressed by the current Transport Standards and which disproportionately affect CALD community members using mobility aids as well as those with other accessibility needs. One member shared that despite national reforms over the past decade, many of the practical barriers identified ten years ago remain unresolved, illustrating how outdated or inconsistent accessibility features across the network continue to undermine safe and independent travel for people with disability. Examples included inconsistent wheelchair accessibility to accommodate for the growing size of modern wheelchairs, and the absence of accessible pathways in many neighbourhoods.

Members also reported avoiding public transport altogether due to safety concerns. While these examples relate to mobility aids, they reflect a wider pattern of accessibility barriers across information, infrastructure, safety, and reliability, that restrict travel for many people with disability from CALD backgrounds. These challenges compound financial stress and limit independence, which is pronounced in people with disability from CALD communities.

These lived experiences demonstrate the need for the amended Standards to explicitly account for changing technologies, evolving mobility needs, and the broader accessibility requirements of diverse users. They underscore the need for strengthened, mandatory accessibility requirements, shorter implementation timeframes, and clearer operational obligations in the amended Standards.

1. Overarching Intersectional Considerations

1.1 Accessibility must be understood as cultural, linguistic and structural

CALD people with disability continue to face exclusion due to language inaccessibility, lack of culturally safe communication, and experiences of racism in public transport settings. Without explicit cultural and linguistic accessibility requirements, the amended Standards risk perpetuating inequity even where technical compliance is achieved.

These forms of exclusion sit squarely within the Disability Discrimination Act 1992 (DDA), which requires eliminating discrimination "as far as possible" and ensuring equality before the law. The DDA Review, will likely lead to stronger positive duties and clearer obligations on duty holders to proactively eliminate discrimination, rather than relying on individual complaints - a shift that is especially important for CALD communities who face layered barriers to asserting their rights.

This concern is reinforced by evidence from the wider disability sector. People with Disability Australia (PWDA) notes that optional or non-mandatory requirements in past iterations of the Transport Standards have "entrenched the exclusion of people with disability" when operators deprioritise upgrades or rely on permissive interpretations of compliance. For CALD communities, who already face linguistic and cultural barriers in navigating complaint pathways, optionality and long implementation delays disproportionately compound exclusion. Embedding cultural and linguistic accessibility as a mandatory - not discretionary - element of the Standards is therefore essential to preventing indirect discrimination.

1.2 Risk of digital exclusion

The Draft heavily relies on digital information systems, websites, mobile web platforms, electronic displays and app-based communication. While the updated Guidelines require WCAG 2.1 AA conformance for digital information, CALD communities disproportionately experience:

- limited English literacy
- limited digital literacy
- lack of access to smartphones or mobile data
- mistrust or unfamiliarity with digital systems due to histories of surveillance, discrimination and socioeconomic factors

Digital accessibility is therefore not synonymous with cultural or linguistic accessibility.

1.3 Racialised safety concerns

The introduction of Part 31A (harassment and victimisation prevention) is strongly supported. However, people from CALD communities frequently experience racism in conjunction with disability discrimination on public transport. The Guidelines themselves note that community attitudes remain a significant barrier to equitable access and require targeted intervention by operators and providers. Intersectional experiences of racism, xenophobia, Islamophobia and cultural misrecognition must be explicitly accounted for in training and program development.

NEDA's joint submission to the Disability Discrimination Act Review also highlights that discrimination experienced by CALD people with disability is rarely attributable to a single protected attribute, but emerges from interacting systems of racism, ableism and migration governance. The Guidelines explicitly recognise that community attitudes, staff behaviour, and public responses to disability shape the overall accessibility of transport environments (Guidelines 2025, Part 31A). Recognising these structural intersections within the Transport Standards, particularly in staff training, communication obligations and enforcement, is critical to realising equitable access across all public transport environments.

2. Comments on Specific Parts of the Amendments

2.1 Part 2 - Access Paths

NEDA supports strengthened requirements for continuous accessibility, clear access paths and removal of hazards. The Draft reinforces that access paths must be identifiable and located to minimise unnecessary travel distances for people with disability (s 2.2)

To ensure equitable access for CALD communities, NEDA recommends:

- symbol-based wayfinding for low-literacy and non-English-speaking passengers
- consultation with CALD disability communities when determining "appropriate locations" for access paths

These additions align with the Transport Standards' purpose to "remove discrimination" and ensure accessibility under the DDA.

2.2 Part 8 - Boarding (including lead stops and taxi ranks)

Strengthened requirements relating to boarding points, gradients, removable gangways, and nominated assistance points are welcome. The Draft's introduction of mandatory identification of lead stops (s 8.9) supports predictable and navigable boarding environments for people with disability.

CALD people with disability disproportionately struggle with:

- English-only instructions at boarding points
- difficulty navigating interchange layouts
- uncertainty about how to request assistance

NEDA recommends:

- diagrams and pictorial instructions for boarding devices
- community-specific co-design during implementation

2.3 Part 9 - Allocated Spaces

We strongly support updated signage requirements clarifying priority access (s 9.1B) and the new obligation to ensure vertical clearance (s 9.1A). These changes will be meaningful for people who use larger mobility aids.

However, information about priority access should also be available:

- in symbol-supported formats
- with clear visual cues for people with low literacy

Without this, CALD users may continue to face uncertainty about passenger rights and responsibilities.

2.4 Part 17 - Signs and Digital Information

The Draft improves legibility, contrast and placement of signs (s 17.1–17.3A) and modernises digital information display requirements (s 17.5). These changes are positive but insufficient for many people with disability from CALD communities, who cannot reliably interpret English-only signage.

NEDA recommends the use of internationally recognised icons. Given the Guidelines' emphasis on equal access to information formats (Part 27), this extension is consistent with the Standards' purpose.

2.5 Part 27 - Information Provision

This Part is central to CALD accessibility. NEDA supports:

- requirements for audio and visual stop announcements (s 27.6)
- WCAG 2.1 AA compliance for online information (s 27.7)
- mandatory timely provision of alternative formats (s 27.2)
- limitations on digital-only general information (s 27.1(2))

NEDA and SCOA (Settlement Council of Australia) have jointly submitted to the DDA Review that systems which rely predominantly on individual complaint mechanisms disproportionately disadvantage CALD people with disability, who often face language barriers, mistrust of authorities, insecure visa circumstances, and limited access to legal or advocacy resources to meet DDA obligations for non-discriminatory access.

Information obligations in the Transport Standards must therefore not be designed with an assumption that individuals can self-advocate; instead, they must proactively ensure equal access to information across languages, modalities and cultural contexts.

NEDA recommends the Standards explicitly require:

- translated printed information at high-use CALD locations
- interpreter access (in person, phone or digital) at major stations
- community-tested messaging for service disruptions

The Draft acknowledges the need for accessible formats but does not explicitly include linguistic accessibility, despite the DDA requiring operators to prevent indirect discrimination tied to language barriers.

Part 31A - Harassment and Victimisation

NEDA strongly supports the new requirement for operators and providers to implement strategies and programs to prevent harassment of persons with disability (s 31A.1). The Guidelines highlight that community attitudes remain a major barrier to equitable access

However, the Draft does not explicitly address:

- racialised harassment
- xenophobic or Islamophobic abuse
- intersectional discrimination affecting CALD women, CALD LGBTQIA+ people with disability, or newly arrived migrants

NEDA recommends explicitly requiring:

- anti-racism training modules
- co-design of training with CALD people with disability
- monitoring and reporting on harassment incidents involving race, religion or language

This aligns with the stated intent to “improve the overall experience of travelling on public transport for people with disability” (Guidelines, Part 31A).

NEDA stresses that staff training and communication obligations must be mandatory and delivered within shortened timeframes, noting that community attitudes if left unaddressed, remain a persistent barrier to safe and equitable transport access

NEDA supports aligning these training obligations with intersectional frameworks identified in the DDA Review, recognising that CALD women, LGBTQIA+ people with disability, and newly arrived migrants face pronounced racialised and disability-related harm.

4. Transitional Arrangements and Implementation

The Exposure Draft provides clear transitional provisions, maintaining existing compliance schedules while ensuring timely adoption of new requirements. NEDA supports this approach.

To ensure equitable implementation for CALD communities:

- operators should be required to consult CALD disability organisations when planning upgrades
- translated information about transitional timelines should be provided
- reporting frameworks (Part 1 and Part 27) should incorporate CALD accessibility indicators, such as languages available and interpreter usage

These additions align with the reform process' stated aim to ensure reforms “meet the needs of Australian society” and reflect input from diverse stakeholders.

Summary of Key Recommendations

NEDA recommends that the Amendments be strengthened to include:

1. Mandatory cultural and linguistic accessibility, including multilingual signage, audio, and printed materials.
2. Anti-racism, cultural safety and trauma-informed training under Part 31A.
3. Co-design requirements with CALD people with disability across signage, information and boarding design.
4. Explicit recognition of digital exclusion, requiring non-digital formats to be equally accessible.
5. Use of community-tested icons and wayfinding systems to support low-literacy and non-English users.
6. Inclusion of CALD accessibility indicators in reporting and implementation frameworks.

Conclusion

NEDA urges the Department to explicitly integrate the needs and experiences of CALD communities throughout the Standards and Guidelines, consistent with the Disability Discrimination Act, anticipated updates following the current Review, to “remove discrimination” and ensure equal access for all Australians.

We welcome ongoing collaboration with the Department to support effective implementation.