Exposure Draft: Reform of the Disability Standards for Accessible Public Transport 2002 (Transport Standards)

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What is MS?

Multiple Sclerosis (MS) remains one of the most common causes of neurological disability in the young adult population (aged 18–40 years) with over 2.8 million people affected worldwide. More than 33,300 Australians live with MS and over 7.6 million Australians know someone or have a loved one with this potentially debilitating disease.

MS is a chronic disease that attacks the central nervous system (the brain, spinal cord and optic nerves. A person living with MS may or may not have a disability. Many people live well with MS, and many do not consider themselves to be disabled.

MS symptoms can significantly vary between people and can come and go; they can include severe pain, walking difficulties, debilitating fatigue, partial blindness and thinking and memory problems. For some, MS is characterised by periods of relapse and remission, while for others it has a progressive pattern of disability. MS robs people of quality of life, primarily driven by the impact of MS on pain, independent living, financial security, mental health and relationships.

MS Australia is Australia's national multiple sclerosis (MS) not-for-profit organisation that empowers researchers to identify ways to treat, prevent and cure MS, seeks sustained and systemic policy change via advocacy, and acts as the national champion for Australia's community of people affected by MS.

MS Australia represents and collaborates with its state and territory MS Member Organisations, people with MS, their carers, families and friends and various national and international bodies to:

- Fund, coordinate, educate and advocate for MS research as part of the worldwide effort to solve MS
- Provide the latest evidence-based information and resources
- Help meet the needs of people affected by MS

George Pampacos
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Exposure draft—Reform of the Disability Standards for Accessible Public Transport 2002 (Transport Standards)

MS Australia welcomes the opportunity to make a submission to the Department of Infrastructure, Transport, Regional Development, Communications and the Arts (Department) and respond to the *Exposure draft—Reform of the Disability Standards for Accessible Public Transport 2002 (Transport Standards)* and the companion updated *Transport Standards Guidelines (guidelines)*. MS Australia values this consultation and hopes that our recommendations assist the Department to ensure the reformed Transport Standards and guidelines enable public transport services to be fully accessible to meet the needs of people living with disability, including people living with MS.

This submission draws on the experiences and expertise of MS Australia's Lived Experience Expert Panel (LEEP). The LEEP is a panel of people who either live with MS or are a carer for someone living with MS, and who provide MS Australia with expert advice to inform our advocacy work. Their feedback reflects the lived experience and responses of people living with MS to the recommendations of reforming the Transport Standards and guidelines. The feedback from the LEEP members covers the diverse range of experiences of ability and disability for people living with MS. LEEP members also provided input in our previous submission on the Department's Aviation Green Paper.

Over five and a half million Australians currently live with a disability[1] and they represent over 20 per cent of the Australian community. Ensuring public transport services are accessible and inclusive is essential for Australians living with disabilities to connect them to all aspects of public life. Accessing public transport services and traveling by public transport can pose formidable and ongoing obstacles for people with disability, including people living with MS.

People with MS use public transport for a range of reasons including to travel long distances for medical appointments, to get to work, participate in social events or to take a holiday. They need to be confident the public transport services will provide a service that is safe, accessible and reliable. This is especially true for people with MS living in regional, rural or remote settings where public transport services may be limited, much less frequent and/or completely non-existent.

For many people with MS, their symptoms are hidden, and they live with an invisible disability. MS symptoms that are hard to see include fatigue, pain, cognitive problems like memory loss or trouble solving problems, weakness, blurred vision, numbness, prickly or tingling sensations, heat sensitivity, dizziness, balance/coordination problems, and bladder or bowel problems. Sometimes these symptoms result in mobility issues and a person having to use a wheelchair, a motorised scooter or some sort of walking aid. Sometimes they do not. It is important for all public transport service staff to understand that not all disabilities are visible and sometimes people may need additional assistance.

MS Australia Recommendations

- Update the Transport Standards and guidelines to include requirements that public transport operators, providers, and all other public transport staff should be required to regularly participate and fulfill disability awareness and inclusive training, as agreed upon in the reform areas.
- Update the Transport Standards and guidelines to include information that establishes how the public transport services will effectively respond and communicate potential hazards or failures, including when infrastructure is out of order for standard maintenance, to the public and if possible, include alternative solutions for people, including people with disability, to use.
- Update the Transport Standards and guidelines to include procedures for operators and providers to take measure to assist with crowd control and help provide direct or indirect assistance people with disability with boarding and departing from buses, trams, trains, ferries, and planes.

- Update Part 15 of both the Transport Standards and guidelines to prohibit locking accessible toilets so they are available for people with disability, including people living with MS, to use.

Delivering on Intent of Agreed Upon Reforms – Need for Disability Training

Overall, the language in the Exposure Draft and Guidelines is clear and easy to understand. The reform language in both documents incorporate various deliverables of agreed upon reforms to make public transport more accessible. However, one agreed upon reform, disability training, does not appear to be included in the Exposure Draft and guidelines.

MS Australia recommends that Transport Standards and guidelines be updated to require public transport operators, providers, and all other public transport staff to regularly participate and fulfill disability awareness and inclusive training. The Stage 1 reform area no.1 mentions reforming the transport standards to include:

> *'requirements to conduct disability awareness training to meet the specific roles and responsibilities of staff.'*[12]

However, language requiring public transport operators and providers to fulfill disability awareness training does not appear to be included in either the Exposure Draft or the guidelines. The only area that currently refers to training is in the Exposure Draft, which includes the following language being added to 31A.1(2)(b), 'training staff to detect, and deal with, harassment of persons with a disability in public transport settings.' The reformed transport standards should recognise and require both public transport operators and providers to regularly fulfill mandatory disability accessibility and inclusion training to improve their understanding of the diversity of disability lived experience, and to create an impetus for ongoing improvements in the accessibility experiences for people with disability.

For many people with MS, their symptoms are hidden, and they live with an invisible disability. This can pose nuanced challenges during public transport travel. The introduction of the Hidden Disabilities Sunflower lanyard is a positive step. As the sunflower lanyard gains traction both domestically and internationally, more travellers are likely to be wearing them so mandatory training among public transport operators and providers on the significance of the Hidden Disabilities Sunflower lanyard is needed. This training would enable public transport staff to engage effectively with travellers about their requirements, thereby significantly improving the travel experience for individuals with invisible disabilities.

An example of an organisation providing staff disability inclusion training is an initiative undertaken by the University of Queensland (UQ) in collaboration with the Australian Network on Disability (AND). The partnership developed a disability inclusion course for staff to foster awareness of various disabilities and increase inclusive practice. In addition to the training the university supports a Disability Inclusion Advocacy Network, of which staff can become members. One of the aims of the network is to enhance understanding and recognition of hidden disabilities, promote a broad awareness of the many types of disability and the social model of disability. Members can wear a lanyard and badge to help make visible their status as a disability inclusion advocate.

MS Australia recommends that public transport operators, providers and all public transport staff are required to be regularly trained on disability accessibility and inclusion to promote a strong ethos of diversity and inclusion and minimise the risk of disconnect between good intentions and lived experiences of public transport travel.

Is Any Additional Guidance Required?

Need for Minimum Procedures for Addressing and Communicating Issues When Systems or Equipment is Out of Order or Being Maintained

MS Australia recommends the Transport Standards and guidelines need to include minimum procedures for addressing and communicating issues when systems and/or equipment are not functioning properly, are out of order, or cannot be used when the equipment is being maintained. Ideally, lifts would always be operational and paths to access public transport services would not be obstructed. Yet, there are situations that arise which can result in public transport not being accessible. For instance, infrastructure fails or needs to be maintained, causing lifts and ramps to be out of order or temporarily unavailable for use. Anticipating that public transport systems and equipment may be out of order or need to be maintained, the Transport Standards and guidelines

should establish how the public transport services will effectively respond to potential hazards or failures, especially when infrastructure is out of order generally and for standard maintenance. The Transport Standards and guidelines should also establish a communication procedure for how the public transport service will effectively inform people who use the public transport system that specific systems and equipment, such as lift or escalators, will not be available for use and if possible, include alternatives options for people with disability to use. For instance, one member of MS Australia's LEEP recalled how one day at a train station, the train platform's lift was out of order. She experiences mobility issues and there was no communication about the lift being out of order and had to use lots of stairs to get from platform to platform with her luggage. This was extremely difficult and would have been impossible for an individual who uses a wheelchair or scooter. When situations arise, such as a lift temporarily out of operation, information about this should be prominently displayed and alternative solutions need to be communicated to all passengers, including people with disability and/or there should be procedures for fares to be refunded when systems and equipment do not meet the required standards and therefore the public transport is no longer accessible.

MS Australia recommends that both the Exposure Draft and Guidelines be updated to include information that establishes how the public transport services will effectively respond to potential hazards or failures, especially when infrastructure is out of order for standard maintenance, and a means to communicate these circumstances to the public and if possible, include alternative solutions for people, including people with disability to use.

Minimum Procedures Should be Established for Operators and Providers to Assist with Crowd Control

MS Australia recommends the Transport Standards and guidelines should include procedures on how operators and providers will plan to assist with crowd control and help provide direct or indirect assistance people with disability with boarding and departing from buses, trams, trains, ferries, and planes when these public transport services are crowded.

Public transport services often become less accessible when the services are crowded. It can be extremely difficult for people with disability, especially individuals with mobility issues, to access transport services, including to board and depart from buses, trams, trains, ferries and planes in generally and doubly so when there are crowds. The Exposure Draft and Guidelines should outline procedures for operators and providers to take measure to assist with crowd control and help provide direct or indirect assistance people with disability with boarding and departing from buses, trams, trains, ferries, and planes.

For instance, one member of MS Australia's LEEP who uses a wheelchair often experiences challenges boarding and departing ferries. She always makes a point to arrive early and inform staff that she needs additional assistance, however, there have been instances when the large crowds and lack of crowd control make boarding the ferry inaccessible, especially when the ramp isn't wide enough. Similarly, when trains and trams get crowded at peak times, many times more staff are available on the platforms, however that doesn't translate to actually helping people with disabilities to board and depart the mode of public transport.

MS Australia recommends that the Exposure Draft and Guidelines should outline procedures for operators and providers to take measures to assist with crowd control and help provide direct or indirect assistance people with disability with boarding and departing from buses, trams, trains, ferries, and planes.

Prohibiting Locking Accessible Toilets

MS Australia recommends updating Part 15 of both the Transport Standards and guidelines to include language that prohibits public transport services using heavy doors and from locking accessible toilets, so they are available for people with disability to use. Some public transport services have been updated as part of the MLAA initiative to use a Master Locksmiths Access Key (MLAK) system, which is a universal lock and key, which enables people with disability to access the public toilets 24 hours a day. However, one member of MS Australia's LEEP who uses a wheelchair has been locked out from using public transport service accessible toilets, including those with MLAK systems due to them being locked or padlocks being added on top of the MLAK system. In addition, one member of MS Australia's LEEP who uses a wheelchair and scooter often has trouble with toilets labelled as accessible but do not automatically open and are very challenging to open for people who use wheelchairs and scooters.

MS Australia recommends Part 15 of both the Transport Standards and the guidelines be updated to prohibit locking accessible toilets.

In conclusion, **MS Australia recommends** additional reforms to the Transport Standards and guidelines, reforms, including the need to establish minimum procedure and communication when systems and equipment is out of order or begin maintained, establish minimum procedures for operators and providers to assist people with disability when the public transport services are crowded and prohibiting the locking of accessible toilets. Reforming the Transport Standards and guidelines to include these recommendations will further ensure the public transport services are more accessible and inclusive for people with disability, including those living with MS.

Reference

[1] Australian Bureau of Statistics (2022), Disability, Ageing and Carers, Australia: Summary of Findings, ABS Website, accessed 16 July 2025.

[2] Department of Infrastructure, Transport, Regional Development, Communications, Sport and the Arts, Reform of the Disability Standards for Accessible Public Transport 2002—Summary of decision, published 20 March 2024, p 3. Accessed 29 October 2025 from: https://www.infrastructure.gov.au/sites/default/files/documents/reform-of-the-disability-standards-for-accessible-public-transport-2002-summary-of-decision-march2024_0.pdf

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