



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

Draft Aviation Customer Rights Charter

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Terminology and Our Organisation

Terminology

We acknowledge that each person's experience of disability is unique, and that different people will have a way of talking about disability or themselves that they like best.

Some people prefer to use identity-first language, while some prefer to use person-first language. We are also aware that there are different and equally valid ways that people describe their hearing loss and the importance of acknowledging an individual's right to choose how they describe their personal experience of disability.

In this submission, we usually use the term 'person with hearing loss' but may use other terms including 'hard of hearing' or 'hearing impaired' depending on an individual's preferences.

When referring to people with lived experience of deafness, we capitalise 'Deaf' as an identity-first language to acknowledge the Deaf community as a unique and culturally diverse population group within Australia with many distinctive characteristics including language, cultural norms, and shared experiences.

Deafness Forum Australia

Deafness Forum Australia is recognised by the Australian Government as the national representative peak body for the 4 million Australians who live with hearing loss, have ear or balance disorders, people who also communicate using Australian Sign Language, and their families and supporters.

Deafness Forum's mission is to make hearing health and wellbeing a national priority in Australia and address the societal barriers that inhibit the equitable inclusion of people with hearing loss as citizens and community members.

We draw our authority from what our members and other stakeholders tell us, Australia's Disability Strategy, National Preventive Health Strategy, Roadmap for Hearing Health and Wellbeing, National Agreement on Closing the Gap, United Nations Sustainable Development Goals, and United Nations Convention on the Rights of Persons with Disabilities.

Deafness Forum collaborates with a broad range of specialist organisations, including early intervention agencies, representative organisations for cohorts within the deafness and hearing loss communities, and people with direct experience of deafness or hearing loss and their families. We have strong connections with primary research institutions and are involved in various systemic advocacy and health initiatives.

Deafness Forum represents Australia as a Foundation Member of the World Hearing Forum (part of WHO), as a member of the International Federation of Hard of Hearing People, and as an associate member of the World Federation of the Deaf.

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In the spirit of reconciliation, we acknowledge the Traditional Custodians of Country throughout Australia and their connections to land, sea, and community. We pay our respect to their Elders past and present and extend that respect to all Aboriginal and Torres Strait Islander peoples today.

Introduction

Deafness Forum Australia contributed to the Australian Government's Aviation White Paper in 2024, and we are glad to see the Government's progress towards the realisation of initiatives from the White Paper, relevant to our constituents.

The development of the Aviation Customer Rights Charter (the Charter) is an important and timely step in ensuring accessible and inclusive customer service standards across all Australian airports and airlines. We hope that the Charter will act as an instrument to ensure that airlines and airports understand and apply basic customer service principles when providing services to travellers with hearing loss, and as an alternative basis for people with disability to access their rights under the Disability Discrimination Act 1992 (Cth) (the DDA)

Deafness Forum Australia supports in principle all rights proposed under the Charter. Our feedback in this submission focuses on proposed *Right 1* as it explicitly relates to the interests of our constituents.

Aviation travel experiences for people with hearing loss

The hearing loss community is diverse and includes people with varying degrees of hearing impairment, each of whom will have unique communication requirements when it comes to air travel.

Travellers may be able to understand spoken language, others may rely on lip-reading, while some might use Auslan or written communication. Others might travel with a hearing support dog or have specific technology needs, such as access to hearing loops, captioning, or Bluetooth in-flight. Understanding the diverse needs of people with hearing loss and being flexible to the specific accessibility requirements of each traveller is critical in providing a comfortable and inclusive travel experience.

While progress has been made over the years by Australian airlines and airports in improving accessibility for travellers with hearing loss, travellers still have mixed experiences and report instances where they are unable to access the basic accessibility requirements defined under the DDA.

For a proportion of those we represent, air travel remains an extremely stressful experience and a source of significant anxiety and frustration. Some of our constituents will actively avoid booking flights through airline companies in response to negative past experiences.

I am profoundly deaf with cochlear implants, and I find air travel a total nightmare. I don't understand the announcements and I have no idea what is happening while in flight and I am totally at the mercy of the person sitting beside me. I just hang in there and wait until the ordeal is over.

In my experience airlines don't cater for passengers with hearing loss. Everything from waiting lounge announcements to on-board announcements come through as muffled. My audiologist says it isn't my hearing aids (which are top-of-the-line devices) that are causing this. Written advice to replace the verbal announcements are either way too brief or non-existent.

While the specific accessibility needs of each traveller may be unique, the most common challenges people with hearing loss experience in the context of air travel include:

- Communicating with airlines at the point of booking

- Communicating with airport and airline staff during check-in, security checks, and when boarding/disembarking aircraft
- Receiving airport announcements such as boarding calls and flight changes
- Wayfinding at airports
- Accessing emergency briefings and safety instructions, inflight entertainment services, and communicating with cabin crew
- Accessing suitable seating
- Support to travel with assistance dogs

People who live with hearing loss must invest significantly more time and effort than other travellers in preparing for air travel. While this is generally accepted as something they simply need to do, there is no guarantee that pre-planning will result in a seamless travel experience, even if airlines and airports have explicit accessibility policies and processes.

More than once I have found myself seated in the emergency row and a deaf person is not supposed to be seated there. Once the person next to me said "Don't worry about it" but I was stressed out of my brain pretending to the air hostess that I was a hearing person. Geez, I guess I'm good at faking it but that was one of my worst flying experiences ever.

Online booking platforms are highly accessible for people with hearing loss, however, accessibility support information for people who have hearing loss, can be difficult to locate on provider websites in comparison to supports available for other disability cohorts:

Trying to find where on the airlines' websites you can request assistance or communicate your needs with regard to hearing loss is difficult. Everything seems to be geared towards people with physical disabilities.

To address this, some travellers with hearing loss will upgrade their seats where possible to bypass the complex systems around flagging their needs, as business and first-class seats often come with greater flexibility in terms of seating position, etc.

Trying to find where on the airlines' websites you can request assistance or communicate your needs with regard to hearing loss is difficult. When booking business class flights this isn't so much an issue as you can choose your seats for free. I have always been able to obtain the business class seat I need with Qantas & Virgin.

Additionally, some provider platforms lack the functionality to adjust or cancel flights, requiring passengers to make these changes over the phone. This can be daunting for people with hearing loss, who might struggle to hear over the phone or be understood when talking to call centre staff.

You can book tickets etc online BUT you must ring to change/correct the booking and end up dealing with an overseas customer support centre with [staff who have] heavy accents that I don't understand... my deaf accent is never understood by the customer centre [staff] either and ditto the automated verbal cues (tell us in a few words how we can help...)

Travellers using online booking platforms report frustration with being expected to disclose whether they have an impairment as standard across many airline booking systems when this information is seldom translated into appropriate adjustments unless it is explicitly requested.

[I] notice passengers are now requested to advise if they have hearing impairment. I get that this is for safety reasons BUT what is this information used for? I still get the same seat allocated by the airlines. I still don't get any different announcements like above. I bet if I asked the airline staff, they wouldn't know that my partner and I have impaired hearing.

Despite proactively providing detailed information about their accessibility needs during the booking process, airlines may fail to guarantee that necessary accommodations will be in place upon arrival. This systemic shortcoming persists even when:

1. Travelers clearly distinguish between their disability and their specific accessibility requirements
2. Information is submitted well in advance of travel dates
3. Multiple follow-up confirmations are attempted

I am deaf and require specific seating – an aisle seat on the left side so that my right ear, the better one, is closer to the flight crew. I'm unlikely to understand them otherwise. For the first couple of flights, I contacted [the airline] via their chat function trying to secure an aisle seat due to my disability. The first time I was told this was done and it was for my outbound flight, but not the return flight. Fortunately, I was at a relatively small airport and the flight wasn't full. It was changed at check-in.

Travellers with hearing loss are often vigilant in checking (and rechecking) details such as seat allocations, to try to prevent such issues on the day of travel, which adds to the overall burden of disability they already experience across the planning process.

Airports in Australia are seldom accessible spaces for people with hearing loss. Crowded and noisy spaces, they are usually created without considering the impacts of design and materials as regards overall acoustics. Echoing effects, reverberations and ambient noise can make it extremely hard for people with hearing loss to hear announcements or understand what they are being told by staff during check-in, security checks, and boarding.

It's hard to find quiet spots at most of our airports and the noise can be overwhelming at times. The gates where there is a full plane load of people waiting can be quite challenging.

Those who use hearing aids or cochlear implants may be particularly affected by ambient sound which can be picked up and amplified by these devices. Airports are also inconsistent in providing accessible alternatives to PA announcements, hearing loop technology, and sufficient wayfinding signage.

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While airline apps, online check-ins and self-serve kiosks do much to improve accessibility for travellers with hearing loss, it can be a real challenge to get support when necessary from airport staff who possess disability awareness.

A few times I've encountered less than sympathetic staff who clearly have not done any deaf awareness training, for example, they turn their head away from me in a very dismissive manner when speaking to me.

One occasion departing Melbourne with Jetstar was particularly distressing. I had messaged [Jetstar] via chat seeking an aisle seat and was told if I wasn't allocated an aisle seat I could have it changed at the check-in counter. The staff member [at the check-in counter] lacked any empathy and confirmed I had not been given an aisle seat. Fortunately, she was able to change my seat. I tried to ascertain why they hadn't given me an aisle seat from the outset thereby avoiding the distress I was experiencing. She was unrelenting. It wasn't until I started to cry that she softened her stance. She did not apologise but gave me information on how to complain. I didn't end up lodging a complaint as I thought it would be a waste of time. [Now] I just avoid Jetstar or pay for the seat I need.

Onboard experiences can vary across providers and different classes of seating.

I have generally had positive experiences with aircrew on all airlines. Qantas Business Class crew have been particularly good. As soon as I board, I tell them I am deaf and explain I can't always understand PA announcements, and how best to communicate with me. They have appreciated this information up front and have modified their communications accordingly.

A significant area of concern, which was highlighted via feedback from several constituents is that safety and emergency procedures are not always provided in a format that is accessible for travellers with hearing loss.

[Online safety] is a major concern for my partner (who is also hearing impaired and wears two hearing aids) and I. Regional carriers who give verbal briefings to passengers in the traditional way, we believe exposing hearing-impaired passengers to a high risk.

Sure, there is a written placard giving most of the information but if you compare what is said versus what is on the information card, you will be surprised at the subtle differences. Then you have the video briefings which have become popular. In most cases they rely on sound coming through a head set or an overhead speaker. The headsets are a waste of time for most hearing-impaired passengers as the sound quality is poor at best. Look at the number of passengers who carry their own headsets to support my statement. The overhead speakers don't have the volume or sound quality to be of much use. This is a safety issue not just a personal preference.

Arrivals and departures from airports, including making connections to access other forms of transport, such as taxis or coaches can be challenging. While some airports, shuttle services, and alternative transport providers will support people with hearing loss from point-of-curb, many are expected to navigate this process independently.

My experience arriving at airports has been mixed. I flew to Proserpine last year where I had to connect with a bus shuttle service to take me to Airlie Beach. The airport is small and easy to navigate. The bus company provided clear instructions on where to check in. It was all incredibly

easy. Arriving at Melbourne, my home airport(!), has been a challenge at times. Particularly once outside and trying to get transport home or to one of the off-site car parks. The staff out there are at best unhelpful, and the signage is often not clear. I can't just call someone for assistance.

Our Feedback on Proposed *Right 1*

There is an opportunity for substantive reform across the air travel industry to respond to an ongoing lack of compliance with the statutory rights of travellers with hearing loss as prescribed under the DDA.

People with hearing loss travelling by air for work or leisure should be able to expect a base level of dignity and respect in an accessible and inclusive environment, as a matter of first principle. Basic accessibility and inclusion should be viewed as a critical basis for realising broader consumer rights, as prescribed by the Australian Consumer Law.

The success of the planned new Charter will be contingent on its enforceability, and we welcome the intention for the rights expressed in the Charter to inform the complaint resolution process of the planned Aviation Industry Ombuds Scheme underpinning any determination the Ombudsperson may give to resolve a complaint in a particular way.

While we support proposed *Right 1* in principle, we are concerned that the current wording 'in an accessible and inclusive environment' is confusing and could be open to narrow interpretation. *Right 1* should be expanded to state that aviation industry customers have the right to be treated with dignity and respect, *and to expect service that is fair and non-discriminatory*, in an inclusive and accessible environment to make it inherently clear that this right requires airlines and airports to comply with all relevant anti-discrimination laws (including the DDA) when supplying services to travellers.

It will be critical for the Charter to provide guidance on the purpose and intention of each right and how these rights might be practically realised.

The extent to which airlines and airports are expected to take responsibility across the end-to-end travel experience for travellers should be expanded to encompass the full travel experience, which starts at the point of booking and ends when a passenger, such as someone who is deafblind, is collected from the airport curb on departure.

In realising the rights of people with disability, airlines and airports should be required to develop relevant parts of their Customer Service Statements or Charters in codesign with people with disability and the organisations that represent their interests, with final versions subject to independent review by an appropriate authority, such as the Australian Human Rights Commission.

Customer Service Statements and Charters should be internally reviewed periodically with a focus on continuous refinement and improvement to ensure that these documents do not remain static, or that airlines and airports become complacent in keeping on top of advances in technology with impacts across best practice.

Airlines and airports should also be encouraged to establish standing advisory committees of people with lived experience of disability to provide ongoing, expert advice on how to provide accessible and inclusive services.

Accessible communication (including wayfinding) in the context of proposed *Right 1* should be provided in real-time, wherever possible, in the form for example of audio announcements simultaneously being available in written format on billboards, and aircraft safety briefings

being provided through captions on inflight safety videos. Inclusive information about on-board emergency procedures should be mandatory across all airlines.

Boarding announcements are verbal only in the vast majority of cases. A simple electronic board providing information which has been verbally given, would make my life a lot easier. Not just “boarding”. Tell me what is being said in the announcements. I recently ended up causing confusion at the boarding gate when I misheard which row numbers were boarding. A simple thing that most people hear but a major issue for hearing-impaired people.

All airline and airport staff in customer-facing roles should receive basic disability awareness training appropriate to their role, including training on how to identify and competently respond to the needs of passengers with hearing loss.

This training should cover, at a minimum:

- Disability rights awareness
- Understanding of the nature of hearing loss and how this can impact a traveller’s end-to-end travel experience
- The different types of communication methods a traveller with hearing loss may wish to use and how to assist travellers in their preferred communication style
- How to support travellers with assistance animals.

For aircraft crew additional training should also involve:

- Aircraft accessibility features and how to support passengers to access these features
- How to support passengers with hearing loss in emergencies
- The operation of Bluetooth technology in the context of hearing aids and cochlear implants in flight.

We welcome the Government’s commitment to measuring the effectiveness of the Charter using customer satisfaction surveys. We recommend that the Government seek input from Disability Representative Organisations such as Deafness Forum Australia to ensure that these surveys are provided in accessible formats. We endorse the notion of reviewing the Charter every three years.

Additional Comments

While not within the scope of this consultation, we reiterate our support for Aviation White Paper policy initiative 4 - the development of aviation-specific disability standards as a schedule of the Disability Standards for Accessible Public Transport 2002 (Disability Transport Standards).

Aviation-specific disability standards will be necessary to realise the full intent and purpose of the Charter, affirming the rights of people with disability during air travel, the obligations that airlines and airports must provide equal access, and providing much-needed prescription on practical compliance in the context of providing service to travellers with disability.

In closing, we offer our appreciation for this opportunity to provide comment on the Charter and would welcome all future opportunities to support the Department across this important work.



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