

Comments on Aviation Green Paper - Towards 2050: Access for People with Disability

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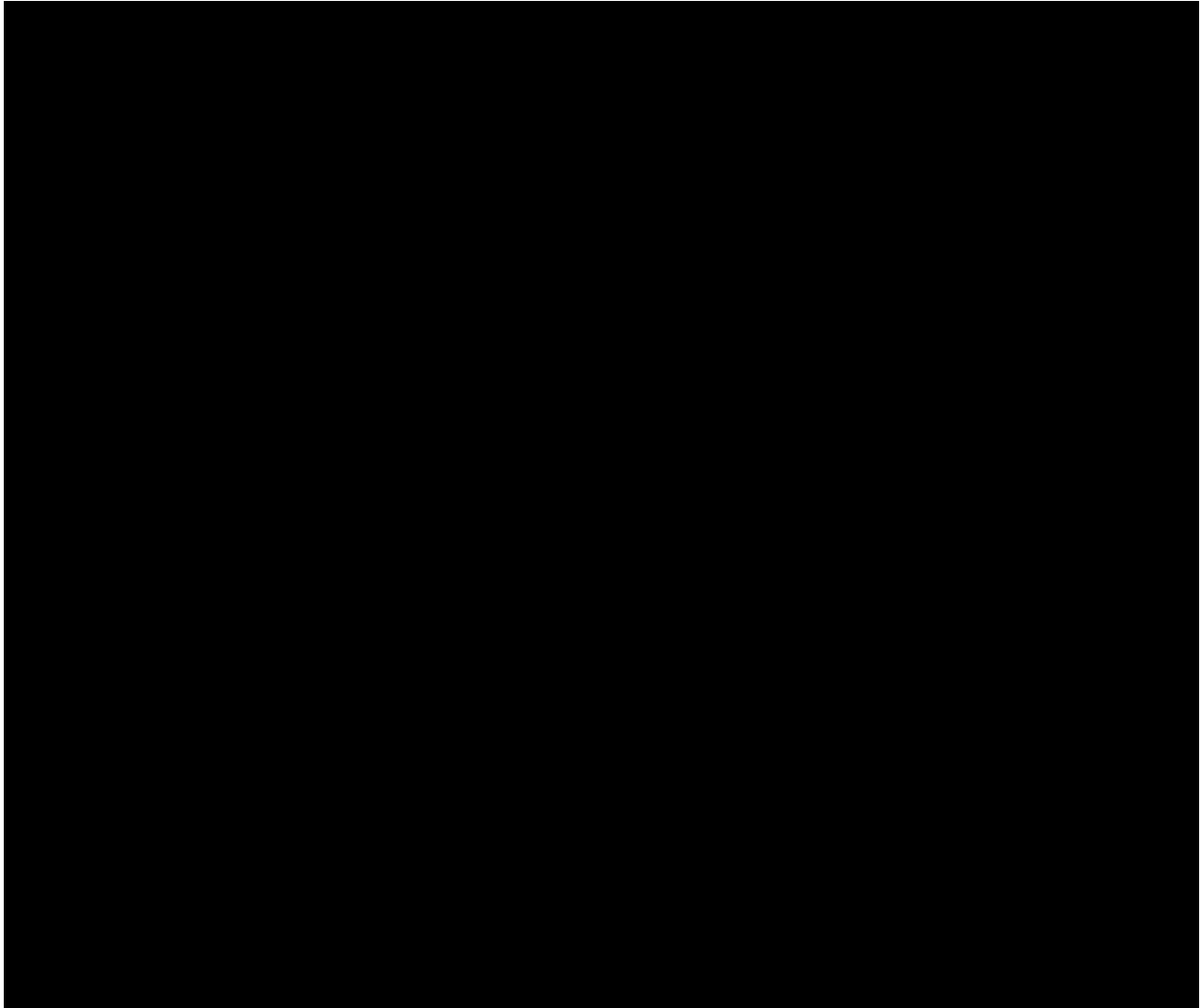


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What further improvements can be made to the Disability Standards for Accessible Public Transport to accommodate the unique requirements of air travel?

Wheelchair carriage policy

Carrying two wheelchairs only per flight discriminates against people who use wheelchairs or similar mobility aids¹. Jetstar states this policy on its website². Jetstar flies A320, A321 and Boeing 787 aircraft. Other airlines flying the same aircraft do not state a two wheelchairs per flight limitation. It is unclear then why Jetstar has such a policy. This limitation was identified as a concern by the Royal Commission into Violence, Abuse, Neglect and Exploitation of People with Disability³ (the Royal Commission).

Aircraft holds differ in capacity, which variously limits the amount of cargo carried by different models of aircraft. Smaller aircraft are more tightly constrained than larger aircraft. Mobility aids also differ in size. Realistic numbers of mobility aids carried per flight will therefore vary.

A co-design process involving all stakeholders would allow realistic numbers of mobility aids, relevant to aircraft cargo hold capacity and mobility aid size, to be agreed and incorporated into the Disability Standards for Accessible Public Transport (DSAPT).

Wheelchair and mobility aid dimensions

Airlines impose dimensional limits on mobility aids that differ from the assumptions stated in *The Disability Standards for Accessible Public Transport Guidelines 2004 (No 3)* (DSAPT Guidelines) Part 40. This matter requires resolution, with realistic dimensions relative to aircraft cargo hold carrying capacity being stated in the DSAPT.

A co-design process involving all stakeholders would allow realistic dimensions that were relevant to aircraft cargo hold capacity, rather than individual airline policy, to be agreed.

The *Disability Standards for Accessible Public Transport Guidelines 2004 (No 3)* (DSAPT Guidelines) Part 40 provides dimensions for mobility aids that people with disability refer to when selecting mobility aids. An excerpt states:

Part 40 Assumptions about public transport mobility aids

40.1 Criteria for mobility aids in Disability Standards

The following criteria reflect assumptions underlying the Disability Standards. They are useful as a guide for designers of mobility aids.

¹ <https://www.infrastructure.gov.au/infrastructure-transport-vehicles/aviation/aviation-access-forum-aaf/two-wheelchair-policies>

² <https://www.jetstar.com/au/en/help/articles/limits-on-assistance-and-mobility-aids>

³ <https://disability.royalcommission.gov.au/news-and-media/media-releases/workshops-find-people-disability-afterthought-domestic-air-travel>

Intending passengers should also consider these criteria when purchasing a mobility aid for use on public transport.

Width The overall width of the mobility aid needs to be less than 800 mm.

Allocated space The space for stationary mobility aids is 800 mm wide by 1300 mm long

All passenger aircraft currently used by major airlines accommodate the 800 mm limit on mobility aid width (See Table 1).

All turboprop aircraft and most narrow-bodied jets failed to accommodate mobility aids of up to 1300 mm length (See Table 1). The outlier was Jetstar's A320 and A321 aircraft which can accommodate a mobility aid of up to 1400 mm. Why the A320s of other carriers cannot match Jetstar A320 length limits is unknown.

All wide-bodied jets easily accommodate a mobility aid of up to 1300 mm x 800 mm (See Table 1).

Table 1. Mobility aid dimensions by aircraft. Airlines are Rex⁴, Virgin⁵, Qantas⁶, Alliance⁷, Network Aviation⁸ and Jetstar⁹.

Aircraft	Airline	Width (mm)	Height (mm)	Length (mm)
Saab 340	Rex	850	1300	1150
Saab 340	Virgin Australia	850	1300	1150
Bombardier Dash 8	Qantas	850	1300	1150
Fokker 70	Virgin Australia	1000	650	1250
Embraer 190*	Alliance	1000	840	1250
Fokker 100	Virgin Australia	1000	650	1250
Fokker 100	Network Aviation	1250	630	1250
Fokker 100*	Alliance	1000	650	1250
Boeing 717	Qantas	1290	690	1000
Boeing 737	Rex	1000	840	1250
Boeing 737	Qantas	1000	840	1250
Boeing 737	Virgin Australia	1000	840	1250
Airbus A320	Jetstar	1400	1000	1400
Airbus A320	Virgin Australia ¹⁰	1000	840	1250
Airbus A321	Jetstar	1400	1000	1400

⁴ <https://www.rex.com.au/FlightInfo/SRC.aspx>

⁵ <https://www.virginaustralia.com/au/en/travel-info/specific-travel/specific-needs-assistance/mobility-assistance/>

⁶ <https://www.qantas.com/au/en/travel-info/specific-needs/mobility-assistance.html>

⁷ <https://www.qantas.com/au/en/travel-info/specific-needs/mobility-assistance.html>

⁸ <https://www.qantas.com/au/en/travel-info/specific-needs/mobility-assistance.html>

⁹ <https://www.jetstar.com/au/en/help/articles/limits-on-assistance-and-mobility-aids>

¹⁰ <https://www.virginaustralia.com/au/en/travel-info/specific-travel/specific-needs-assistance/mobility-assistance/>

Aircraft	Airline	Width (mm)	Height (mm)	Length (mm)
Boeing 787	Jetstar	1500	1600	1500
Boeing 787	Qantas	1500	1600	1500
Airbus A330	Qantas	1500	1600	1500
Airbus A380	Qantas	1500	1600	1500

Wheelchair and mobility aid mass

Mass limits for mobility aids carried as cargo needs to be included in DSAPT. Currently, DSAPT mobility aid mass limits relate to the carrying capacity of boarding devices rather than conveyances.

The *Disability Standards for Accessible Public Transport Guidelines 2004 (No 3)* (DSAPT Guidelines) Part 40 provides dimensions for mobility aids that people with disability refer to when selecting mobility aids. An excerpt states:

Part 40 Assumptions about public transport mobility aids

40.1 Criteria for mobility aids in Disability Standards

The following criteria reflect assumptions underlying the Disability Standards. They are useful as a guide for designers of mobility aids.

Intending passengers should also consider these criteria when purchasing a mobility aid for use on public transport.

Weight The total weight to be supported by a boarding device needs to be not more than 300 kg

As per dimensional limits, a co-design process involving all stakeholders would allow realistic mobility aid mass limits that were relevant to aircraft carrying capacity, rather than individual airline policy, to be agreed.

Motorised mobility aids such as electric wheelchairs are often heavy. Twelve popular models listed by the Independent Living Specialists¹¹ weigh between 100 kg and 149 kg.

Both Rex Airlines and Alliance Airlines place 120 kg limits on mobility aids. Rex operates Saab 340 and Boeing 737-800 aircraft. Alliance flies Fokker 100 and Embraer 190 aircraft.

Rex - Disability Access Facilitation Plan v3.21¹² states:

Aircraft Space Availability for Wheelchair

Rex cannot uplift a wheelchair in excess of 120Kg in weight.

Wheelchairs weighing in excess of 120KG may still be carried only if they can be broken down into parts each weighing not more than 120Kg and only if space and weight is available for the uplift.

¹¹ <https://ilsau.com.au/wheelchairs/electric-wheelchairs/>

¹² <https://www.rex.com.au/flightinfo/pdf/REX%20DAFP.pdf>

The Qantas website¹³ states:

Mobility Aid Maximum weight limit for Mobility Aids for Alliance Aircraft E-190 and F100 is 120kg.

Other carriers operating similar sized aircraft do not state upper weight limits, though these may exist.

Passenger are instructed by most carriers to identify the weight of the mobility aid when booking, at which time weight limits may be discussed. This can lead to refusals at booking and does little to promote certainty for passengers.

For example, Jetstar state:

Maximum weight for mobility aids and wheelchairs as checked baggage

Each item must be 32kg or less, except for wheelchairs or mobility aids that can travel in the upright position in freewheel mode (which may exceed 32kg).¹⁴

You or your travel agent must telephone us on 131 538 to advise us of the details of the mobility aid you are checking-in (for example, if you are not checking-in a wheelchair or if you are checking-in a manual or electric wheelchair, the battery type and the weight of the wheelchair if it weighs more than 32kg) or require your travel agent to telephone us on 131 538 to provide this information.

Both CASA and the AAF advise this pre-flight contact in order to discuss mobility aid weight—among other matters.

*Booking your flight*¹⁵

Before booking your flight, think about what you need so you can choose the airline that best suits you. Ask about:

- transporting a wheelchair and the battery, if you have one.

*3. Booking Your Flight*¹⁶

3.1 Advance Notification Requirements

Passengers with disability who intend to travel with mobility aids should provide the airline with at least 48 hours advance notice. When booking your flight, always specify that you will require assistance when you travel.

When notifying the airline that you require assistance when travelling, you may be asked to provide the following information:

¹³ <https://www.qantas.com/au/en/travel-info/specific-needs/mobility-assistance.html>

¹⁴ <https://www.jetstar.com/au/en/help/articles/limits-on-assistance-and-mobility-aids>

¹⁵ <https://www.casa.gov.au/operations-safety-and-travel/travel-and-passengers/passengers-disability-and-reduced-mobility/planning-travel-disability>

¹⁶ <https://www.infrastructure.gov.au/infrastructure-transport-vehicles/aviation/aviation-access-forum-aaf/mobility-aids-passengers>

- number of mobility aids;
- type of mobility aid;
- size dimensions of mobility aid;
- weight of mobility aid;
- type of battery, if battery-powered;
- whether the aid is collapsible or foldable; and
- any arrangements that will be required whilst without mobility aid.

Including mass limits for aircraft types in DSAPT would allow both industry and passengers certainty.

Security screening

The Royal Commission workshops identified poor practice at security check points as a barrier¹⁷. Media articles have highlighted the same issue¹⁸.

DSAPT only mentions security screening in Section 12.1(2). This Section states the obvious—that direct assistance may be required in order to transit security check points. The DSAPT Guidelines are silent on security check points and associated processes.

12.1 Doors on access paths

- (1) Any doors along an access path must not present a barrier to independent passenger travel.
- (2) Direct assistance may be provided through security check points.
 - Conveyances; except dedicated school buses and small aircraft
 - Premises
 - Infrastructure; except airports that do not accept regular public transport services

The requirement for security staff competence and awareness of how to assist passengers who have a disability should be explicit in the reformed DSAPT. Process and training regimes should be co-designed by all stakeholders. Requirements for security staff competencies should also be included in a Customer Rights Charter.

Staff competency

The Royal Commission workshops identified poorly trained airline and airport staff as a disincentive and barrier to successful travel¹⁹. Multiple media articles have highlighted the same issue.

¹⁷ <https://disability.royalcommission.gov.au/news-and-media/workshops/air-travel-workshops>

¹⁸ <https://www.abc.net.au/news/2022-05-15/sa-adelaide-airport-disability-discrimination-complaint/101068140>

¹⁹ <https://disability.royalcommission.gov.au/news-and-media/workshops/air-travel-workshops>

Staff training and customer service are covered in the DSAPT Guidelines *Part 37 Customer service*. The DSAPT-2002 is silent on staff training but it would appear to be implicit in Section 1.2 Purpose of Standards.

1.2 Purpose of Standards

- (1) The Disability Discrimination Act 1992 seeks to eliminate discrimination, 'as far as possible', against people with disabilities. Public transport is a service covered by the Disability Discrimination Act 1992.
- (2) The purpose of these Standards is to enable public transport operators and providers to remove discrimination from public transport services.

The requirement for airline and airport staff competence and awareness of how to assist passengers who have a disability should be explicit in the reformed DSAPT. Process and training regimes should be co-designed by all stakeholders. Requirements for staff competencies should also be included in a Customer Rights Charter.

Information

The Royal Commission workshops identified poor provision of information at all stages of a journey—from planning / booking to destination—as a barrier to travel²⁰. The DSAPT already covers information in *Part 27 Information*.

Part 27 Information

27.1 Access to information about transport services

General information about transport services must be accessible to all passengers.

Conveyances

Premises

Infrastructure

Part 27 may need to be expanded to better specify how and when information must be provided. It should stress that information must be available in multiple accessible formats and that less commonly requested formats must be provided in a timely manner. Reference in DSAPT Part 27 to material in the DSAPT Guidelines would be very helpful.

The *Disability Standards for Accessible Public Transport Guidelines 2004 (No 3)* do provide useful information but if the feedback to the Royal commission is credible then the Guidelines may often not be referred to by operators and providers.

1.15 Disabilities other than physical disabilities

While the Disability Standards include specific criteria for some physical disabilities, operators and providers need to be equally

²⁰ <https://disability.royalcommission.gov.au/news-and-media/workshops/air-travel-workshops>

mindful of removing discrimination against people with medical, intellectual, behavioural and emotional disabilities. In this regard, operators and providers should avoid attitudinal or informational barriers that limit the accessibility of public transport for some passengers.

1.18 Explaining and understanding networks

- (2) Operators have an obligation to ensure that information about their service is presented in a way that passengers can understand. However, operators may also choose to give assistance to individuals.

1.26 Publicity

Information is an essential component of any public transport system. The Disability Standards assume that information about accessible public transport services will be readily available.

Minimum literacy and language skills are referenced in the DSAPT Guidelines' Section 27.1 but are undefined. A person may be fluent in Auslan—a distinct language—but have poor English literacy skills. Equally, visual information will not serve people who are vision impaired or who have certain cognitive disabilities, but digital or audio information might serve them well. The nebulous narrative of the DSAPT Guidelines *Part 27 Information* should be brought into sharp focus in order to give certainty to all stakeholders. A direct reference to Part 27 in the DSAPT Guidelines, located in the DSAPT's Part 27, would give the Guidelines a much greater degree of authority.

Part 27 Information

27.1 Assumption of minimum literacy and language standards

- (1) The Disability Standards provide that operators or providers will supply all passengers with information necessary to use a transport service.
- (2) However, the Disability Standards assume that passengers have a minimum level of literacy and language skills.

Formats have changed since 2002 and Part 27.2 needs updating. Audiovisual material should conform to WCAG 2.1 AAA for example. This is often done—and is easily achieved at little extra cost—but is not provided not consistently.

27.2 Formats for providing information

- (1) Operators and providers should expect requests for information in formats such as standard or large print, Braille, audio, touch-tone telephone, TTY and on-line computer or disks.
- (3) If it is not possible for operators or providers to supply information in a particular format, passengers may expect assistance to be provided to enable them to use documentation

in the available formats, for example, the provision of a photocopy enlargement of a timetable.

- (4) However, essential travel and safety information, such as emergency instructions on aircraft, must be available in an accessible format or direct assistance must be given.

Auslan and audio version



[Show/hide transcript](#)

Was this page useful?

Yes

No

Access to information during service disruptions was identified by the Royal Commission. The existing material in the DSAPT Guidelines should be strengthened and made more explicit.

33.11 Assistance while travelling

Once on board, passengers with disabilities may request assistance with:

- (c) information or advice if there is an unscheduled change to services, or the timeframe does not allow for information to be provided in a preferred format.

[Transfer between aisle chair and seat](#)

The Royal Commission identified 'Limited access to safe ramps and hoists to accommodate wheelchair users.' As a barrier to safe travel. The DSAPT-2002 has much to say about boarding devices but is silent on

devices that allow transfer between aisle chairs and fixed seats. Rather, the DSAPT Guidelines in Section 33.10 state what 'can' be done by an airline in this transfer process. The guidance offered in Section 33.10 should be made a requirement in DSAPT.

33.10 Assistance during boarding and alighting

- (1) People with disabilities can be assisted to board or alight from conveyances, such as coaches and aircraft, through the provision of:
 - (a) mobility aids on conveyances where design constraints prevent use of a person's own mobility aid; or
 - (b) assistance in moving from a wheelchair into a fixed seat if an allocated space is not provided.

The means of 'moving from a wheelchair into a fixed seat' has been variously interpreted. It ranges from a passenger providing a travelling Carer on some regional services to airlines providing Eagle lifters at larger airports. Eagle lifters can be used in narrow-bodied jets of some airlines but not others. In one instance (Jetstar) the best that can be offered in a wide-bodied Boeing 787 is a slide board as Jetstar do not offer Eagle lifters. This situation seems rather chaotic.

A co-design process that rationalises this chaos and provides a degree of uniformity to what can be reasonably expected in aisle chair to fixed seat transfers is needed. All stakeholders should participate and the outcome incorporated into DSAPT.

Appendix 2 has excerpts from the online advice on aisle wheelchair to fixed seat transfers offered by various airlines.

[Co-design included in Equivalent Access.](#)

Equivalent Access is a useful process that allows operators and providers the opportunity to innovate beyond minimum prescribed standards. Currently Section 33.4 of the DSAPT-2002 covers the need to consult on Equivalent Access solutions.

33.4 Consultation about proposals for equivalent access

The operator or provider of a public transport service must consult with passengers with disabilities who use the service, or with organisations representing people with disabilities, about any proposal for equivalent access.

Consultation is not as effective as co-design. Consultation asks questions, co-design delivers outcomes. Section 33.4 should be redrafted to require co-design rather than just consultation.

Co-design better aligns with Australia's responsibilities under the Preamble and Article 4 of the United Nations' *Convention on the Rights of Persons with Disabilities and Optional Protocol*.

Preamble

The States Parties to the present Convention

(o) Considering that persons with disabilities should have the opportunity to be actively involved in decision-making processes about policies and programmes, including those directly concerning them,

Article 4 General obligations

1. States Parties undertake to ensure and promote the full realization of all human rights and fundamental freedoms for all persons with disabilities without discrimination of any kind on the basis of disability. To this end, States Parties undertake:

(e) To take all appropriate measures to eliminate discrimination on the basis of disability by any person, organization or private enterprise;

3. In the development and implementation of legislation and policies to implement the present Convention, and in other decision-making processes concerning issues relating to persons with disabilities, States Parties shall closely consult with and actively involve persons with disabilities, including children with disabilities, through their representative organizations.

Assistance Animals

Accredited assistance animals²¹ are not well considered in the DSAPT-2002. The DDA spells out rights of access for people accompanied by assistance animals in *Section 8 Discrimination in relation to carers, assistants, assistance animals and disability aids* and defines assistance animals in *Section 9 Carer, assistant, assistance animal and disability aid definitions*.

As a Disability Standard the DSAPT should be clear that:

- Accredited assistance animals have full right of access to all public places.
- Accredited assistance animals cannot be refused access to a booked or unbooked conveyance.
- Accredited assistance animals and their handlers should not be separated.
- Evidence of accreditation can be requested by the operator or provider.

Most of the points above have been dealt with in the DDA and in *Mulligan v Virgin Australia Pty Ltd [2015] FCAFC 130*²². *Mulligan v Virgin Australia Airlines* was a decision of the Full Court of the Federal Court, allowing an

²¹ <https://humanrights.gov.au/our-work/disability-rights/projects/assistance-animals-and-disability-discrimination-act-1992-cth#What%20is%20the%20legal%20understanding>

²² <http://www8.austlii.edu.au/cgi-bin/viewdoc/au/cases/cth/FCCA/2015/157.html>

appeal from a decision of the Federal Circuit Court. Access for assistance animals would seem settled and ready for inclusion in DSAPT.

Currently DSAPT-2002 Section 28.3 *Location of carers, assistants and service animals* only defines rights on aircraft and other conveyances but not in premises or infrastructure.

28.3 Location of carers, assistants and service animals

- (1) On booked services, operators must locate carers, assistants or service animals with the passenger with whom they are travelling.
- (2) In the case of carers or assistants, this would normally be in an adjoining seat.
- (3) If a passenger is travelling with a service animal, the animal must be able to accompany the passenger at all times and to travel without encroaching onto an access path.

Conveyances

- Aircraft
- Coaches
- Ferries
- Dial-a-ride services

The DSAPT Guidelines offer a degree of definition and currently read:

1.24 Carers, assistants and service animals

Some passengers may need to be accompanied by a carer, assistant or service animal. A service animal is an animal trained by a recognised individual or agency and is not subject to a fare. A carer or assistant should be prepared to pay a fare.

The workshops run by the Royal Commission into Violence, Abuse, Neglect and Exploitation of People with Disability heard that discrimination against people with assistance animals occurred²³:

Some of the key insights arising from the workshops included:

- Experiences of discrimination against people with disability who use assistance dogs. Participants discussed the refusal of being allowed to travel on flights while accompanied by assistance dogs.

Instances of passengers being separated from their assistance animals while passing through security screening have been reported in the

²³ <https://disability.royalcommission.gov.au/news-and-media/media-releases/workshops-find-people-disability-afterthought-domestic-air-travel>

media^{24,25,26}. This experience can be traumatising for both animal and handler.

Carers

As per assistance animals DSAPT does not accommodate carers in premises or infrastructure. The DDA spells out rights of access for people accompanied by carers in *Section 8 Discrimination in relation to carers, assistants, assistance animals and disability aids* and defines carers in *Section 9 Carer, assistant, assistance animal and disability aid definitions*.

As a Disability Standard the DSAPT should be clear that:

- Carers should have full right of access to all public places when accompanying people with disability.
- Carers cannot be refused access to a booked or unbooked conveyance.
- Carers and the people with disability that they accompany should not be separated.
- Evidence of carer status can be requested by the operator or provider.

Even when staff are providing assistance carers should be present. They have knowledge and information that can assist the staff member to provide optimal assistance rather than best guess. A recent incident where a prominent disability advocate was separated from his carers by a staff member—who then caused the advocate to fall from an aisle chair²⁷—highlights the need for carers to always remain with the people with a disability who they are accompanying.

Currently DSAPT-2002 *Section 28.3 Location of carers, assistants and service animals* only defines rights on aircraft and other conveyances but not in premises or infrastructure.

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Conveyances

- Aircraft
- Coaches

²⁴ <https://www.smh.com.au/national/graeme-innes-fights-to-change-how-disabled-people-are-treated-when-they-fly-20220516-p5alqs.html>

²⁵ <https://www.abc.net.au/news/2022-05-15/sa-adelaide-airport-disability-discrimination-complaint/101068140>

²⁶ <https://www.abc.net.au/news/2022-05-16/reports-of-disability-discrimination-at-australian-airports/101070802>

²⁷ <https://www.abc.net.au/news/2023-10-06/dinesh-palipana-tipped-out-of-wheelchair-virgin-ground-crew/102942156>

- Ferries
- Dial-a-ride services

The DSAPT Guidelines offer a degree of definition and currently read:

1.24 Carers, assistants and service animals

Some passengers may need to be accompanied by a carer, assistant or service animal. A service animal is an animal trained by a recognised individual or agency and is not subject to a fare. A carer or assistant should be prepared to pay a fare.

What improvements can be made to aviation accessibility that are outside the scope of the Disability Standards for Accessible Public Transport?

Transfer to aisle chair at boarding point on request

Understandably, people wish to maintain independence and mobility for as long as possible before boarding. As such, transfer to aisle chairs should be at the boarding point if the passenger requests this. This requirement might be incorporated in a Customer Rights Charter.

Assisted access from arrival point to aircraft

Large and even medium sized airports are complex, challenging places for people who have vision, cognitive, intellectual and neurodiverse impairments. Travelling from the airport arrival point to the aircraft seat can be a daunting experience and a significant disincentive to independent air travel. The same applies in reverse on arrival at destination.

Memoranda of Understanding between airlines and airport managers that allowed the need for assistance in transit between arrival point and aircraft to be identified at booking and implemented via a concierge service are needed. The MoU could specify responsibilities and expectations at each individual airport. This requirement for MoU might be incorporated in a Customer Rights Charter.

Sensory rooms and spaces

Various studies have highlighted the efficacy of waiting areas that incorporate sensory rooms or spaces for people who are neurodiverse²⁸. Airports are installing such rooms globally and the trend should extend to Australian airports. Provision of sensory rooms or spaces should form part of any Disability Access Facilitation Plan.

Complaints

Airlines should have a complaints process that treats people with disability respectfully and fairly. Ideally, these complaints processes would be co-designed by all stakeholders. This requirement might be incorporated in a Customer Rights Charter.

Lithium-ion batteries

The Royal Commission heard a call for standardisation of processes for carrying lithium-ion wheelchair batteries on aircraft.

Current regulations only cover batteries with over 300 watt-hours²⁹.

*CASA 66/22 — Dangerous Goods (Mobility Aid Lithium Ion Battery)
Instrument 2022
3 Definitions*

²⁸ <https://www.mdpi.com/1660-4601/18/13/7206>

²⁹ <https://www.legislation.gov.au/Details/F2022N00317>

battery means a lithium-ion battery with a watt-hour rating of more than 300 watt-hours.

Note The type of battery mentioned in this definition is specified in the Dangerous Goods List contained in the Technical Instructions.

CASA ambiguously defaults to airline policy in most instances³⁰.

Lithium ion batteries 100–160WH

These are more powerful batteries. You can find them in equipment such as power tools and mobility aids. They're usually between 100 and 160Wh.

If you want to carry these kind of lithium batteries with you, you must get approval from your airline before flying.

If the battery is in a device, you may carry it in either checked or carry-on baggage. If the battery is a spare and not in the equipment, you must carry it in your carry-on baggage only.

Lithium ion batteries 160Wh and over

You can't carry lithium batteries rated at 160Wh or more unless they're for wheelchairs and other mobility aids. Read more about wheelchairs and mobility aids with non-spillable batteries on flights.

For all other lithium batteries rated at 160Wh or more, you must transport these batteries as dangerous goods cargo.

Contact your airline for more advice.

Each airline has its own lithium-ion battery policy, which can cause confusion and disappointment. Standardisation of processes for carrying lithium-ion wheelchair batteries on aircraft should be incorporated in a Customer Rights Charter.

³⁰ <https://www.casa.gov.au/operations-safety-and-travel/travel-and-passengers/you-fly/batteries-and-portable-power-packs#Calculatingwatt-hours>

What are the specific challenges faced by people with disability wishing to travel by air in regional and remote areas?

Airport accessibility

Unsurprisingly, not all regional and remote airports are accessible. This will often be a result of inaccessible legacy assets and financial stress experienced by the asset owner. With the best will, DSAPT-2002's *Schedule 1 Target dates for compliance* (Section 33.2) could not be met if funds for upgrades were unavailable.

Exactly how many regional and remote airports are accessible is unknown. A national database specifying the accessibility of all airports that accept passenger services would be invaluable. This should be a priority in the DSAPT reform process.

Airport financial viability

The economic viability of regional and remote airports is tenuous. This will impact the capacity of the asset owner to upgrade facilities for accessibility. Regional Capitals Australia highlighted the scale of the problem and the financial challenges when seeking Commonwealth investment in a September 2023 article³¹:

An estimated 200 regional airports are owned and operated by local councils but rising operating, regulation and security costs means that many airports are operating at a loss and a burden on regional ratepayers.

Regional Capitals Australia's *Regional Airports Policy Paper*³² makes salient points on the challenges faced in the regions and the role that regional airports play nationally:

1. It is estimated that more than 200 regional airports and aerodromes are owned and operated by local governments across Australia;
2. Forty per cent of Australia's 61 million annual domestic aviation passengers travel through regional airports;
3. Civil Aviation Safety Authority (CASA)'s regulatory imposts are higher for regional and remote airports, comprising 12 per cent of total expenditure, compared to about 4 per cent for major airports and major regional airports;
4. Sixty per cent of regional airports operate at a loss. They depend upon cross-subsidisation by their local government owners who

³¹ <https://www.regionalcapitalsaustralia.org/investment-in-airports-needed-for-regions-to-fly/>

³² <https://www.regionalcapitalsaustralia.org/wp-content/uploads/2023/06/RCA-Regional-Airports-Policy.pdf>

are already burdened by competing demands on their limited financial resources; and

5. Almost 40 per cent of regional airports expect persistent budget deficits over the next 10 years.

An ABC article—*Local governments push for more regional airport funding as ratepayers subsidise dozens of council-owned facilities - ABC*³³—reiterates the number of regional airports running at a loss:

A new report by an advocacy group for regional local governments found there are 200 regional airports owned and operated by councils nationally.

An estimated 60 per cent — or 120 airports — operate at a loss, Regional Capitals Australia (RCA) found, and many are dealing with ageing and insufficient infrastructure.

Regional Capitals Australia's *Regional Airports Policy Paper*³⁴ makes various recommendations that are viewed as necessary to ensure future viability:

1. Implement a policy recognising the importance of regional airports in increasing the connectivity of regional Australia and to consider future planning and funding of regional airports;
2. Provide recurrent funding for the Regional Airport Fund to ensure that regional airports can be upgraded and maintained, and to guarantee the sustainability of the regional aviation network - \$500m over 4 years;
3. Upgrade the guidelines for the Regional Airport Fund to allow for landside developments to be considered; and
4. Review the efficacy of Western Australia's Strategic Airport Asset and Financial Management Framework (as recommended by the Productivity Commission) to assess the efficacy of the Framework and determine its suitability for application across all jurisdictions. Subject to the results of the review, support the roll-out of the Framework across other Australian jurisdictions.

These recommendations seem reasonable if local authorities are to be in a financial position to implement accessibility upgrades at their airports. Commonwealth and State recurrent funding would seem imperative for the ongoing operation and the DSAPT / Premises Standards upgrades at most regional and remote airports.

³³ <https://www.abc.net.au/news/2023-09-18/regional-airports-local-government-support-ratepayers-funding/102860646>

³⁴ <https://www.regionalcapitalsaustralia.org/wp-content/uploads/2023/06/RCA-Regional-Airports-Policy.pdf>

Engineers Australia have identified the need for program commitment and funding commitment to meet DSAPT retrofit requirements in *Engineers Australia 2022 Universal Design for Transport-Transport Australia Society Discussion Paper* and have included this in their Chapter 8 Recommendations³⁵:

8. Recommendations

4. Need for long term program and state commitment to retrofitting existing infrastructure to achieve DSAPT standards – including a funding commitment.

Infrastructure Australia comments on lack of funding commitment to public transport upgrades in its Australian Infrastructure Audit 2019³⁶.

70. Challenge

There is insufficient funding to make our public transport networks accessible to people with disability. Unless funding shortfalls are addressed, legislated accessibility targets for public transport will not be reached and our networks will not be inclusive.

A lack of funding is perhaps the greatest challenge in meeting legislated standards. The latest review of the Standards identified that the infrastructure upgrades required between 2017 and 2022 are likely to cost the most, and achieve the lowest relative benefit to accessibility, making them unattractive investments to governments.

The financial pressure has been highlighted by local governments, which are often responsible for bus stops. Local Government NSW notes that the introduction of the Standards was not accompanied by additional funding for implementation, making it difficult to meet requirements.

Clearly, if access is to be achieved at all regional and remote airports it is beyond the means of local authorities to achieve this without substantial investment and recurrent funding assistance.

Boarding and alighting

Metropolitan airports usually board and alight via airbridges. This is not the case at regional and remote airports where tarmac boarding and alighting is the norm. For people who are unable to ascend or descend aircraft access stairs this presents a challenge that only vertical transport can address. Not all airlines provide a disabled passenger lifter (DPL) at regional or remote airports. According to the Rex Airlines website³⁷:

WHEELCHAIR DEPENDENT PASSENGERS

³⁵ <https://www.engineersaustralia.org.au/sites/default/files/2022-10/universal-design-for-transport-discussion-paper.pdf>

³⁶ <https://www.infrastructureaustralia.gov.au/sites/default/files/2019-08/Australian%20Infrastructure%20Audit%202019.pdf>

³⁷ <https://www.rex.com.au/FlightInfo/SRC.aspx>

Please note that some airports in Queensland cannot cater for passengers who require the use of the Disabled Passenger Lifter (DPL). Mobility disabled passengers who are not capable of ascending the aircraft stairs are asked to call the Customer Contact Centre prior to booking to check. DPLs are currently not installed at Bedourie, Boulia and Burketown.

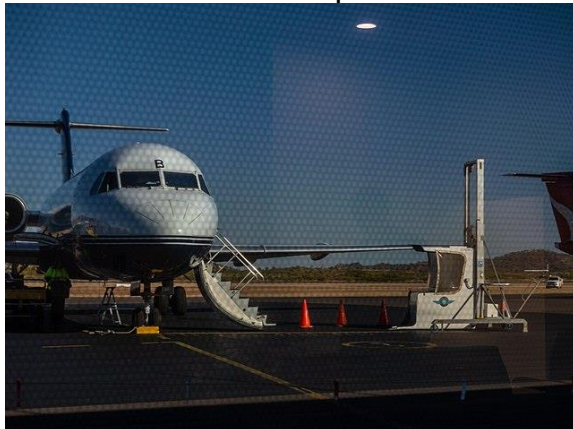
DPL and aisle chair Brisbane Domestic Terminal.



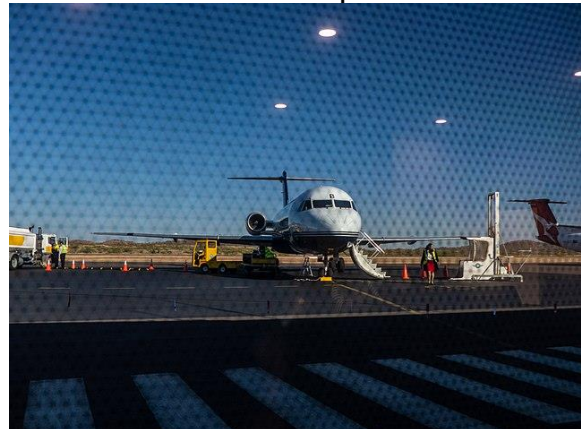
DPL and aisle chair Brisbane Domestic Terminal.



DPL at Mount Isa airport.



DPL at Mount Isa airport.



Mobility aid dimension limits

The *Disability Standards for Accessible Public Transport Guidelines 2004 (No 3)* (DSAPT Guidelines) Part 40 provides dimensions for mobility aids that people with disability refer to when selecting mobility aids. An excerpt states:

Part 40 Assumptions about public transport mobility aids

40.1 Criteria for mobility aids in Disability Standards

The following criteria reflect assumptions underlying the Disability Standards. They are useful as a guide for designers of mobility aids.

Intending passengers should also consider these criteria when purchasing a mobility aid for use on public transport.

Weight The total weight to be supported by a boarding device needs to be not more than 300 kg

Width The overall width of the mobility aid needs to be less than 800 mm.

Allocated space The space for stationary mobility aids is 800 mm wide by 1300 mm long

All passenger aircraft used by major airlines accommodate the 800 mm limit on mobility aid width (See Table 2).

All turboprop aircraft and most narrow-bodied jets failed to accommodate mobility aids of up to 1300 mm length. The outlier was Jetstar’s A320 and A321 aircraft which can accommodate a mobility aid of up to 1400 mm. Why the A320s of other carriers cannot match Jetstar A320 length limits is unknown.

These turboprop and narrow-bodied jets are the aircraft that fly to the regional and remote airports. These airports have shorter runways and lower passenger demand and cannot therefore accommodate wide-bodied jets.

As a result, some people with larger mobility aids that otherwise meet the DSAPT assumptions would not be able to travel to regional and remote airports.

Table 2. Mobility aid dimensions by airline—turboprop aircraft and narrow-bodied jets.

Airline	Aircraft	Width (mm)	Height (mm)	Length (mm)
Rex ³⁸				
	Saab 340	850	1300	1150
	Boeing 737	1000	840	1250
Jetstar ³⁹				
	Airbus A320	1400	1000	1400
	Airbus A321	1400	1000	1400
Qantas ⁴⁰				
	Boeing 737	1000	840	1250
	Bombardier Dash 8	850	1300	1150
	Boeing 717	1290	690	1000
Network Aviation ⁴¹				
	Fokker 100	1250	630	1250
Alliance* ⁴²				
	Fokker 100	1000	650	1250
	Embraer 190	1000	840	1250

³⁸ <https://www.rex.com.au/FlightInfo/SRC.aspx>

³⁹ <https://www.jetstar.com/au/en/help/articles/limits-on-assistance-and-mobility-aids>

⁴⁰ <https://www.qantas.com/au/en/travel-info/specific-needs/mobility-assistance.html>

⁴¹ <https://www.qantas.com/au/en/travel-info/specific-needs/mobility-assistance.html>

⁴² <https://www.qantas.com/au/en/travel-info/specific-needs/mobility-assistance.html>

Airline	Aircraft	Width (mm)	Height (mm)	Length (mm)
Virgin Australia ⁴³				
	Boeing 737	1000	840	1250
	Airbus A320	1000	840	1250
	Fokker 70	1000	650	1250
	Fokker 100	1000	650	1250
	Saab 340	850	1300	1150

Mobility aid weight limits

Motorised mobility aids such as electric wheelchairs are often heavy. Twelve popular models listed by the Independent Living Specialists⁴⁴ weigh between 100 kg and 149 kg.

Both Rex Airlines and Alliance Airlines place 120 kg limits on mobility aids. Rex operates Saab 340 and Boeing 737 aircraft. Alliance flies Fokker 100 and Embraer 190 aircraft.

Rex - Disability Access Facilitation Plan v3.21⁴⁵ states:

Aircraft Space Availability for Wheelchair

Rex cannot uplift a wheelchair in excess of 120Kg in weight.

Wheelchairs weighing in excess of 120KG may still be carried only if they can be broken down into parts each weighing not more than 120Kg and only if space and weight is available for the uplift.

The Qantas website⁴⁶ states:

Mobility Aid Maximum weight limit for Mobility Aids for Alliance Aircraft E-190 and F100 is 120kg.

Other carriers operating similar sized aircraft do not state upper weight limits, though these may exist.

Passenger are instructed by most carriers to identify the weight of the mobility aid when booking, at which time weight limits may be discussed.

For example, Jetstar state:

Maximum weight for mobility aids and wheelchairs as checked baggage

Each item must be 32kg or less, except for wheelchairs or mobility aids that can travel in the upright position in freewheel mode (which may exceed 32kg).⁴⁷

⁴³ <https://www.virginaustralia.com/au/en/travel-info/specific-travel/specific-needs-assistance/mobility-assistance/>

⁴⁴ <https://ilsau.com.au/wheelchairs/electric-wheelchairs/>

⁴⁵ <https://www.rex.com.au/flightinfo/pdf/REX%20DAFP.pdf>

⁴⁶ <https://www.qantas.com/au/en/travel-info/specific-needs/mobility-assistance.html>

⁴⁷ <https://www.jetstar.com/au/en/help/articles/limits-on-assistance-and-mobility-aids>

You or your travel agent must telephone us on 131 538 to advise us of the details of the mobility aid you are checking-in (for example, if you are not checking-in a wheelchair or if you are checking-in a manual or electric wheelchair, the battery type and the weight of the wheelchair if it weighs more than 32kg) or require your travel agent to telephone us on 131 538 to provide this information.

The weight limit puts severe restrictions on many people whose mobility aid exceeds 120 kg. An uncompromising upper limit seems unreasonable. It may be significant if an aircraft is at full capacity but appears to be a bureaucratic exercise if an aircraft is not at capacity. If safe cargo weight limits have not been reached it would seem reasonable to accommodate mobility aids that exceeded 120 kg provided safe cargo limits were not breached.

A co-design process involving all stakeholders would allow realistic mobility aid mass limits that were relevant to aircraft safe carrying capacity, rather than uncompromising upper weight limits, to be agreed.

How can Disability Access Facilitation Plans by airlines and airports be improved?

There are almost as many Disability Access Facilitation Plans (DAFP) as there are airports and airlines. Quality and content vary. Co-designing a template that industry could use to develop DAPFs would allow greater consistency between plans and give greater certainty to passengers who have a disability.

This requirement for a co-designed template might be incorporated in a Customer Rights Charter.

How should the AAF be restructured to be more effective and better able to drive and enforce change to address issues faced by travellers living with disability?

The Aviation Access Forum (AAF) appears to have a purely advisory function⁴⁸.

The Aviation Access Forum (AAF) was established in 2013 to provide advice to the Australian Government on disability access policy as well as operational and administrative issues associated with access to air services for people with disability.

The AAF also provides an opportunity for information to be exchanged between representatives of disability sector organisations, the aviation industry and Australian Government agencies as a means of further improving disability access in aviation.

Advice can be ignored and if the very modest reforms in the aviation sector—and the ongoing complaints by people with disabilities—are considered its advice has not been heeded often.

The AAF may have a better success if it were restructured to be an advocacy body speaking for people with disability, without industry representation. Alternatively, it could be continued as a communication forum between the disability sector, government and industry with a separate disability advocacy body formed to articulate the views and issues of the disability sector to government.

Most States and Territories have advisory / advocacy groups that represent the views of the disability sector to government and which can be consulted on proposed policy changes. These groups usually do not include industry representatives.

For enforcement to occur the AAF would need reporting access to bodies that could investigate and prosecute complaints. Currently people resort to the media to highlight their issues. This is far from satisfactory.

Media attention is the current mechanism to seek recourse and promote the conversation for inclusivity for people with disability who air travel⁴⁹.

Activities of a reformed AAF might include:

- Participation in co-design processes.
- Referral of complaints to investigative bodies.
- Authoring issues papers highlighting needed reforms.

⁴⁸ <https://www.infrastructure.gov.au/infrastructure-transport-vehicles/aviation/aviation-access-forum-aaf>

⁴⁹ <https://disability.royalcommission.gov.au/news-and-media/workshops/air-travel-workshops>

- Informing the disability sector of procedural changes, projects and policy initiatives.
- Maintaining dialogue with the disability sector, government and industry.

Membership of the AAF seems biased towards organisations representing people who have mobility impairments⁵⁰.

The AAF is made up of members from:

- organisations representing passengers with disability, including the Australian Federation of Disability Organisations, Physical Disability Australia, National Disability Services, Paraquad, the Deafness Forum of Australia, Spinal Cord Injuries Australia and Inclusion Australia

Membership should be expanded to include representatives of organisations representing people who have intellectual, cognitive, vision neurodiverse, and other impairments. Subject matter experts from the disability sector should also be included.

⁵⁰ <https://www.infrastructure.gov.au/infrastructure-transport-vehicles/aviation/aviation-access-forum-aaf>

Option for an aviation-specific Transport Standard that explicitly states the human rights obligations of the sector.

The Premises Standards and the DSAPT have quite specific requirements for airports and the DSAPT has specific requirements for aircraft. There are many gaps in the requirements of both that could be effectively covered by an aviation specific Transport Standard. Alternatively, aviation specific Parts and Sections could be incorporated into the DSAPT and Premises Standards.

An aviation-specific Transport Standard would only be effective if certification of compliance was a requirement for initial operation. Continued operation would be contingent on ongoing compliance with the aviation specific Transport Standard. This would require certification by professional bodies and also on periodic public review as per DSAPT.

One of the strengths of the Premises Standards is that any new work or significant refurbishment of existing work must be certified as compliant by a licenced building surveyor or certifier. The DSAPT has no such mechanism to ensure compliance. Rather, industry self regulates and failure to comply is only enforceable through public complaint.

If an aviation-specific Transport Standard follows the DSAPT model—depending on the public to lodge complaints regarding non-compliance—it will fail.

Customer Rights Charter

A Customer Rights Charter should be based on human rights. The CRPD and DDA offer a starting point for the rights that must be listed and respected in any Customer Rights Charter. There are multiple points along any journey by air at which the rights of people with disability can be compromised or ignored. This journey commences at planning and booking, proceeds to airport and boarding, continues in flight, transits the destination airport and ends with the capacity to report problems or damage to equipment post journey.

The Customer Rights Charter is a sound proposal that should be co-designed by all stakeholders.

An *Airline Passengers with Disabilities Bill of Rights*⁵¹ is issued by the United States Department of Transportation.

Airline Passengers with Disabilities Bill of Rights

This Bill of Rights describes the fundamental rights of air travelers with disabilities under the Air Carrier Access Act and its implementing regulation, 14 Code of Federal Regulations (CFR) Part 382.

The Bill might serve as a template for a Customer Rights Charter.

⁵¹ <https://www.transportation.gov/airconsumer/disabilitybillofrights>

Airline Consumer Advocate

The Airline Consumer Advocate (ACA) appears to be a paper tiger. It is funded by participating partners from industry and cannot issue binding directives. Even with the best of intentions its ability to deliver satisfaction to aggrieved customers is severely limited. The office should be terminated.

It would be far preferable to have an Airline Ombudsman's office with investigative powers and which could issue binding directives to airlines and airports over Customer Rights Charter breaches.

Compliance failures at airports

DSAPT-2002's *Schedule 1 Target dates for compliance* (Section 33.2) was not met at many if not most airports and not met by any airlines. There will be few if any repercussions for this failure. The only instrument available to challenge this situation is the DDA.

For regional and remote airports, the chief reason was lack of funds for upgrades. No such excuse exists for the airlines.

Since the DDA is complaints driven and enforceable decisions can only be made in the Federal Court complaining is a daunting prospect for people with a disability. The power imbalance of challenging a well-resourced legal team is a significant disincentive to complaint. Most people raise their issues with the media, which highlights the issue but initiates no change.

Waiting areas

An example of an easily implemented requirement that has been routinely ignored is in waiting areas. The DSAPT-2002 Section 7.1 requires that waiting areas have seats that are 'identified as available for passengers with disabilities if required'. and allocated spaces for wheelchairs.

Part 7 Waiting areas

7.1 Minimum number of seats to be provided

If a waiting area is provided, a minimum of 2 seats or 5% of the seats must be identified as available for passengers with disabilities if required.

Premises

Infrastructure, except airports that do not accept regular public transport services

7.2 Minimum number of allocated spaces to be provided

If a waiting area is provided, a minimum of 2 allocated spaces or 5% of the area must be available for passengers with disabilities if required.

Premises

Infrastructure, except airports that do not accept regular public transport services

Regional and remote airport passenger lounges are illustrated below. None have designated priority seating or allocated wheelchair spaces.

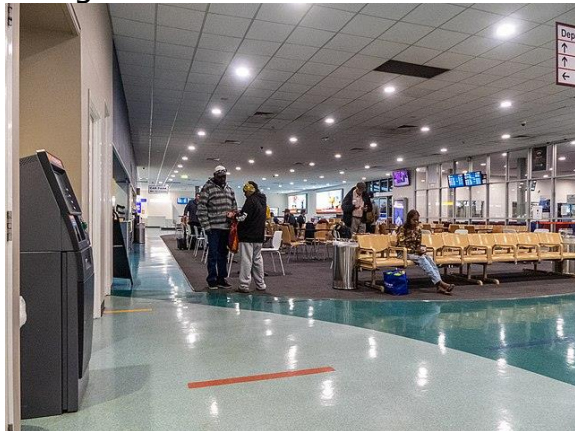
Bouliia airport passenger lounge.



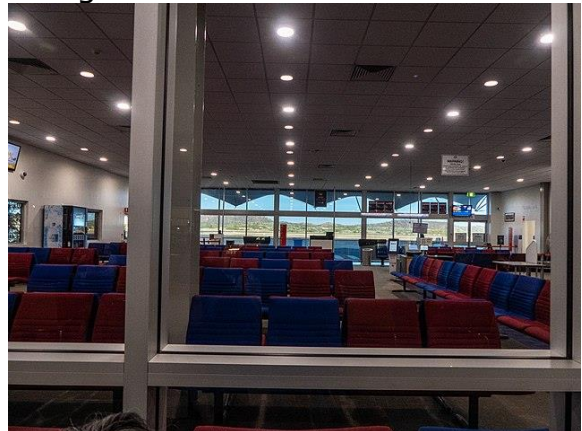
Bouliia airport passenger lounge.



Mount Isa airport passenger lounge.



Mount Isa airport passenger lounge.



Rockhampton airport passenger lounge.



Rockhampton airport passenger lounge.



Bundaberg airport passenger lounge.



Bundaberg airport passenger lounge.



Media reports of discrimination or poor practice

Air travel continues to present major hurdles and challenges to passengers who have a disability. Headlines from some recent media reports capture a few of the many challenges rather well. These media reports are of course only the tip of an iceberg of poor practice and discriminatory practice.

'Second-class citizen': man lifted on to plane as Darwin airport had no ramp for wheelchair users⁵²

'This was indignity': passenger with disability left without wheelchair at Sydney Airport⁵³

Airports and airlines on notice after people with disability speak out about humiliating treatment⁵⁴

Former disability discrimination commissioner Graeme Innes calls for change after 'humiliating' Adelaide Airport experience⁵⁵

Budget airlines make it hard for people with disabilities to travel, but Australian tourist sights get top marks⁵⁶

Disability discrimination case highlights challenges faced by airline customers travelling with electric wheelchairs⁵⁷

Passenger kept from boarding after Jetstar's refusal to assist with wheelchair makes discrimination complaint⁵⁸

Graeme Innes fights to change how disabled people are treated when they fly⁵⁹

Adelaide Airport passenger using mobility scooter says she was treated without 'empathy or compassion'⁶⁰

⁵² <https://www.theguardian.com/society/2022/oct/06/second-class-citizen-man-lifted-on-to-plane-as-darwin-airport-had-no-ramp-for-wheelchair-users>

⁵³ <https://www.theguardian.com/society/2022/jul/08/this-was-indignity-passenger-with-disability-left-without-wheelchair-at-sydney-airport>

⁵⁴ <https://www.abc.net.au/news/2022-05-16/reports-of-disability-discrimination-at-australian-airports/101070802>

⁵⁵ <https://www.abc.net.au/news/2022-05-15/sa-adelaide-airport-disability-discrimination-complaint/101068140>

⁵⁶ <https://www.abc.net.au/news/2022-10-06/why-people-with-disabilities-stay-home-and-avoid-flying-analysis/101440056>

⁵⁷ <https://piac.asn.au/2022/05/16/disability-discrimination-case-highlights-challenges-faced-by-airline-customers-travelling-with-electric-wheelchairs/>

⁵⁸ <https://www.theguardian.com/law/2022/aug/05/passenger-kept-from-boarding-after-jetstars-refusal-to-assist-with-wheelchair-makes-discrimination-complaint>

⁵⁹ <https://www.smh.com.au/national/graeme-innes-fights-to-change-how-disabled-people-are-treated-when-they-fly-20220516-p5alqs.html>

⁶⁰ <https://www.abc.net.au/news/2023-05-25/woman-felt-targeted-by-security-at-adelaide-airport/102392000>

Qantas leaves angry Melbourne wheelchair user stranded at airport gate⁶¹

Furious Paralympian calls out Qantas boss Alan Joyce after she's told to LEAVE her wheelchair if she wants to travel: 'You can't make this stuff up'⁶²

Virgin Australia investigating after former Queensland Australian of the Year tipped out of wheelchair at Brisbane Airport⁶³

⁶¹ <https://7news.com.au/travel/qantas-flights/qantas-leaves-angry-melbourne-wheelchair-user-stranded-at-airport-gate--c-7607175>

⁶² <https://www.dailymail.co.uk/news/article-10876941/Paralympian-slams-Qantas-boss-Alan-Joyce-not-allowed-flight-wheelchair.html>

⁶³ <https://www.abc.net.au/news/2023-10-06/dinesh-palipana-tipped-out-of-wheelchair-virgin-ground-crew/102942156>

Appendix 1: Royal Commission into Violence, Abuse, Neglect and Exploitation of People with Disability

Appendix 1a. Final Report- Volume 4, Realising the human rights of people with disability

Final Report - Volume 4, Realising the human rights of people with disability⁶⁴

Disability Standards for Accessible Public Transport 2002

The Royal Commission has heard accessible public transport for people with disability promotes inclusion and enhances a person's ability to engage in education and employment, use services and participate in community life.

A number of cases have been brought claiming unlawful discrimination arising out of lack of compliance with the Transport Standards, commonly relating to buses, rail, taxis, or airlines. Key issues that have arisen in those cases include the requirement for the complainant to have suffered grievance beyond that of an ordinary member of the public due to the breach of the standards; there being a public (rather than a personal) interest aspect to the claim (namely, the motive to eliminate discrimination against people with disabilities in the field of public transport); and the breach being the result of 'persistent human failing' rather than mechanical failure.

Blind Citizens Australia told us transport discrimination and accessibility is a particular concern for people with disability living in rural and regional areas of Australia. Transport can also be problematic in urban areas, although improvements are slowly being made.

In November 2022, the Royal Commission conducted two workshops focused on the experiences of people with disability with air travel. Over 60 participants attended the sessions, including representatives from disability organisations. People with disability reported that they often encounter inaccessible facilities and services at airports and face unhelpful practices and systems adopted by airlines. The attendees made suggestions for a more inclusive travel industry, including legislative reform.

The Transport Standards commenced on 23 October 2002 with the objective of removing discrimination on the basis of disability from public transport services over a 30-year period.

The Transport Standards are accompanied by Guidelines. The Transport Standards impose obligations on public transport operators and providers of public transport services including buses, coaches, trains, trams (including light rail), ferries, taxis, rideshare and airlines. Public transport

⁶⁴ <https://disability.royalcommission.gov.au/publications/final-report-volume-4-realising-human-rights-people-disability>

infrastructure is also covered, including bus stops, train stations, tram and light rail stops, ferry terminals and airports. The Transport Standards operate in conjunction with other laws, regulations and codes that apply to public transport. Adherence to the Transport Standards does not create an exemption from other statutory requirements, including fire or safety regulations.

The Transport Standards are currently under review for the fourth time. A discussion paper was released on 22 December 2022 and public consultation continued until 30 June 2023.

As the discussion paper notes, previous reviews have already identified a number of barriers impacting the efficiency and effectiveness of the Transport Standards.

The barriers include a lack of clarity with certain requirements and misalignment or inconsistency with other standards or regulations. Previous reviews have recognised the difficulties with meeting compliance target dates in the Transport Standards.

One of the most significant weaknesses in the Transport Standards is the lack of national reporting requirements on progress in meeting compliance targets and the lack of a specific government entity to monitor compliance.

[Appendix 1b. Workshops find people with disability an afterthought in domestic air travel](#)

Workshops find people with disability an afterthought in domestic air travel⁶⁵

24 November 2022

From 3 to 5 November 2022, the Disability Royal Commission engagement team hosted two online workshops focused on the experiences of violence, abuse neglect and exploitation of persons with disability using domestic air travel and in airports.

The sessions were in response to recent months of media and public scrutiny as well as feedback directly to the Royal Commission that this was a topic that required exploring. The engagement sought to identify recommendations for change in accessibility to the air travel industry for people with disability.

Over 60 participants attended the sessions including Paralympian Karni Liddell, journalist Zoe Simmons and representatives from multiple disability support organisations.

⁶⁵ <https://disability.royalcommission.gov.au/news-and-media/media-releases/workshops-find-people-disability-afterthought-domestic-air-travel>

These are the largest online facilitated community engagement sessions held by the Royal Commission to date.

'These workshops provided a valuable opportunity to hear directly from people impacted by inaccessible systems, procedures and infrastructure in the air travel industry and to discuss ways to improve it', said Tamara Weaver, Director of Community Engagement at the Royal Commission.

'Airlines are good at "dehumanising" people with disability,' said one participant. '[W]hen issues are brought to them, they are easily dismissed and not taken seriously.'

Disability Advocate Zoe Simmons said, 'Our stories just get swept under the rug. We get told we are the problem. People don't realise how widespread the problem is.'

Some of the key insights arising from the workshops included:

- People with disability being seen as an afterthought amid flight cancellations.
- Experiences of discrimination against people with disability who use assistance dogs. Participants discussed the refusal of being allowed to travel on flights while accompanied by assistance dogs.
- Lack of accessible flight options and carriers in regional and remote locations.
- Most aircraft limiting the number of wheelchairs in a cabin to two.
- Not all aircraft having the ability to carry on-board wheelchairs.
- Extended and unreasonable wait-times and hold times when checking into flights to ensure accessibility requirements are met.
- Denial and/or lack of access to necessary information and support pre-flight, to better support people with disability.
- Lack of access to timely and appropriate responses by Airlines, with participants reporting experiences of being 'silenced' and or 'dismissed'.

A summary of the outcomes of the workshops will be developed and provided to the Royal Commission as a submission.

[Appendix 1c. Air travel workshops](#)

Air travel workshops⁶⁶

In November 2022, the Royal Commission held two workshops focused on people with disability's experiences with air travel.

Over 60 participants attended the sessions, including representatives from disability organisations, Paralympian Karni Liddell and journalist Zoe Simmons.

⁶⁶ <https://disability.royalcommission.gov.au/news-and-media/workshops/air-travel-workshops>

People with disability reported that they often encounter inaccessible facilities and services at airports and face unhelpful practices and systems adopted by airlines.

Below is a summary of responses received at the workshop. The responses expressed a range of views and some of the issues raised fall outside the scope of the Royal Commission's terms of reference. The purpose of this summary is to outline what we heard in relation to air travel. It is not an authoritative statement on the content of the responses, nor does it represent the position of the Royal Commission.

Summary of workshop themes

- Australian domestic carriage liability limits for passengers, baggage and mandatory insurance is not adequate to compensate for loss or damage to mobility equipment.
- People with disability being seen as an afterthought amid flight cancellations.
- Extended and unreasonable wait times and hold times when checking into flights to ensure accessibility requirements are met.
- Denial and lack of access to necessary information and support pre-flight which would better support people with disability.
- Lack of accessibility impacting autonomy, dignity and independence (for example being attended by male support staff in female toilets because the wheelchairs provided are inaccessible and cannot be used alone).
- Lack of inclusive community attitudes and participation for people with disability, with some participants describing travelling as a person with disability 'the most dehumanising experience'.
- Airport restrooms and general airport facilities are not accessible for people with disability.
- Air travel information is not provided in accessible formats for people with intellectual disability, and or people with disability that experience sensory overload. This can include Terms and Conditions or crowded imagery on Travel Safety Demonstration Cards.
- Lack of consistency across the air travel industry in relation to processes, actions and outcomes.
- Experiences of discrimination against people with disability who use assistance dogs.
- Limited access to safe ramps and hoists to accommodate wheelchair users.
- Inaccessible, rigid and unsafe use of aisle chairs.
- Damage to wheelchairs that is not covered by airlines, resulting in financial strain and extended waiting period for replacements.
- People with disability 'dehydrating' themselves pre-flight, due to inaccessible restroom facilities in flight.
- Refusal of pre-selected seating and reasonable adjustments to accommodate people with disability.

- Lack of properly trained and qualified in-flight airline staff and airport security personnel.
- Media attention is the current mechanism to seek recourse and promote the conversation for inclusivity for people with disability who air travel.
- Airport and airline infrastructure is not designed to ensure people with disability are afforded dignity and respect when travelling.

Attendee suggestions for a more inclusive travel industry

- Increased representation of people with disability on airlines in order to ensure appropriate accommodations are made, including establishing processes to reduce damage to mobility devices.
- Centralised data across the air travel industry to track the damage to mobility devices so airlines are aware of the cost of damage to people with disability.
- Legislative reform and amendments under the Civil Aviation Safety Authority (CASA) and the Disability Standards for Accessible Public Transport (DSAPT) to ensure minimum accessibility requirements are expanded and adhered to by the air travel industry.
- Improved training of airline staff to better support people with disability with air travel and in airports.
- Requirement for safe and secure ramps and equipment to hoist people with disability into airplanes.
- Improved attitudes and respect for support people, animals and travel partners of people with disability.
- Requirement for accessible check-in and technology services for people with disability to ensure information is readily accessible.

Appendix 1d. Chair writes to CEOs of airlines and airports

Chair writes to CEOs of airlines and airports⁶⁷

3 February 2023

The Chair of the Disability Royal Commission, the Hon Ronald Sackville AO KC, has written to the Chief Executive Officers (CEOs) of Australia's airlines and domestic airports outlining concerns people with disability have reported to the Royal Commission based on their experiences with air travel.

In November last year, the Royal Commission organised two workshops focused on those experiences. Over 60 participants attended the sessions, including Paralympian Karni Liddell, journalist Zoe Simmons and representatives from disability representative organisations. People with disability reported that they often encounter inaccessible facilities and

⁶⁷ <https://disability.royalcommission.gov.au/news-and-media/media-releases/chair-writes-ceos-airlines-and-airports>

services at airports and face unhelpful practices and systems adopted by airlines.

The Chair's letter to CEOs includes suggestions made by people with disability at the workshops to ensure that airlines and domestic airports provide a more inclusive experience for all air travellers.

The Chair said:

"The Royal Commission's terms of reference require us to investigate how Australia can promote a more inclusive society for people with disability,

The letters summarise the views expressed by people with disability at the workshops. The summaries are not findings or authoritative statements by the Royal Commission, but they indicate that people with disability often experience avoidable challenges when travelling by air and that more can be done by airlines and domestic airports to address those challenges.

The experiences of people with disability include damage to wheelchairs not rectified by airlines, being dropped on the floor because the hoist that accommodates wheelchairs is not used correctly, limited access to safe ramps and discrimination against people who rely on assistance dogs."

The Royal Commission hopes that the information and suggestions provided by people with disability will be given careful consideration by the CEOs of Australia's major airlines and airports.

Appendix 2: Transfer Methods between Aisle Chair and Fixed Seat

Jetstar⁶⁸

Approved transfer method - slide boards

When transferring between wheelchairs and/or aisle wheelchair and aircraft seat you can choose to do one of the following, based on your needs:

Self-transfer;

Transfer with the assistance of your Accompanying passengers or carers; or if you cannot self-transfer and are not travelling with an Accompanying passenger or carer who can assist you, our staff will help you transfer using a slide board. They may require your assistance (e.g. to communicate your needs).

Jetstar does not use an eagle lift, hoists or manual lifting for customer transfers. If you need or prefer that level of assistance, you may need to travel with enough Accompanying Passengers or carers who can manually transfer you, or you may need to travel with another airline.

Slide boards

We use slide boards (or transfer boards) to transfer customers between wheelchairs, and between an aisle wheelchair and an aircraft seat. We will provide the slide board.

A slide board is a rigid plastic board used to bridge the gap between wheelchairs, and between the aisle wheelchair and an aircraft seat. One end of the board is carefully inserted under you and the other side rests on the second wheelchair or aircraft seat. You can then be transferred across the slide board to your seat.

The safe working limit for our slide boards is 120 kg. If you exceed this weight limit, you won't be able to transfer using a slide board.

Slide board transfers may not be suitable for all customers. We encourage all customers who will require assistance with transferring to consider whether the slide board transfer method will be safe and comfortable based on their specific needs, in particular those who usually use an eagle lift or hoist to transfer in daily life. You may wish to seek medical advice about this.

Slide boards and Jetstar aisle wheelchairs are available for use during your flight on a B787 aircraft only. Slide boards and Jetstar aisle wheelchairs are not available on other aircraft types– A320, A321 and A321 Neo aircraft.

Slings, slide cloths and other handling aids

⁶⁸ <https://www.jetstar.com/au/en/help/articles/jetstar-wheelchairs-and-slide-board-transfers>

Jetstar does not provide slings or other handling aids (such as slide cloths or jonny belts) for use during customer transfers.

If you bring your own sling or handling aid, your Accompanying Passengers or carers must help you transfer between wheelchairs and the aircraft seat.

Jetstar staff will offer reasonable assistance to you and your accompanying passenger (i.e. moving wheelchairs) but are not trained in the use of slings or other handling aids and are unable to transfer or assist with transferring you using a sling or any of your own equipment.

Jetstar does not use an eagle lift, hoists or manual lifting for customer transfers.

Qantas⁶⁹

9.2 Transfers for Passengers with Limited Mobility

(a) Qantas Approved Transfer Methods

For all flights within Australia, Qantas' approved transfer methods (ie, transfers between a passenger's own wheelchair, any airport or aisle wheelchair, and their aircraft seat) are:

- (i) Eagle Hoists/Lifters (where available). The passenger must be less than 200kg to be able to be transferred using this method*;
- (ii) slide board and slide sling. The passenger must be less than 150kg to be able to be transferred using this method*;
- (iii) Jony belt. The passenger must be less than 165kg to be able to be transferred using this method*; or
- (iv) sling. The passenger must be less than 127kg to be able to be transferred using this method*.

*Please note that the weight limits for the above transfer methods may be lower in certain airports, depending on the nature of the equipment available (e.g., the weight limit could be 120/130kg). If you exceed 120/130kg, please contact the Specific Needs Assistance Line on 1800 177 474 for further information.

Eagle Hoists/Lifters are available at most airports in Australia.

You should contact the Specific Needs Assistance Line to see if an Eagle Lifter is available at the airport you will be using. From time to time, Qantas' Eagle Lifters may not be available (e.g., if they are out of service).

⁶⁹ <https://www.qantas.com/content/dam/qantas/pdfs/fly/specific-needs/qantas-disability-access-facilitation-plan.pdf>

In this instance, an alternative approved transfer method will be used where possible, or the passenger may be offered an alternative flight (where this is possible and available).

REX⁷⁰

For domestic flights only: Passengers with electric wheelchair must be transferred to a lift chair at the gate lounge. A lift chair will be used facilitate the manual handling of wheelchair dependent passenger into their seat. A travelling Carer will not be required for manual handling the movement of the wheelchair dependent passenger.

For regional flights only: A wheelchair dependent passenger who requires assistance to transfer between their wheelchair and the Rex aisle wheelchair and between the aisle wheelchair and the aircraft seat must provide a Passenger Facilitator at each end of the flight and at scheduled mid-point stops if the passenger is to disembark, or a Travelling Carer to facilitate the movement of the passenger to/from the aircraft seat. Rex staff may assist with this movement in a non-heavy lifting role.

A Travelling Carer who manually handles and facilitates the movement of the wheelchair dependent passenger between wheelchairs and seats may travel free of charge provided a Rex Disability Assistance Form has been completed and presented at check-in. This form must be kept with the passenger at all times.

Virgin Australia⁷¹

It is important that you provide us with as much information as possible at the time of booking. Key information we need to know includes:

- Whether you are travelling alone or with a Safety Assistant or Carer. To travel independently you must meet the Independent Travel Criteria.
- Whether you are able to self-transfer in and out of a wheelchair and/or an aircraft seat. Due to our Occupational Health and Safety regulations, Guests who weight more than 130kg*, and require to be transferred into or out of a wheelchair and/or an aircraft must arrange a Safety Assistant or Carer to assist with the lift.

*Transfers from your wheelchair to an airport/aisle wheelchair and from an airport/aisle wheelchair to an aircraft seat are performed using an option of approved methods of transfer provided by Virgin Australia.

Dependent on port specific capabilities, we may only be able to provide assistance in certain circumstances. The following mobility assistance

⁷⁰ <https://www.rex.com.au/FlightInfo/SRC.aspx>

⁷¹ <https://www.virginaustralia.com/au/en/travel-info/specific-travel/specific-needs-assistance/mobility-assistance/>

equipment is available when travelling with us, provided that it has been previously arranged at the time of booking:

- Slide boards and slide sheets to support safe transfer of guests between wheelchairs and/or aircraft seats
- Eagle lifts and manual transfer slings to support safe transfer of guests between wheelchairs and/or aircraft seat. (Selected airports only)