



## Endorsement of the Justice and Equity Centre's Submission to the Aviation Industry Ombuds Scheme Consultation Paper – 17<sup>th</sup> October 2024

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Dear Department of Infrastructure, Transport, Regional Development, Communications and the Arts,

PDCN is the peak body representing people with physical disabilities across New South Wales. This diverse group includes young people, older people, and carers, with a range of physical and sensory disabilities, from a mix of socio-economic backgrounds and metropolitan, rural, and regional areas.

The Physical Disability Council of NSW (PDCN) appreciates the opportunity to contribute to the development of the Aviation Industry Ombuds Scheme and takes this opportunity to endorse the Justice and Equity Centre's (JEC) submission. PDCN have had a long and valuable relationship with JEC, collaborating on a multitude of issues affecting people with disability with great success. We greatly appreciate and value JEC as an organisation and have witnessed firsthand the quality of their work within the disability space.

As the peak body for physical disability in NSW, aviation is a key concern raised by our membership last year. PDCN has previously supported JEC's response to these issues and in their submission to the Aviation Green Paper in 2023. PDCN extends that support through the endorsement of their official submission to the Aviation Industry Ombuds Scheme consultation paper. We believe that as it currently stands, protections for people with disability in the aviation space are not adequate and have resulted in discrimination. The recent release of the Aviation White Paper is a positive step in ensuring the rights of people with disabilities are respected and upheld when interacting with the aviation industry, however it is imperative that these protections are adequately implemented in codesign with people with lived experience of disability, industry and relevant stakeholders. JEC provides expert legal and regulatory insight through their submission in regard to the proposed development of an Aviation Industry Ombuds Scheme. PDCN endorses the recommendations put forward by JEC.

PDCN gives particular note to the following recommendations.

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## **Recommendation 2 - Objectives of the Ombuds Scheme to include identifying and resolving systemic issues, facilitating best practice dispute resolution, and being accessible to, and inclusive of, people with disability**

The role of the Ombuds Scheme should assist complainants with complaints through established and efficient pathways of communication with relevant government or industry bodies, resolve and facilitate resolutions, and influence systemic improvements to the industry. This should also be codesigned with people with disabilities, and user tested for accessibility.

PDCN also notes that Ombuds schemes do not have a regulatory, proactive, investigative and compliance focused role. To ensure there is regulatory oversight, the AHRC should be empowered to exercise a full suite of compliance powers and the Ombuds Scheme should establish efficient pathways to facilitate complaints to the AHRC.

## **Recommendation 3 - The Ombuds Scheme be governed by a Board comprising an independent Chair and equal numbers of directors with community and industry expertise**

PDCN strongly supports the representation of at least two community directors with lived experience of disability on the governing Board of the Aviation Industry Ombuds Scheme. It is essential that the perspectives of people with disabilities are not only listened to, but people with disabilities have decision making power. As lived experience of disability covers a broad range of experiences, perspectives and challenges, it is essential that at *least* two members of the Board are representative of the disability community.

## **Recommendation 5 - All passenger airlines and airports that operate in Australia to be members**

PDCN supports the mandatory inclusion of all airlines and airports operational in Australia in the Ombuds Scheme. It is essential that there is cohesion and consistency across the aviation sector in complaints processes. People with disabilities facing discrimination or difficulties while travelling in airports or planes should expect to use the same system for complaints resolution across the country and all airports within Australia to increase efficiency and streamline complaints resolution.

## **Recommendation 11 - Consumers to escalate urgent complaints and access 'fast track' pathways**

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PDCN supports the inclusion of 'fast track' pathways for complaints. A prioritisation framework that includes complaints about incidents that impact on a consumer's safety or result in injury or property damage would be invaluable for those travelling with a disability.

Often, people with disabilities travel with mobility devices, such as wheelchairs, that are vital to their independence. These devices are also often customised to the individual needs of the user. If a person's mobility device is damaged or lost, a large financial and social loss is experienced. This stressful ordeal can be drawn out by a long complaints process, the implementation of a 'fast track' pathway for complaints would ease the stress and anxiety faced by people with disabilities who experience discrimination, property damage or personal harm while traveling using the aviation industry.

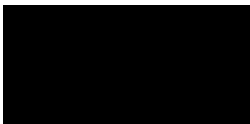
### **Recommendation 13 - The Ombuds Scheme to report broadly and regularly in pursuit of its objectives**

PDCN supports the recommendation for the Ombuds Scheme to report broadly and regularly. It is important that there is transparency in the operation of the Ombuds Scheme to ensure that accountability for complaint resolution is upheld.

PDCN appreciates the opportunity to comment on the Aviation Industry Ombuds Scheme consultation paper, and thanks JEC for their expertise and work in this space for people with disabilities.

Thank you for the opportunity to comment on the Aviation Industry Ombuds Scheme and we look forward to remaining involved in the continuing implementation of the Aviation White Paper recommendations that will help improve the aviation experiences of people with disability across Australia.

Kind regards,



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