

Spinal Cord Injuries Australia's response to the
IPART Discussion paper:

'Determining CityRail's revenue requirement and
how it should be funded'.

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In providing a response to the IPART

‘Determining CityRail’s revenue requirements and how it should be funded’ discussion paper

Spinal Cord Injuries Australia (SCIA) will focus on two questions that we believe best cover the issues we have with the draft discussions around proposed changes to staffing levels for trains and low patronage stations. These are questions 4 and to a lesser extent question 5.

Q. 4

To what extent do passengers benefit from the presence of guards on trains and the staffing of low patronage stations relative to the costs?

There are a number of service and obligation reasons why the presence of train guards and staff at low patronage stations benefit passengers and in particular wheelchair using passengers.

Service

- 1) It is essential to have a train guard on all trains to provide assistance to wheelchair using passengers when needed. This assistance can take the form of aiding the individual into and out of an onboard space through to being someone on the train that remembers that the wheelchair user is onboard and has been informed as to which station stop they wish to exit the train from. Owing to the NSW rail network being, in part, non-accessible and thus unable to facilitate the individual getting on and off trains at will. It is necessary to use ramps and on-train and station staff to coordinate their movements. If you remove or cut back the number of train and station staff you will deny larger areas of the rail network to wheelchair users than are available now. This would be a regressive step.
- 2) In the case of an incident requiring the train to be evacuated the absence of a train guard to assist the train driver in evacuation policy is a recipe for disaster and can lead to huge liability issues. As we are aware the evacuation procedure for safely removing passengers from a broken train or train in peril is that the train driver is in charge and working with the train guard the safe removal of passengers is coordinated. With the removal of the train guard and in an area where there is no station, such as the harbour bridge, 1 person trying to coordinate the evacuation of approximately 976 passengers (based upon the Millennium train passenger capacity of 122 per carriage across a typical NSW 8 car train) is a complete recipe for disaster. This would be compounded if there were wheelchair using passengers onboard. This situation may be acceptable on other trains looking

internationally where 1 driver coordinates the evacuation for similar numbers but the differing factor is distance to stations. On the London underground 1 driver can potentially evacuate 917 passengers but with short distances between stations extra hands to assist are never far away. The nature of the City Rail network is that many stations are spread far apart and so extra assistance may take some time to arrive.

- 3) Train station staff is essential in providing basic assistance and customer service to wheelchair users and people with a disability wishing to use the rail network. For a wheelchair using passenger to access the network is not as straight forward as for an able bodied passenger. Certain travel limitations need to be recognised when purchasing tickets and in planning a journey. Having the reassurance of an onboard presence has been essential in encouraging wheelchair using passengers to use the rail network.

Obligations

- 1) Under the Accessible transport action plan for NSW transport, Roads and maritime Agencies, which covers Railcorp certain obligations will be impossible to meet or ones that have been met will no longer be possible. For instance if we look at the use of boarding ramps. These are described as achieved for ALL Cityrail station platforms. With the proposed cuts, only the most heavily used stations will have the staff to deploy them leaving them useless relics of a time when access to the network by all was thought a decent idea.

A target has been set for all PPP trains to carry onboard ramps, these cannot be deployed as there will be no guards to do it. A discussion with the engineers building these trains at EDI has informed us that there are no plans to deploy an automated ramp system at stations. It is perfectly logical to assume that Railcorp will continue to run a mixed fleet of trains for a significant amount of time so an efficiency saving in onboard ramps will be negated by needing to keep station staff to operate station ramps for non PPP trains.

- 2) Under the Disability standards for accessible public transport guidelines 2004 (DSAPT) there are a number of obligations that must be carried out by all transport operators in Australia. These largely centre on the provision of 'equivalent access'. The standards state that:

8.2 Independent access

(1) If the disability standards are observed, passengers with disabilities will be able to board and alight from conveyances without assistance. However, the design constraints of some conveyances are such that the operator or provider may choose to give equivalent access by providing assistance.

In plain English; Unless Cityrail can design a train and a station that allows for independent access they are obliged under the DSAPT and thus the Disability Discrimination Act (DDA) to provide assistance. As this is the case there is the potential, for private action against CityRail much as in the same way as is currently being conducted against Virgin Blue and its Independent Traveller Criteria. In the instance where a service has been offered and has been taken away it would be difficult to prove a case of unjustifiable hardship by Cityrail as the service existed and it's a cost cutting measure when that saving could easily have been applied to another area of the operations. Should the decision be made to adopt the 'may' part of 8.2 as in 'provider may choose' a case of discrimination can easily be proven as effectively large parts of the network will be made inaccessible that were previously accessible by decision and direction from the NSW government.

- 3) The United Nations convention on the rights of persons with Disability will start to have more of an impact in protecting people's rights in Australia. This convention has already been signed by the previous government and is yet to be ratified, although expected soon, by the present Rudd Labor government. Transportation is covered under article 9.

***Article 9
Accessibility***

1. To enable persons with disabilities to live independently and participate fully in all aspects of life, States Parties shall take appropriate measures to ensure to persons with disabilities access, on an equal basis with others, to the physical environment, to transportation, to information and communications, including information and communications and systems, and to other facilities and services open or provided to the public, both in urban and in rural areas. These measures, which shall include the identification and elimination of obstacles and barriers to accessibility, shall apply to, inter alia:

(a) Buildings, roads, transportation and other indoor and outdoor facilities, including schools, housing, medical facilities and workplaces;

Should the IPART recommendations be accepted and put into place there would be clear regressive grounds of discrimination under the UN convention.

Q.5

Are the LEK's recommended efficient operating costs and the efficiency improvement objectives implicit in these recommended costs appropriate?

It is our feeling that without full due consideration within the IPART discussion paper of the needs of wheelchair using passengers and thus all users of the rail network deems the reduction of train guards and station staff for 'non-busy' stations as an inappropriate

saving. This is not to say that should proper and correct consideration be taken into the impact of all efficiency savings on all passengers and suitable alternatives that are fair and just for all users be proposed a reduction in staff numbers could then be appropriate.

Any improvements that see better customer service and journey satisfaction for the passenger are welcomed. Any increase in costs to the passenger will only see usage decline and more cars on the road which is contrary to the present position of the NSW government. When you consider the percentage of rail fare at present to average weekly earnings:

Location	Average weekly earnings	Average weekly ticket cost	Percentage of earnings
Sydney	\$803.80	\$44	5.47%
London	£581.00	£24.20	4.16%
Manhattan	\$2821.00	\$25	0.88%

A discussed increase of between 20-30% will effectively deny access to the system by people with little disposable income such as people with disabilities and the elderly.

General comment

Given the contribution from people with disabilities to recent IPART discussions around taxi fares it is with some amazement that upon searching through the discussion paper on a topic that can greatly affect people with a disability using the rail network that I find not one mention of wheelchair using passengers. I hope that this oversight will cease to be the case for future IPART discussions.

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