

Submission
No 52

INQUIRY INTO OPERATION OF THE POINT TO POINT TRANSPORT (TAXIS AND HIRE VEHICLES) ACT 2016

Organisation: Blind Citizens Australia

Date Received: 28 May 2020



Level 3 Ross House
247-251 Flinders Lane
Melbourne Victoria 3000
Telephone: 03 9654 1400
Toll Free: 1800 033 660
Fax: 03 9650 3200
Email: bca@bca.org.au
Website: www.bca.org.au

Blind Citizens Australia

Submission to Inquiry about NSW Operation of the Point to Point Transport Act (Taxi and Vehicle Hire) 2016

28th May 2020

To:

NSW Legislative Council Portfolio Committee No.6 – Transport and
Infrastructure

Email: portfoliocommittee6@parliament.nsw.gov.au

Contact:

Jane Britt
Policy Officer
Blind Citizens Australia

Contents

Submission to Inquiry about NSW Operation of the Point to Point Transport Act (Taxi and Vehicle Hire) 2016	1
Introduction	3
About Blind Citizens Australia	3
About Australians who are Blind or Vision Impaired	3
Inquiry about NSW Operation of the Point to Point Transport (Taxi and Hire Vehicle) ACT 2016.....	4
Taxi and Rideshare Sector Survey	4
Methodology.....	4
Summary of quantitative results.....	4
Taxi service	5
Ride share service	5
Summary of qualitative results	6
Taxi service issues	6
Taxi service complaints process issues	7
Ride share service issues	7
Ride share complaints process issues	8
Other comments	8
Discussion.....	9
Recommendations	13

Introduction

About Blind Citizens Australia

Blind Citizens Australia (BCA) is a peak national representative organization which comprises of, and represents, people who are blind or vision impaired. BCA was founded in 1975 with a mission to achieve equity and equality through the empowerment of people who are blind or vision impaired, created by promoting positive community attitudes and by striving for high quality and accessible services which meet our needs.

We provide peer support and individual advocacy to people who are blind or vision impaired across Australia. Through our campaign work, we address systemic barriers limiting the full and equal participation of people who are blind or vision impaired. Through our policy work, we provide advice to community and government on issues of importance to people who are blind or vision impaired.

As a consumer-based organisation, our work is directly informed by lived experience of blindness and vision impairment. Our members, our Directors and the majority of our staff are blind or vision impaired.

About Australians who are Blind or Vision Impaired

There are currently more than 453,000 people who are blind or vision impaired in Australia¹ with estimates that this will rise to 564,000 by 2030.² According to Vision Initiative, around 80% of vision loss in Australia is caused by conditions that become more common as people age.³

Australians who are blind or vision impaired can live rich and active lives and make meaningful contributions to their communities: working, volunteering, raising families and engaging in sports and other recreational activities. The extent to which people are able to actively and independently participate in community life does, however, rely on facilities, services and systems that are available to

the public being designed in a way that makes them inclusive of the needs of all citizens – including those who are blind or vision impaired.

Inquiry about NSW Operation of the Point to Point Transport (Taxi and Hire Vehicle) ACT 2016

A major point in the terms of reference for Operation of the *Point to Point Transport (Taxis and Hire Vehicles) Act 2016* to explore the “the operation of the regulatory system applying to the taxi industry” plus “any other related matter.” In this respect, this submission will explore the experiences of people who are blind or vision-impaired in NSW in regards to using taxi and rideshare services, and whether the point to point reforms to date have achieved increased levels of accessibility or whether there are still outstanding issues.

Taxi and Rideshare Sector Survey

Methodology

Blind Citizens Australia (BCA) joined with blindness service providers, Vision Australia and Guide Dogs NSW / ACT to conduct a survey capturing the experiences of people who are blind or vision-impaired who have used taxi or rideshare services in NSW in the past three years, excluding the current period of the COVID-19 pandemic. The survey aimed to capture the experiences of taxi or rideshare users who are blind or vision-impaired since the deregulation of the taxi industry occurred in NSW. The survey was made available to all members from the 12th to 15th of May 2020 and participants filled in their responses either directly in the form, or made contact with one of the researchers to provide their responses to be input into the survey. Information was collated by the host website and disseminated to researchers in each organisation.

Summary of quantitative results

The major results of this survey were:

- 171 participants responded to the survey, with a majority residing in metropolitan NSW (104 or approx. 60% of participants); 45 lived in regional, and 22 lived in rural areas.
- 96 out of 171 participants used a white cane (approx. 56%), 49 had a dog guide, 18 used a mini guide or a similar mobility device and 28 used no mobility aid.
- 40 participants skipped questions about taxi service and 54 skipped questions about ride share service.

Taxi service

- 58 out of 131 participants used taxis weekly (approx. 44%), 27 used taxis monthly, 26 used taxis less than monthly and 20 used them daily.
- 69 out of 131 participants (or approx. 53%), have experienced less than helpful service or experienced direct or indirect discrimination with a majority experiencing it 1 to 5 times in the past 3 years.
- Two thirds of participants did not lodge a complaint after a poor experience. Out of those who did lodge complaints, the majority did not receive satisfactory results.

Ride share service

- 92 out of 117 participants use a ride share service less than monthly (approx. 79%), 13 people used it weekly, 7 people monthly and 5 people daily.
- 92 out of 117 participants (or approx. 79%) have not experienced less than helpful service, or experienced direct or indirect discrimination, whilst 25 did.
- For participants who have experienced less than helpful service or experienced direct or indirect discrimination, a majority experienced it 1-5 times in the past 3 years.

- Majority of participants did not lodge a complaint after a poor experience. Out of those who did lodge complaints, the majority did not receive satisfactory results.

Summary of qualitative results

Taxi service issues

Participants reported the same issues repeatedly when accessing taxi services:

- Refusal of service due to seeing eye or guide dog.
- Refusal of service due to having taxi vouchers (under the Taxi Transport Subsidy Scheme).
- Complaints from drivers to the passenger about having to clean the car afterwards if they have a seeing eye or guide dog. Some drivers attempt to charge an extra fee for cleaning costs despite it being a breach of legislation.
- Taxis not showing up after making a booking.
- Taxis stopping and leaving again after being unable to locate the passenger who cannot see them to alert them to their presence.
- English communication issues with taxi drivers about the route and the charge at the end including use of the Taxi Transport Subsidy Scheme (TTSS) vouchers.
- Taxi drivers not knowing the route and asking for directions from their passenger who is blind or vision-impaired instead of using GPS.
- Taxis going via a longer route than necessary to get to a destination.
- Taxis not dropping the passenger to the correct location.
- Overcharging for service i.e., charging the full amount instead of taking the half off that is covered by the TTSS.

- Drivers not understanding the TTSS, claiming they do not know how to use it or complaining about having to use it.
- Drivers asking inappropriate questions regarding the passenger's disabilities.
- Complaints mechanisms for taxi services are inadequate with complaints being lost or with no feedback or outcomes being passed on to the passenger.

Participants in the survey made comments that service in rural or regional areas tends to be better because taxi drivers know them whereas the level of discrimination or poor service experienced is greater in metropolitan NSW i.e., Sydney. People in rural and regional areas tended to comment that they received good service.

Taxi service complaints process issues

Participants reported the same issues when accessing complaints processes used by different taxi companies.

- Unable to make a complaint due to being unable to identify the car number or the driver because the passenger could not see either.
- No follow-up with the outcome of the complaint and therefore no resolution to the complaint.
- Inadequate resolution of the complaint leading to repetition of the issues which lead to the initial complaint.

A few participants noted that they had positive outcomes from lodging complaints including taxi driver's license suspension and driver in a couple of instances of refusal of service due to the passenger having a seeing eye or guide dog.

Ride share service issues

Participants in the survey referred broadly to the rideshare service, Uber with a couple of references made to Ola and Shebah. Some participants noted they do not use rideshare at all because they do

not accept TTSS vouchers. Others noted they do not feel safe using rideshare while others only use rideshare now due to experiencing many issues with taxi service. A participant noted that drivers asked inappropriate questions about their disabilities and made them feel uncomfortable.

Participants reported the same issues repeatedly when accessing rideshare services:

- Refusal of service due to seeing eye or guide dog.
- Rideshare service arriving and leaving again after being unable to locate the passenger who cannot see them to alert them to their presence.
- Passenger being unsure of where to wait or being unable to identify the car number or driver to ensure they are getting in the correct car.
- Driver dropping passengers at the incorrect location.
- App is inaccessible (Shebah).

Ride share complaints process issues

Participants reported the same issues when accessing complaints processes used by rideshare companies:

- Unable to find where in the app to lodge a complaint (difficulty accessing).
- Lack of follow-up about outcome of a complaint (e.g., driver suspension or re-education etc.) except for a refund on the trip.

Several participants noted that they were satisfied with the response by Uber after they made complaints with swift resolution of the complaint (e.g., driver suspension). One participant stated that Ola also resolved complaints but not as quickly or well as Uber does.

Other comments

Participants were split over their preferences for taxis or rideshares. Some participants will not use rideshare based on their concerns

about they do not accept TTSS vouchers, are not insured and participants have concerns about their safety. Elaborating on the last point, participants stated concerns about identifying the driver and car without being able to see the number plate or driver. Some participants will not use taxi services due to prior poor service and now exclusively use rideshare services due to feeling safer and receiving better service i.e., picking them up and dropping them at the correct location.

A disturbing theme which emerged was the issue of drivers in both taxis and rideshares asking inappropriate questions of passengers about their disabilities, their personal lives and making them either uncomfortable or scared.

A large portion of participants noted concerns about being fraudulently used by drivers filling out the vouchers and requested that NSW shift to an electronic card system which is currently used in other states.

A repetitive theme was also that participants accessing taxi services in regional or rural areas tend to have more positive experiences due to building relationships with the people who drive for these services. A large portion of issues raised were noted to have occurred in metropolitan NSW.

Discussion

The sector survey reveals ongoing issues which face people who are blind or vision-impaired in accessing taxi services in NSW with the added impact of the introduction of ride share services into the NSW market.

It should be noted that the Taxi Transport Subsidy Scheme (TTSS) in NSW is only able to be applied to taxi services and not to ride share services, so naturally more participants noted using taxis only rather than rideshare services. This may change though, with Uber

indicating that they are speaking with the NSW government to investigate options for Uber to accept TTSS vouchers.

A major issue across both taxi and rideshare services remains service refusal due to a guide or seeing eye dog. Under the *Disability Discrimination Act (1992)*, this violates legislative rights of people who are blind or vision-impaired in accessing public transport services.

Drivers also attempted to add on a cleaning fee to the fare charge after carrying a passenger with their guide or seeing eye dog, which goes against the rights and responsibilities of a passenger or taxi driver as stated by Transport for NSW.⁴

In taxi services, this also extended to refusal of service due to the passenger having TTSS vouchers. Unless an individual cannot provide proof of identity to a driver⁵, a driver is obligated to accept a voucher.

An issue was identified with taxi or ride share services not showing up after making a booking, with the possibility being that they were either unable to locate the passenger, or the passenger was unable to identify the vehicle and / or driver to make themselves known to them due to being unable to see them. An additional issue in this respect is identifying the vehicle and whether the passenger who is blind or vision-impaired is approaching and getting into the correct vehicle. In the first instance, this leaves a passenger stranded if the only way they can reach their destination is by taxi or rideshare, and in the latter instance, it leaves them vulnerable of potentially getting into a vehicle where a person may have nefarious interests in picking up someone who is blind or vision-impaired.

In both taxis and rideshare services, people who are blind or vision-impaired reported being taken to the wrong location including places they are not familiar with or being taken to a location opposite to where they needed to be and thus requiring them to cross a road.

This is a safety issue whereby a person who is blind or vision-impaired being unfamiliar with their environment may end up inadvertently injuring themselves e.g., stepping into oncoming traffic or injuring themselves by tripping on curbs or running into other obstacles; a road that does not have a controlled crossing heightens this risk. Additionally, a passenger who is blind or vision-impaired needs to know exactly where they are located to make it to their destination.

Other issues identified related specifically to taxi services, pertaining to use of the [TTSS vouchers](#)^[A11].

The TTSS is a scheme developed for people to receive a 50% reduction of their fare if they cannot use public transport due to “severe or permanent disability.” Additionally, they must meet the following eligibility criteria:

- be a permanent resident of Australia
- normally reside in NSW
- not be a member of a similar scheme in another Australian state or territory
- be over school age (preschool aged children, regardless of disability, are ineligible for inclusion in the scheme)
- have a severe and permanent disability in one of the specified categories (ambulatory / mobility, vision, epilepsy, intellectual, and speech, hearing, functional).⁵

People who are blind or vision-impaired are incredibly wary of the ability for vouchers to be used fraudulently due to being unable to see the taxi driver filling it out or taking them. In other states including Queensland, Victoria and ACT, an electronic card has been introduced to mitigate this issue. Further, some drivers are overcharging the passengers by not applying the TTSS to half of the fare, instead making the passenger pay the full fare. The passenger

who is blind or vision-impaired cannot see the terminal and cannot verify the payment amount when they pay the fare. This issue has been solved in Queensland by ensuring the fare is read out loud by the meter when the vehicle is stopped at the destination for all passengers. Finally, some drivers either do not know what to do with the vouchers or communication difficulties hinder the ability for the passenger to explain how they should be used.

In terms of complaints processes, the issues raised were similar across taxi and rideshare services. A lack of follow-up and no resolution after lodging a complaint are consistent issues. People who are blind or vision-impaired would like to know particularly what outcome has been reached and what provisions have been put into place to ensure no repetition of the issue. Unfortunately, this lack of follow-up has led to repetition of issues.

Additional comments revealed that accessibility was a major issue when lodging complaints via apps or online, and that mechanisms for making a complaint need to be easier for people who are blind or vision-impaired to use with their screenreader or other assistive technology.

Finally, a clear divide in the experiences of people living in regional or rural, and metropolitan NSW was revealed in response to questions about experiences of taxi (mainly) or rideshare services. Notably, people who lived in regional or rural areas had better, due to building relationships with drivers of services.

Recommendations

1. Refusals of guide or seeing eye dogs should be met with harsh penalties for taxi and rideshare drivers e.g., suspension of license and fines.
2. Taxi and rideshare companies need to have education and awareness programs for drivers to understand their responsibilities when it comes to service provision to customers with disability.
3. Training and education should also highlight drivers' responsibilities in accepting guide, seeing eye or assistance dogs.
4. Taxi or rideshare education programs for drivers about working with passengers who have disabilities should have a co-design approach whereby people with disabilities are invited to contribute to the formulation of the training program.
5. All taxi drivers should be trained in the administration and use of Taxi Transport Subsidy Scheme (TTSS) vouchers.
6. For customers who are using TTSS vouchers, drivers must only charge half the fare to the participants and use the voucher to cover the other half of the fare. Drivers who fraudulently use the vouchers should be suspended from driving.
7. It is recommended that NSW adopt the same approach as Queensland in introducing an audio feature to meters which read out the fare for all passengers upon arrival at a destination.
8. NSW should move to an electronic card system for the participants in the TTSS to use rather than paper vouchers which have higher risks associated with them for fraudulent or incorrect use by drivers.

9. The extension of the Taxi Transport Subsidy Scheme (TTSS) to rideshare services in NSW would assist passengers in having choice in service providers.
10. In both taxi and rideshare services, the ability for passengers to identify the vehicle without having to visually identify the license plate or driver themselves would assist people who are blind or vision-impaired to be assured they are getting in the correct vehicle. For example, this might include braille identification on the door of the taxi or rideshare number.
11. Taxi and rideshare services are recommended to make mandatory that a trip cannot be completed unless the passenger who is blind or vision-impaired has been dropped at the correct location. If a passenger cannot be dropped in safe location, it is recommended that the driver assist the passenger to a place where they will be safe i.e., finding a spot to park and guiding the person who is blind or vision-impaired to their destination on foot using sighted guide technique.
12. Drivers are recommended to not ask passengers impertinent questions relating to their disabilities and person lives. Education programs for drivers should include communication with passengers with disabilities.
13. Complaints processes need to be more accessible with an easy way to lodge issues including multiple options for lodgement e.g., phone, email, web form (compliant with Web Content Accessibility Guidelines 2.0). Additionally, complaint processes must include follow-up with the customer regarding an outcome with a clear process for mitigating the issue in the future e.g., service refusal leading to driver suspension and re-education.

-
- ¹ Vision 2020. State of eye health in Australia. Retrieved from <http://www.vision2020australia.org.au/our-work/avoidable-blindness-and-vision-loss>
- ² Australian Network on Disability. Disability statistics. Retrieved from <https://www.and.org.au/pages/disability-statistics.html>
- ³ Vision2020. Eye health in Australia. Retrieved from <http://www.visioninitiative.org.au/common-eye-conditions/eye-health-in-australia>
- ⁴ Transport for NSW. Your rights and responsibilities in a taxi or hire vehicle. Retrieved from <https://transportnsw.info/travel-info/ways-to-get-around/taxi-hire-vehicle/your-rights-responsibilities-in-taxi-or-hire>
- ⁵ Transport for NSW. Taxi Subsidy Scheme. Retrieved from <https://transportnsw.info/travel-info/ways-to-get-around/taxi-hire-vehicle/taxi-subsidy-scheme>