

Time to respond – three years on

Realising equality for people with a disability
utilising taxi services



Victorian Equal Opportunity
& Human Rights Commission



Victorian Equal Opportunity
& Human Rights Commission

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List of acronyms

DPTAC	Disabled Persons Taxi Advisory Committee
DRG	Disability Reference Group
MPTP	Multi Purpose Taxi Program
NSP	Network Service Provider
VTA	Victorian Taxi Association
VTD	Victorian Taxi Directorate
WAT	Wheelchair Accessible Taxi

Commissioner's foreword

For many Victorians catching a taxi is a mundane activity. For people with a disability who depend on them in the absence of other reliable forms of private or public transport, taxis take on an importance that the rest of the community can scarcely imagine. Without a reliable, timely, safe and accessible taxi service, the lives of those with a disability become even harder to manage.


In 2007, The Victorian Equal Opportunity and Human Rights Commission launched a report, *Time to respond: Realising equality for people with a disability utilising taxi services*, which identified aspects of the provision of taxi services that discriminate against people with a disability, and outlined seven recommendations aimed at facilitating inclusion, and preventing or reducing discrimination experienced by people with a disability.

Since then, the Commission has worked with the Victorian Taxi Directorate (VTD) to address the recommendations. But while the government and the taxi industry have been responsive in setting up processes to deal with the issues, we are yet to see significant progress. The changes implemented so far have just started to have an impact on the systemic discrimination that is at the heart of accessibility issues for people with a disability. Three years on, this report makes it clear that there is still much work to be done in key areas of service delivery: timeliness; booking processes; access to conventional taxi services; and quality of taxi services including driver knowledge, perceptions of safety and accessible payment methods.

The taxi industry has experienced significant reform in recent years. Many issues continue to challenge the industry, however, I am concerned that within such a crowded policy agenda the needs of people with a disability will be pushed further down the list of priorities. This must not be allowed to occur.

The VTD and the taxi industry have a positive duty to build on current accreditation and business standards and develop a framework to ensure people with a disability have a right to equality. This means taking a long-term, sustainable approach to the development of the taxi industry that will meet the future needs of all customers. Adopting universal design taxis, clearer financial incentives for taxi drivers to ensure they provide an adequate service for people with a disability, and integrating improvements to the taxi industry as part of the overall transport system are all measures that need to be implemented.

The Commission will continue to work with the VTD to achieve equality for people with a disability. We commend the reforms that have been realised to date, and urge continued initiatives and developments to provide improved outcomes in the future.



Dr Helen Szoke
Commissioner
Victorian Equal Opportunity and Human Rights Commission

Victorian Taxi Directorate response

The 2007 report of the Victorian Equal Opportunity and Human Rights Commission, *Time to respond: Realising equality for people with a disability using taxi services*, made recommendations in seven key areas. The VTD has subsequently used these recommendations to form a blueprint to achieve significant progress in improving taxi services for people with disabilities. The VTD appreciates the recognition that this updated report gives to the progress to date.

1. Involvement of people with a disability in the development of taxi services

The VTD has established the Disabled Persons Taxi Advisory Committee (DPTAC) which has proved an invaluable source of ideas for improvements.

2. Accreditation of the taxi industry

On 31 December 2007, the Taxi Industry Accreditation scheme was established to improve professionalism and accountability in the taxi industry; this covered licence holders and operators as well as Network Service Providers (NSPs). Under the scheme, new business service standards for the industry were introduced including the mandatory prioritisation of wheelchair accessible taxis.

3. Timeliness of taxi services

From 1 January 2010, changes were made to the driver accreditation conditions that extended the requirement to prioritise bookings for wheelchair accessible taxis from NSPs and operators to drivers. Through an initiative called Project WAIT those who fail to give priority are subject to penalties. Since the introduction of Project WAIT, complaints regarding timeliness have dropped by 80 per cent. A performance-based booking system that rewards NSPs for meeting service delivery benchmarks has also been established.

4. Driver training

The VTD identified driver training as one of its key work areas in its 2009–10 business plan. The VTD is presently working with the DPTAC to identify gaps in the training, with a view to ensuring that the needs of people with a disability are met.

The DPTAC has developed a framework of key elements aimed at improving driver confidence and skills. This includes: providing drivers with insights into disability; dispelling myths to build confidence and respect; emphasising the importance of communication and the needs of different passengers; and providing tips and practical examples of the type of assistance that passengers may require.

With the announcement of a National Curriculum for Taxi Driver Training from 1 July 2010, the VTD is currently investigating options to enhance the content within the customer service component of the course to reflect the content and focus developed by the DPTAC sub-group. Any resource materials that result from this process will also be made available to non-metropolitan NSPs, to enhance their driver training.

5. Communication strategy

The VTD has made it easier for people with a disability to communicate by simplifying its complaints and feedback mechanisms. It continues to distribute personal journey cards and talking taxi communication boards to help passengers communicate with drivers.

The way the VTD communicates with the industry on disability issues has been improved through increased contact with NSPs and the inclusion of wheelchair accessible taxi drivers on the Taxi Driver Advisory Group (TDAG).

As mentioned above, the VTD has worked hard to develop a strong partnership with DPTAC and regularly convenes forums with agencies such as Scope to facilitate the exchange of information relating to taxi issues. An annual survey of wheelchair accessible users has also been implemented to capture feedback and information. The VTD is now much more active in the community, attending forums and providing presentations on the Multi Purpose Taxi Program and wheelchair accessible taxis (WAT).

6. Complaint processes

Since 2007, the VTD has overhauled its complaints process and it is now compliant with international standards (ISO 10002). At every step of this realignment, the needs of people with a disability were considered paramount. The VTD continues to streamline its complaints processes and encourages anyone who has experienced any kind of difficulty with a taxi service in Victoria to make a formal complaint to the VTD. For more information, people can call the VTD on 1800 638 802 or visit our website at taxi.vic.gov.au

7. Planning to achieve reasonable adjustments to realise equality for people with a disability

The 2007 report emphasised the need for improved planning to achieve reasonable adjustments to realise equality for people with a disability. One of the key reasons for the significant structural changes that were made to the Department of Transport (formerly the Department of Infrastructure) during 2008 was the need for the department to better plan integrated transport solutions for the Victorian community. Benefits of these changes are now starting to be realised.

Since the release in 2007 of *Time to respond: Realising equality for people with a disability using taxi services*, the use of wheelchair accessible taxis has grown dramatically. In 2008–09, the number of metropolitan wheelchair accessible taxi trips grew by 19 per cent and in 2009–10 they grew by 14 per cent. The VTD believes that these figures indicate that latent demand is being realised; as improvements are made in service delivery, more people with a disability are using taxi services.

This year's Greater Melbourne Taxi Licence Release, through which up to 330 additional wheelchair accessible taxi licences will be made available in the greater Melbourne area, will ensure that this increase in demand will be met.

The VTD looks forward to continuing to work with the Commission, DPTAC and other groups to ensure that we improve the experience of taxi services for people with a disability.

A handwritten signature in black ink, appearing to read 'P. Corcoran', written in a cursive style.

**Mr Peter Corcoran
General Manager
Victorian Taxi Directorate**

Introduction

In 2007, the Victorian Equal Opportunity and Human Rights Commission (the Commission) released the report *Time to respond: Realising equality for people with a disability utilising taxi services* on the accessibility of the taxi industry for people with a disability. This report, *Time to respond – three years on*, prepared consistent with the Commission's responsibility to undertake research to seek to eliminate discrimination under section 162 of the Equal Opportunity Act, charts progress against that earlier report.

The 2007 report sought to improve service provision to people with a disability in their utilisation of taxi services. It identified:

- aspects of the provision of taxi services which may discriminate against people with a disability
- possible breaches of human rights of people with a disability wishing to access taxi services.

Since then, the Commission has worked with the Victorian Taxi Directorate to address the recommendations in *Time to respond: Realising equality for people with a disability utilising taxi services*. Three years on, this report revisits those recommendations, outlining improvements made and shortcomings still to be remedied.

The contents are structured around each of the Commission's recommendations in the 2007 report, and include responses from:

- the Commission's Disability Reference Group (DRG)
- a survey of people with a disability conducted in February 2010 (Appendix 2)
- the Victorian Taxi Association (VTA)
- the VTD.

Background

In 2006, the Commission formed a working group involving Commission staff, disability advocacy groups, the VTD, industry representatives and the VTA.

The working group aimed to "identify issues affecting quality of service provision to consumers with a disability, including the booking and dispatch system, safely transporting taxi users, effectively communicating consumers' needs and drivers' attitudes and training".¹ In doing so, the working group hoped to "create strategies to develop taxi services that are more responsive to the needs of people with a disability".²

The VTD supported the Commission in undertaking research to obtain information from people with a disability and the taxi industry. In August 2006, Market Solutions Pty Ltd was engaged to undertake a survey of people with a disability who accessed taxi services. In addition, the research involved surveying taxi drivers, operators and depot representatives.

¹ "Taxi Accessibility Working Group Project Design", Victorian Equal Opportunity and Human Rights Commission (2005) 3.

² Ibid.

The results of the research informed the recommendations in *Time to respond: Realising equality for people with a disability utilising taxi services* to government and the taxi industry concerning how to improve services. The report made seven recommendations in relation to:

- involvement of people with a disability in the development of taxi services
- accreditation of taxi industry
- timeliness of taxi services
- driver training
- communication strategies
- complaint processes
- future planning to achieve reasonable adjustments to realise equality for people with a disability.

Since then the Commission has worked closely with the VTD in developing and implementing policy and practical changes to improve the services provided to passengers with disability.

Three years on, the Commission was keen to examine the progress made against each of the recommendations contained in the report. As part of this process, the Commission and the VTD commissioned a follow-up survey in February 2010 to test consumers' experiences of taxis across a range of measures based on the recommendations in the report. In addition, consultations were conducted with the VTA and the DRG to determine whether aspects of service delivery have improved.

The legislative framework

The Victorian Equal Opportunity and Human Rights Commission is an independent statutory body that administers the *Equal Opportunity Act 1995* (EOA) and the *Racial and Religious Tolerance Act 2001* (RRTA). The Commission's functions include conciliating individual and representative complaints about discrimination, sexual harassment, and racial and religious vilification; providing education about human rights, equal opportunity and racial and religious tolerance; undertaking projects and activities aimed at eliminating discrimination and racial and religious intolerance; conducting research; and providing legal advice and policy advice.

In addition, the Commission undertakes specific functions in relation to the Victorian Charter of Human Rights and Responsibilities (the Charter).

In this context, the Commission notes that the VTD is a public authority and as such has obligations under the Charter. This means the VTD must consider the Charter when making decisions and delivering its services. The VTD and the taxi industry also have an obligation to ensure the realisation of the right to equality for people with a disability. Under the Charter, the Commission has a responsibility to monitor and report on public authorities' compliance with their Charter obligations through its yearly report to parliament.

In addition to human rights obligations under the Charter, the provision of taxi services is subject to a range of regulation, accreditation and licensing requirements of the VTD. The taxi industry is also obliged to comply with the

provisions of the EOA, the *Disability Discrimination Act 1992* (Cth) (DDA) and the *Disability Standards for Accessible Public Transport 2002* (Cth) (the Transport Standards).³

The EOA makes it against the law for taxi service providers to discriminate against a person with a disability in the provision of taxi services. Recent reforms to the EOA, which come into force in August 2011, include a positive duty to take reasonable and proportionate measures to eliminate discrimination as far as possible. This places an additional obligation on service providers and regulators, including the VTD, to ensure the industry they regulate works to prevent, expose and tackle systemic discrimination.

The most relevant part of the Transport Standards for this report is the requirement that response times for wheelchair accessible vehicles be the same as for other taxis by December 2007, five years after the Standards were enacted. This is clearly not the experience of those who responded to the survey.

³ Further information can be found at the Attorney-General's website comlaw.gov.au within the section on Acts.

Outcomes of the 2010 survey of taxi users

The research aims for the 2010 study were the same as the 2006 study, although a survey of taxi drivers, operators and depot representatives was not part of the 2010 Market Solutions brief. Rather, the views of the industry were captured in consultations conducted by the Commission in February 2010.

The 2010 survey used similar methodology and questions as the 2006 survey. The main objectives were to:

- provide a rounded view of the quality of taxi services for passengers with a disability
- identify areas of proficiency and or deficiency in the provision of taxi services for users with a disability
- provide a comparison with the results of the study conducted in 2006.

The survey questionnaire was mailed out to 1500 recipients, and was made available on the Commission's website for three weeks. The Commission also assisted people to complete the survey by phone. A total of 604 responses were received.

Overall, the findings from the 2010 survey are generally positive, with the majority of respondents (61 per cent) rating drivers good or better and 85 per cent as fair or better, although these results are less positive than those for 2006.

Satisfaction scores about taxi drivers' responsiveness to the needs of people with a disability have shown only a slight increase in the "good" and "fair" ratings and a decrease in the "excellent" rating.

The survey findings also saw a significant increase in the proportion of passengers reporting difficulties associated with:

- waiting for a taxi to arrive
- booking a taxi through the automated system
- feeling safe during the journey
- drivers referring to street directories
- handling payment methods
- physical comfort in the vehicle.

The lower scores may have been affected by problems encountered by the industry during the survey period. The 2010 survey required respondents to consider taxi services over the past six months, during which time the industry experienced a number of problems affecting the delivery of taxi services across the board. Firstly, in July 2009, fire gutted the Silver Top Taxi Service communication centre in Collingwood. The resulting disruption affected approximately half of Melbourne's taxi fleet. Secondly, in September 2009, the EFTPOS terminals in taxis across the state experienced software problems necessitating passengers to make manual payments, including the Multi Purpose Taxi Program (MPTP) payments. Technical issues during this period also led to MPTP cards losing data and causing ongoing difficulties with MPTP payments and claims.

The Department of Transport's customer service monitor shows a 12 per cent decrease in satisfaction scores for all taxi services (conventional and wheelchair accessible) between the periods October 2006 and March 2010.⁴

It should be noted that there is often a time lag between initiatives being implemented and customer satisfaction scores reflecting an improvement in service delivery. Respondents typically rely on recent experiences but attitudes and perception can be coloured by past (particularly bad) experiences. Therefore responses to the 2010 survey may not yet reflect initiatives implemented in 2008–09.

In addition to these factors, which may have had an impact on the survey results, the demographic profile of respondents has shown a significant shift between the two survey periods. While the age and gender profile of respondents remained consistent between the two surveys, considerable variation existed in the type of disability reported, the frequency of taxi usage and the geographical location for taxi trips.

Compared with 2006, the 2010 survey saw a significantly lower proportion of respondents who reported having an intellectual disability (47 per cent compared with 30 per cent). Analysis of respondents with an intellectual disability from the 2006 research found they had a slightly more positive outlook on taxi services, probably attributable to this group of respondents residing, and using taxi services, in rural areas. Taxis users in non-metropolitan areas tended to view the services more positively compared to those in metropolitan areas. Given there were fewer of these respondents in the 2010 sample, a slight skewing of the results may have caused a negative effect on the overall findings.

The results in 2010 saw an increase in the proportion of survey respondents within the Melbourne metropolitan area (72 per cent to 77 per cent).

A summary of the findings can be found at Appendix 2 and a copy of the research report is available on the Commission's website humanrightscommission.vic.gov.au

Reform of the taxi industry

The Victorian Government has introduced significant reforms to the taxi industry over the past six years and work to reform the sector to improve service outcomes continues. The Department of Transport, through the VTD, reports a continued commitment to deliver outcomes that improve the journey experience for passengers particularly focusing on passengers with a disability. The Commission's recommendations arising from the 2007 report have been reflected in many of these initiatives.

To date the key achievements through the reform include:⁵

- a new accreditation scheme which introduced new standards and accountability measures from July 2007
- increased number of peak service licences (from 2002)
- lifting fees increased and indexed annually by CPI

⁴ Department of Transport, *Customer Satisfaction Monitor for Metropolitan Taxis* (December 2009).

⁵ Victorian Taxi Directorate, *Response to Time to respond – realising equality for people with a disability utilising taxi services* (February 2010).

- a 20 per cent tariff, introduced in 2004, paid directly to the driver to encourage more taxis on the roads between midnight and 5am
- implementation of the recommendations from The Country Services Review conducted in 2006⁶
- the introduction of the Taxi Industry Safety Taskforce in 2006, with a focus on driver safety and wellbeing
- upgrade and increase in the number of hours for taxi-driving training courses which since 2008 includes a Knowledge of Melbourne test
- new regulatory requirements for taxi licence brokers began in 2006
- introduction of a taxi services customer charter, 2010⁷
- six-monthly inspections of taxis
- statewide introduction of a performance-based booking system in metropolitan Melbourne
- review of taxi fares by the Essential Services Commission, including: “improved affordability and availability of taxi services for people with a disability and release of additional wheelchair accessible and conventional taxi licences in the metropolitan area”.⁸

On 1 January 2010, changes to the driver accreditation conditions came into effect giving the VTD greater regulatory power to enforce the requirement that wheelchair accessible taxi drivers give priority to wheelchair passengers at all times. The VTD has strengthened its compliance strategies through the Project WAIT initiative which aims to change driver behaviour to ensure that wheelchair accessible taxi drivers prioritise wheelchair work. Wheelchair accessible taxi drivers identified as rejecting wheelchair accessible taxi jobs without a valid excuse will be subject to a range of compliance measures.

⁶ Copies of the *Country Taxi Services Review* (2006) are available from the VTD at taxi.vic.gov.au

⁷ Victorian Department of Transport, *Taxi Services Customer Charter*, (2010) is available from the VTD at taxi.vic.gov.au

⁸ Department of Transport, *Taxi and Hire Vehicles – Taxi and Hire Vehicle Reform* (2010) (key achievements sourced from transport.vic.gov.au)

Progress against recommendations

Involvement of people with a disability in the development of taxi services

2007 recommendation

The Victorian Equal Opportunity and Human Rights Commission (the Commission) strongly endorsed the establishment of an advisory committee by the Victorian Taxi Directorate (VTD) to provide advice and feedback in relation to a range of issues identified in the report.

Progress

In 2008, the VTD established the Disabled Persons Taxi Advisory Committee (DPTAC) to enable it to receive timely and regular input from people with a disability regarding the performance of taxi services.

The DPTAC aims to facilitate structured communication between people with a disability and the VTD in addressing taxi accessibility issues.⁹ To date it has focused on four areas identified in the report:

- timeliness of taxi services
- taxi driver training
- development of a communications strategy
- complaints management.

As well as establishing regular meetings with the DPTAC, the VTD has set up a formal mechanism with disability services agency Scope “to discuss issues and share information about the taxi industry and the VTD’s role as a regulator”.¹⁰ Through these meetings, the VTD has been able to promote and increase the awareness of taxi passenger rights and how people with a disability can make complaints. In addition, the VTD staff have received disability awareness training.

Response

Entrenched discrimination preventing people with a disability from gaining equal access to taxi services can be overcome through recognising the relationship between disability, human rights and social inclusion and involving people with a disability directly and meaningfully in the development of solutions.¹¹

Feedback from the Commission’s DRG highlights that discussions between the VTD and disability groups have significantly improved. Through the DPTAC, people with a disability have active representation in a forum to resolve issues relating to their access to taxi services. Members of the DRG and a Commission representative are members of the DPTAC.

Despite the encouraging progress of the DPTAC, which includes the involvement of people with a disability at a strategic level, it is clear that there is much more

⁹ Victorian Taxi Directorate, n 5.

¹⁰ Ibid 6.

¹¹ Victorian Equal Opportunity and Human Rights Commission’s submission to National Disability Strategy (2008).

work to be done at an operational level to ensure cultural change occurs where it really matters – in taxis.

This disconnect is evident to some extent in the responses to the 2010 survey. Respondents reported a number of positive experiences in taxi drivers' service delivery including treating them with respect and being helpful. In the main, however, the survey results demonstrate that there is continuing dissatisfaction among passengers with a disability across all aspects of taxi use and in all areas (metropolitan and non-metropolitan).¹²

"I have one main taxi driver and two others whom we use frequently. They treat us very well and I cannot say anything bad about them. There are some taxi drivers whom (sic) have no idea about how to get to main shopping centres or hospital and are still unable to figure out how to secure a wheelchair. Some take advantage of Cabcharge and E-tickets and a six-minute drive turns into 45 minutes."

"Unfortunately it's not consistent. Sometimes the drivers are very good, and sometimes they are poor. It will depend on the driver. Often it is very frustrating because we cannot understand each other (language barriers), and they do not understand my needs. Specifically it seems that drivers may not always read all directions given, such as my address (my unit is difficult to find in my village if do not [sic] read their instructions). Not all drivers greet pleasantly or try to make the journey or experience pleasant (some do!). Some drivers don't display their identity photo, making me suspicious."

Comments provided by the VTA echo these concerns. The VTA advised the Commission that there is inadequate information exchange between it, the VTD and the DPTAC. The VTA believes that the VTD needs to engage the industry at the driver and operator level, informing them of outcomes from DPTAC deliberations.

Continued reform of the taxi industry must ensure the rights of people with a disability are ultimately understood, protected and promoted. As a public authority the VTD and its agents must ensure that the service they provide, and the manner in which it is provided, is compliant with the Victorian Charter of Human Rights and Responsibilities 2006 (the Charter). The VTD and organisations and individuals who provide taxi services must ensure they comply with the provisions of the *Victorian Equal Opportunity Act 1995* (EOA) and the *Commonwealth Disability Discrimination Act 1992* (DDA) in providing taxi services to people with a disability.

To this end, engaging people with a disability as active participants in the development of taxi services is vital. The DPTAC is one mechanism for feedback by people with a disability about taxi services but there needs to be an ongoing active engagement with a range of people with a disability utilising those services so that diversity of experience can influence the ongoing improvement of service delivery.

¹² The industry is divided into four zones: Metropolitan; Outer-suburban, comprising Frankston and Dandenong; Urban Regional, comprising Geelong, Ballarat and Bendigo; and the Country.

Accreditation of the taxi industry

2007 recommendation

The Commission welcomed accreditation of the taxi industry and recommended that standards relating to safety; customer service; complaint handling; and education and training should incorporate reporting on the utilisation of conventional and wheelchair accessible taxis by people with a disability.

Progress

Since May 2002, the VTD has delivered significant reforms to the taxi industry, focusing on accreditation of taxi drivers, operators and Network Service Providers (NSPs).¹³

The purpose of the accreditation is to “facilitate the provision of safe, reliable and efficient taxi services that meet reasonable community expectations by extending the chain of responsibility to all taxi industry participants”.¹⁴ The taxi industry accreditation scheme came into effect from 31 December 2007, and all licence holders, taxi operators and NSPs have been accredited under this scheme.

The accreditation scheme ensures that taxi licence holders, operators and NSPs comply with the business and service standards¹⁵ and includes four areas identified in the report: safety: customer service: complaint handling: and education and training. A number of the standards have specific relevance to people with a disability, including:¹⁶

NSP to have systems that:

- prioritise wheelchair accessible taxi bookings
- advise customers of significant delays
- notify operators of unsafe driver practices
- handle complaints complying with AS10002¹⁷
- train staff to handle emergencies.

Taxi operators are required to:

- repair any damage to a vehicle which compromises the safety of passengers
- comply with legislative requirements including: DDA, EOA and the *Transport Act 1983* (Vic)
- monitor and follow-up taxi driver complaints in a timely manner
- ensure wheelchair-accessible taxi drivers are appropriately trained.

¹³ Victorian Taxi Directorate, n 5, 6.

¹⁴ Ibid.

¹⁵ Victorian Government, *Taxi Industry Accreditation – Transport Act 1983 Accreditation of Taxi-cab Industry Participants Business and Service Standards* (2007).

¹⁶ Victorian Taxi Directorate, n 5, 7.

¹⁷ AS ISO 10002-2006 Customer satisfaction: Guidelines for complaints handling in organisations (ISO 10002:2004, MOD).

There is no expectation for the industry to report on activity against the business service standards, but records are required demonstrating compliance against the standards that can be audited by the VTD at any time.

Information gathered through the auditing process, taxi usage by people with a disability from the Multi Purpose Taxi Program (MPTP) database, Department of Transport quarterly taxi customer satisfaction surveys and reporting requirements of the NSPs under the performance-based booking system is presented regularly to the DPTAC.

26 NSPs, representing almost 90 per cent of WATs across the state, have signed up to participate in the performance-based booking system, which is designed to improve management and accountability of wheelchair accessible taxi bookings.

In April 2010, changes to taxi drivers' accreditation conditions came into effect. The conditions require wheelchair accessible taxi drivers to "give priority to the carriage of wheelchair passengers at all times". In addition, for the most recent licence release in June 2010 minimum performance obligations have been set to ensure wheelchair accessible taxis complete a minimum number of wheelchair trips each 28 days. Driver non-compliance with the conditions constitutes an offence and may result in action by the VTD. The VTD has developed a raft of compliance measures that facilitate its ability to regulate taxi driver behaviour.

Response

The Commission's DRG acknowledges that the safety and service standards in taxis have improved. For example, straps are in place to secure wheelchairs and owners are more aware of their responsibility to have trained drivers who can provide a safe service.

The survey results, however, indicate that people with a disability are still having trouble with the service, particularly in relation to issues covered by the standards and conditions of licences, namely safety; customer service; complaint handling; and education and training.

Passengers are still feeling physically insecure during their journey; 40 per cent raised concerns about dangerous and rough driving; and more than one-quarter (29 per cent) felt anxious during their journey. Passengers generally felt anxious when a driver was new to them; had poor English; or was described as abusive or rude towards them.

Survey respondents also raised concerns about driver courtesy and communication; passengers being poorly restrained; feeling vulnerable in terms of being alone with the driver; and poor driver street knowledge.

The responses highlight the vulnerability people in wheelchairs feel when completely dependent on the actions of a taxi driver to provide for their safety.

"Sometimes the straps that hold down the front wheel to secure the wheelchair come undone during the journey and the taxi driver knows they're undone but doesn't stop to redo them. A friend's wheelchair has tipped over going around a corner and he's ended up almost in my lap."

"Well, when your motorised scooter is moving towards you on corners and when the taxi speeds up, I certainly don't feel safe. The hard cornering and braking is also a problem as it means that I tense up and try to anchor my own body, causing pain."

“Often drivers do not want to use chair restraints or provide a seat belt, have no idea how to use them, or they are broken. They often act amazed/angry that I insist on being safe and secure. They usually say, “But I am a good/careful driver” or “No-one else wants them”. I am even more insistent since recently my cab hit another cab which had shot a red light!”

The VTA believes that while accreditation has been successful in ensuring the whole industry is responsible for the service it provides more can be done to reward effort, align accreditation with commercial realities of the industry and ensure a more realistic fare structure is developed. The VTA advises that feedback from wheelchair accessible drivers indicates that they do not believe that the fare structure is providing enough commercial incentive to prioritise wheelchair users over other passengers. The VTA believes that restructuring of the wheelchair accessible taxis subsidy in non-metropolitan areas has been successful while drivers in the metropolitan area believe that there is little commercial incentive to prioritise wheelchair-accessible taxi work. There is a call by the VTA to increase the lifting fee, particularly in metropolitan areas, to ensure wheelchair accessible taxi drivers view the carrying of wheelchair users as financially viable.

Implementation of the new accreditation conditions places greater regulatory power with the VTD, enabling greater performance monitoring and subsequent action against non-performing wheelchair accessible taxi drivers.

The Commission acknowledges the significant work the VTD has carried out to secure improved accreditation within the industry particularly in the area relating to increased regulation of standards and improved transparency of poor performance. The Commission reinforces the need for the VTD to report on the usage of both conventional and wheelchair accessible taxis by people with a disability so that there are continued enhancements to the entire taxi network. The Commission also recognises the need for the auditing process to remain transparent and accountable and encourages the VTD to publish reports on audits conducted and action taken in its annual report and to report regularly on its website.

Timeliness of taxi services

2007 recommendation

Notwithstanding the proposed industry standard 18¹⁸ regarding timeliness of wheelchair accessible taxi services, the Commission argued that further initiatives were needed to prevent long wait times for taxis. The Commission specifically recommended piloting a micro-management system within six months and after consultation with the DPTAC.

Progress

The Essential Services Commission raised the need to improve taxi wait times in its independent review of taxi fares in Victoria published in 2008.¹⁹ The review identified that waiting times tended to be longer for wheelchair taxis and

¹⁸ Victorian Government, n 15.

¹⁹ Essential Services Commission, *Taxi Fare Review 2007–08: Final Report* (August 2008).

recommended that the DSAPT²⁰ would most likely be met if the proportion of wheelchair accessible taxis in service was increased.

In response, the government has introduced substantial reforms to wheelchair accessible taxis and the MPTP to improve accessibility and wait times, including:²¹

- doubling the MPTP trip cap (from \$30 to \$60) and the annual limit (from \$1090 to \$2180)
- introducing 330 new wheelchair accessible taxi licences, which will more than double proportion of wheelchair accessible taxis
- increasing the lifting fee paid to drivers when loading and unloading passengers into wheelchair accessible taxis from \$10.00 to \$14.00 (currently \$14.20 after CPI increase) and into conventional taxis from \$5.00 to \$7.00 in non-metropolitan areas (currently \$7.10 after CPI increase)
- abolishing the out-of-area subsidy to perform out-of-area wheelchair work. Additional subsidies were provided to the two major metropolitan depots in recognition of the “dead running” time experienced by wheelchair accessible taxi drivers in attending to wheelchair bookings, which often required greater travelling distance
- undertaking a pilot of the performance-based booking system to increase the accountability of NSPs to provide a quality wheelchair-accessible service.

The VTD has recognised the integral part NSPs play in managing wait times by introducing the wheelchair accessible taxi performance-based booking system. The aim of the performance-based booking system is to strengthen the chain of responsibility within the industry by making NSPs accountable for the performance of their fleet. The performance-based booking system has three key performance areas:

- response times for picking up wheelchair-accessible taxi passengers
- handling and resolving complaints in a timely manner
- answering telephone bookings in a timely manner.

The introduction of Project WAIT (April 2010) aims to change driver behaviour and attitudes to ensure wheelchair accessible taxi drivers prioritise wheelchair work and therefore reduce wheelchair/scooter passenger wait times. NSPs are required to advise customers who book a taxi of known delays and must not discriminate between customers in the offering of bookings or allocation of taxis. They must not offer conventional taxi jobs to wheelchair accessible taxis when a local booking for a wheelchair user has not been attended to after five minutes. Drivers will be held accountable for rejecting or not prioritising wheelchair work and stringent penalties will apply to those who cannot justify their reasons or continue not to comply. The new business standards mandate a system of records management appropriate for the purposes of inspection and auditing.

²⁰ Australian Government, *Disability Standards for Accessible Public Transport Guidelines 2004* (no. 3).

²¹ Victorian Taxi Directorate, n 5, 8.

Response

While the Commission is encouraged by many of the initiatives designed to address wait times there are still some concerns. One of the criteria for eligibility to the MPTP is an ability to show financial hardship. The means testing of household income results in many people with a disability who are in employment being disadvantaged. The frequency or choice of public transport options in non-metropolitan areas is not as great as those in metropolitan areas. This leaves many people with no choice but to pay full taxi fares.

The Commission believes that means testing the MPTP in situations where there are no viable public transport options does not provide equitable access to people with a disability.

Given its recent introduction, the success of Project WAIT remains to be seen.

Passengers and members of the Commission's DRG have reported that waiting times have not improved – taxis are still late by hours not minutes. The DRG believe that the introduction of a micro-management²² booking system has not improved waiting times for wheelchair accessible taxis.

The 2010 survey found that 73 per cent of passengers were still experiencing delays of one or more hours, particularly in metropolitan Melbourne. This is a significant problem considering people with a disability have limited alternatives to booking a taxi, as hailing is often not an option.

"It is very nerve racking if we have to go somewhere for an appointment as you never know how long it will be before they get there. Very, very unreliable."

"Because I SMS for a taxi, there is no response, so I am always uncertain as to whether a taxi is actually coming or not."

"There have been many times when I have made a booking for a maxi-van cab a day before to a few hours before departure time, only to have no cab arrive on time and being told by dispatch that no one has taken the job and they are still trying to find a driver. No time has been given and I've been forced to wait anywhere from 10 minutes to four hours for a cab to arrive."

"I've missed many hospital appointments because a cab booked a few days in advance will be one to two hours late."

The VTA is concerned that by not linking the incentive directly to driver response the incentive system benefits companies more than individual drivers. There is a perception by the VTA that the financial risk of driving a wheelchair accessible taxi is too great. It also believes that the lifting fee needs to be increased.

The Commission believes that Project WAIT will, if successful, address the inequality between the wait times experienced by conventional taxi users and wheelchair accessible taxi users. However the program does not address the problems experienced by some 135,000 MPTP members who do not use a

²² Micro-management systems (such as the one in Adelaide, SA) aim to identify bookings, allocate and reallocate where necessary to link pick-ups to minimise dead running. Victorian Equal Opportunity and Human Rights Commission, *Time to respond: Realising equality for people with a disability utilising taxi services* (2007).

wheelchair – they are at the mercy of the conventional booking system. It is not only wheelchair passengers who are reliant on taxis for transport; other passengers who have a severe disability often have no alternative public transport options. These kinds of situations further entrench systematic discrimination and fail to deliver an equitable service.

Ongoing monitoring and evaluation of Project WAIT and similar initiatives is required to measure their success and ensure wait times have been reduced. The Commission believes the VTD should report back to the DPTAC on the completion of the project.

Driver training

2007 recommendation

The Commission recommended compulsory, comprehensive training for all taxi drivers about the needs of people with a disability. We also recommended that compulsory driver education for all drivers of wheelchair accessible vehicles should be continued, regardless of how casual their employment status may be.

Progress

The Commission acknowledges the work the VTD and the industry have undertaken to improve driver training, particularly given the importance of the issue. The quarterly customer satisfaction surveys undertaken by the Department of Transport reveal that the behaviour and attitudes of taxi drivers directly influence a passenger's overall satisfaction with the journey.

The VTD has identified that the current driver training course content on responding to passengers with special needs is inadequate, and it is keen to act on complaints made by passengers, recommendations from the 2007 report and concerns raised by stakeholders. However, due to contractual arrangements with training providers the current course curriculum cannot be changed or improved until 2012. The VTD is investigating options through the national driver training curriculum to address this issue.

Another positive initiative by metropolitan NSPs is the decision to prevent taxi drivers from logging on to the dispatch system to accept wheelchair accessible jobs unless they have the appropriate training.

Response

While the Commission's DRG noted some improvements in driver safety in both rural and metropolitan areas, overall the provision of a safe service remains inconsistent. The DRG also raised concerns regarding the treatment of many people with a disability who have specific needs, for example, Acquired Brain Injury and intellectual disabilities. Drivers should be made fully aware that they have a duty of care in relation to these groups.

The DRG stressed the importance of providing disability awareness driver training to *all* drivers. Currently only wheelchair accessible taxi drivers receive an additional module of training which addresses the needs of people with a disability.

Passenger figures for 2008–2009²³ indicate that users registered with the MPTP made 4.4 million trips. Of those trips, 600,000 were made in wheelchair accessible taxis, meaning that 3.8 million MPTP members used conventional taxis. With such a large volume of trips being made by people with a disability in conventional taxis, the Commission reinforces the need to ensure all drivers are fully trained and sensitive to the needs of this group.

Survey respondents were asked to provide suggestions for improving the quality of the taxi services; half suggested a need to improve customer service and booking services. A sizeable proportion of suggestions were driver related including designating or training drivers better to cater for passengers with a disability (42 per cent); improving driver English and communication skills (25 per cent); and improving driver knowledge of locations (19 per cent). This feedback points strongly to the need to improve the training modules provided to taxi drivers.

“Yes, yes, yes! I often feel that I am being charged more because the drivers don't know Melbourne. They won't listen to my directions because I have a speech impediment and lack of English adds to the problem.”

“Using a directory whilst driving, I wish they would do this before starting journey, rather than while they are driving. I don't think drivers are sufficiently aware of the needs of disabled passengers. View them as more burdensome than other customers. Difficulties with directions, getting lost, expecting me to follow visual cues (e.g. "over there", pointing etc,) failure to read street directory, reluctant or demeaning of the MPTP card – as if it's a rort” (comment from vision-impaired passenger).

“There is a lack of knowledge of vision impairment in many cases. For example, (a driver) tooting for pick-up from a distance to the entrance point and even from across the road, expecting a blind or vision-impaired person to ‘see’ them, let alone get across a busy road without assistance. Or being handed a street directory to read because (the driver) was unable to read it himself due to literacy or English problems.”

The VTA painted a much more positive view of the impact training has had in changing the attitudes of taxi drivers. Nonetheless, it should be noted that attitudinal change is a slow process. Addressing the underlying cultural barriers within the industry is difficult to achieve in an eight-day training course. However, the input by people with a disability into the design of the training courses has been invaluable, with improvements in driver knowledge and service delivery noted by customers.

The VTA also identified that many drivers are experiencing problems due to the variety of wheelchairs and scooters used. Many taxis do not have the appropriate tie-down points, causing disagreements between the drivers and passengers and leading to unsafe practices such as wheelchairs and scooters not being properly secured.

In collaboration with the Department of Education, Employment and Workplace Relations, the VTA has developed a DVD aimed at enhancing the language, literacy and numeracy skills of taxi drivers as part of their driver training. This has been positively received by the industry.

²³ Victorian Taxi Directorate Multi Purpose Taxi Program area.

In light of the survey responses, it is clear that continued development of driver training must be a focus. In particular, the Commission notes the following:

- The critical nature of driver training in delivering a positive experience for passengers. The VTD must make the modification of driver training modules a priority, within the limitations of its contractual agreements.
- The DPTAC should continue to provide input to the development of the curriculum, addressing the requirements of passengers with a disability.
- The VTD should continue to work with the DPTAC and the taxi industry to ensure taxi drivers across the state receive the same level of training to ensure a consistently high quality service to all Victorians, including people with a disability. Recognising the importance of long-term investment in well-trained and supported drivers is essential to achieve any real change.
- The industry needs to ensure that the installation and use of wheelchair and scooter tie-down fittings complies with the Australian and New Zealand Standards for Transport.²⁴
- Experienced drivers should receive refresher training, perhaps as part of the licence renewal process, as the benefits of driver training tend to fall away after time.

Driver knowledge of the law, information and communication

2007 recommendation

The Commission recommended an information campaign to raise awareness across the industry and amongst consumers regarding legal obligations and rights and complaints processes, as well as specific issues such as communications assistance, assistance animals and responding to mobility issues with respect to regular taxi use.

Progress

The VTD has initiated a range of communication and stakeholder engagement measures to improve the taxi journey for all passengers, particularly for those with a disability. The VTD has focused on a combined education and compliance approach, working with taxi drivers and operators to provide a higher level of service delivery. This approach, combined with increased formal engagement with disability advocacy bodies, ensures the VTD stays abreast of emerging issues and enables the development of more targeted educational programs. The VTD also ensures passengers are aware of their rights and the services and feedback mechanisms available to them.²⁵

To achieve this, the VTD has ensured its communications strategy addressed the five areas identified in the 2007 report:

- The creation of the Taxi Drivers Advisory Group has been critical in facilitating the relationship between the VTD and both wheelchair

²⁴ Standards Australia, *Wheelchairs – wheeled mobility devices for use as seats in motor vehicles (AS/NZ 3696.19:2009)*, sourced from Standards Australia website standards.org.au

²⁵ Victorian Taxi Directorate, n 5, 12.

accessible and conventional taxi drivers. The group, along with the DPTAC, has proved to be a powerful mechanism in developing better communication and information about passenger rights to the industry.

- The VTD is currently reviewing all in-cab signage with the aim of making key information about fares and lodging customer feedback clearer.
- The VTD has made significant improvements to its complaints management system. Consumers can lodge a formal complaint or feedback on-line, in person, in writing or over the phone.²⁶
- In September 2008, the VTD, Maribyrnong City Council, Scope and Isis Primary Care produced talking taxi communication boards to help passengers communicate with their drivers. In addition, personal journey cards that can be used to provide information regarding the trip, payment methods and other aspects of the journey are now available. People with a disability and taxi drivers have welcomed these communication aids.
- The VTD believes the revised accreditation requirements, audits and on-road compliance measures will encourage wheelchair accessible taxi drivers and operators to focus on wheelchair work.
- The VTD has revised the compliance strategy to address the legal issues relating to the transport of guide dogs. New enforcement measures will make it an offence for any taxi driver to refuse to carry an assistance dog or provide substandard service to a person with a disability. Lack of compliance in this area could result in operators being financially penalised or losing their licence. The VTD is working with a disability advocacy group to educate taxi drivers and passengers about how to improve the taxi journey for vision-impaired passengers.

Response

The Commission's DRG reports that service delivery has improved in areas where personal relationships can be established with a specific driver or where the service is delivered by an owner driver.

Survey respondents indicated that there is still some resistance from some drivers to the carriage of assistance animals.

"Many drivers are unaware of hearing dogs. Their attitude is often rude which makes me feel uncomfortable. When information is provided regarding legal right to travel with hearing dogs often the driver refuses or is unable to read this information. When I have asked drivers regarding their understanding of hearing dogs and access and travel rights I believe that even though information is distributed by the taxi directorate regarding hearing dogs most drivers do not read this. I also know that when complaints regarding refusal to accommodate hearing dogs are lodged with the taxi directorate staff are at times unaware of this ruling and

²⁶ "How do I complain or provide feedback to the VTD?"
transport.vic.gov.au/DOI/Internet/vehicles.nsf/AllDocs/E8B6AE695839616BCA2575EF00006135?OpenDocument

challenge claims and often request written evidence which discourages individuals from pursuing legitimate claims of discrimination.”

“Drivers are getting better with regard to having my guide dog on board, but the secret is, this must not be tolerated in cab drivers, at all. They say they are allergic to animals, they get their doctors to sign to say that they can get out of that requirement ... to my mind however, they then cannot do the inherent job requirements, and should lose their licences. It is as simple as that.”

“Last week the driver refused to allow access to the taxi because of the dog and was rude and not willing to take time to read the information regarding hearing dogs and access rights.”

The difficulties experienced by passengers due to driver knowledge of the law, information and communication can be summarised by the following respondent comments.

“Because of my speech difficulties they get impatient with me, and sometimes do not get the directions right, then are cross with me when I say it's the wrong place.”

“As I am deaf, taxi drivers also appear impatient with my telling them where to go etc. They never make eye contact and they don't appear to be concentrating on what I am saying. I feel no trust for the drivers and I do not feel secure. I am always afraid to be in a taxi because I am not sure if my driver will take me to the right place.”

“Taxi drivers often do not know where to go and with limited English skills make the trip extremely difficult at times as they expect me to direct them and read street signs which I am unable to do due to low vision.”

“Have regular problems with drivers saying their machine is not working and they cannot register fares on my half-price taxi card, or refusing to give receipts – just ask for payment.”

The industry has responded positively to the VTD's introduction of communication boards, particularly in rural areas.

The VTA reports that, although the carriage of assistance animals has improved, it recognises the need for further improvements in this area, particularly in encouraging people with a disability to lodge complaints about poor service and reviewing taxi drivers' knowledge of communication devices available for people with a disability. The VTA also believes that through the feedback mechanism there should be a way of rewarding and recognising drivers who do the right thing.

The Commission recognises that greater improvements in this area will take time. Proactive measures to ensure drivers comply with their legal obligations must go hand in hand with encouraging people to exercise their rights to complain. It should not be left entirely to individual passengers to try to “fix” the system. Complaint mechanisms must be accessible to ensure people with a disability are able to demand better service from drivers and complain when things do not work. Working with people with a disability in the development and

communication of complaint mechanisms is instrumental to the success of such processes.

Prior to the implementation of regulatory decisions the VTD, the VTA and other industry bodies need to work together to minimise the resistance from the industry due to the perceived financial burden new regulations may create.

Complaints

2007 recommendation

The Commission welcomed requirements under the Business and Service Standards that NSPs operate a complaints management system and proposed several enhancements to the existing standards to facilitate accessibility to both NSP and the VTD complaints systems.

Progress

The Commission acknowledges the significant steps the VTD has taken to enhance its complaints-handling processes. The changes have improved the accessibility for complainants and resulted in a system that focuses on improved customer service. In addition, the VTD has improved the way in which it communicates performance levels and complaint trends to the industry.

Specifically:²⁷

- improved accessibility for all taxi users, using either oral, written or email options, to submit complaints and provide clear identification of response times for complaint handling. Introduce a dedicated complaints officer to work on all cases involving assistance dogs and other disability-related complaints
- implement an internal investigation process to review complaints and identify any systemic issues arising from complaints. Identify how the issues will be resolved and provide better information on the avenues for making a complaint, including the VTD, the Commission and the Victorian Government Ombudsman
- publish the number of complaints received, issues arising and resolution of the complaint regularly on the VTD website and include in the VTD annual report
- ensure promotion of the complaints and feedback mechanisms are clear and accessible.

Response

The DRG noted that people with a disability had not reported any improvements in the way the VTD handles complaints since the introduction of the complaints-handling process. The DRG commented that the complaints process is not promoted adequately to people with a disability, as many do not know where or how to complain.

Survey respondents made unprompted comments about complaint processes. They reported that they were often reticent about complaining for fear of

²⁷ Victorian Taxi Directorate, n 5, 14.

retribution from taxi drivers; they feel vulnerable as taxi drivers often know where they live.

“I feel unsafe when a driver doesn't speak English, or is rude. They know that I am unable to report them because I can't see their ID number.”

“I sometimes feel vulnerable with an unfamiliar driver, particularly at night if they are aware I have a disability. I had one driver ask me inappropriate questions and I felt that I could not complain because that driver was aware of where I lived.”

“I have made four complaints to the Victorian Taxi Directorate in the past two months alone due to drivers refusing my fare due to my hearing dog. One of these incidents – I made a booking online, and told them that I had a hearing dog with me. When the taxi turned up, and I got in the cab the driver told me to get out because he couldn't take dogs. These types of incidents are becoming more frequent and as I am also legally blind and rely on taxis more.”

The 2006 and 2010 consumer research did not directly question respondents on complaint or feedback avenues and no respondents raised the issue as a specific difficulty.

The Commission believes that more work is required to inform consumers about the complaints mechanisms including acknowledging that not all users feel confident or able to make complaints. Development and implementation of a communication strategy requires input from disability advocacy groups to ensure the complaint systems are understood and accessible. There is also an opportunity to collect evidence of dissatisfaction with service delivery through the Department of Transport's customer satisfaction monitor. Each individual complaint requires the VTD to allocate a case manager to handle and resolve the complaint.

Ideally, a central agency independent of the VTD is required to ensure the transparency of the complaint system and the remit of the Public Transport Ombudsman should be reviewed to provide such a system.

Future planning to achieve reasonable adjustments to realise equality for people with a disability

2007 recommendation

The Commission recommended a long-term regulatory strategy to address the inequitable access to service provision. We welcomed the Victorian Government's report *Meeting our Transport Challenges*,²⁸ but noted the plan did not have additional resources allocated.

The Commission highlighted that financial accessibility of taxi services for people with a disability remains an issue that should be addressed in the future reform of taxi services.

²⁸ Victorian Government, *Meeting our Transport Challenges. Connecting Victorian Communities. The Plan* (May 2006).

Progress

The VTD recognises the importance of planning to ensure people with a disability have access to safe, reliable taxi services across Victoria, especially given the rapid growth in the number of wheelchair trips taken by MPTP members in the last two years.²⁹

Between 2007–08 and 2008–09 there has been a 19 per cent growth in metropolitan wheelchair trips³⁰ and this is likely to increase. With such growth, it is critical that appropriate funding is available for service delivery improvements such as the performance-based booking system, the release of additional wheelchair-accessible taxis and the training of drivers.

The VTD is committed to improving the MPTP, focusing on initiatives that will assist members to monitor and manage their subsidy while reducing the opportunity for fraudulent use.

The VTD has implemented a raft of measures responding to the report which form a solid foundation for continued improvement. With systems in place to identify opportunities for reform, the VTD will continue to work for positive change within the industry.

Response

The concerns raised by the DRG centre around the need for a more systematic and targeted communication strategy to ensure people with a disability are aware of the changes being implemented. For example, the VTD has suggested that people with a disability contact the wheelchair accessible taxi booking service to book a taxi whether they need a wheelchair accessible taxi or not. Doing so reduces the need to battle the automated booking number, the cause of a number of problems. Many passengers are unaware that this is an option available to them.

Communication strategies also need to promote the good news stories about what is happening out on the road. Survey respondents' comments are not all negative. In fact, some are very complimentary about the level of service delivery they receive:

"I often receive good service...what makes it good is that the taxi driver asks if they can be of assistance and provides it when asked. Drives safely. Knows the way to the place you want to travel, or will listen to your directions. Is friendly but does not ask questions about your disability."

But when people with a disability still feel vulnerable and do not receive an equal level of service then there are clearly systemic problems within the industry which need addressing.

"In some instances, I have had drivers actually query my disability by saying, 'There wouldn't be too much wrong with you!'"

"I think drivers are not adequately trained to be aware of disability needs. The drivers may stereotype some people with various needs."

"They don't know how to look after people with disabilities."

²⁹ Ibid 16.

³⁰ Ibid 16.

The VTA indicated that there is an appetite to pursue some of the recommendations from the *Country Taxi Services Review*³¹ relating to drivers working off the meter, such as being able to charge a flat fee or establish contracts with aged care providers.

The Commission believes the initiatives the VTD has instigated as a response to the 2007 report provide a solid foundation for maintaining the momentum and recognising opportunities to reform and integrate taxi services with other transport modes to improve accessibility for people with a disability across the state.

However, the structure of the taxi industry makes it difficult to address systemic or institutionalised discrimination. Additionally, the VTD needs to adequately address its obligations as a public authority under the Charter of Human Rights and Responsibilities. In particular, the Commission is concerned that the foundation of any strategies, programs and practices be based on human rights principles of participation, accountability, non-discrimination and equality, empowerment and linkages to human rights standards. Development, implementation and evaluation of programs and practices within a human rights framework will go a long way to ensure VTD's compliance with its obligations under the Charter.

³¹ Victorian Department of Transport, n 6.

Appendix 1: Membership of stakeholder groups

Disabled Persons Taxi Advisory Committee

Manager, Multi Purpose Taxi Program and Wheelchair Accessible Taxis,
Victorian Taxi Directorate (Chair)

Individual users of the Multi Purpose Taxi Program

Blind Citizens Australia

Department of Human Services – Disability Services

Macular Vision Loss Support Society Australian Inc

MS Australia

National Disability Services

Physical Disabilities Council of Victoria

Scope

VicDeaf

Victorian Council of Social Service

Victorian Equal Opportunity Human Rights Commission

Victorian Mental Illness Awareness Council

Vision Australia

Yooralla

Taxi Service Working Group

MetroAccess Officer, City of Maribyrnong

Manager Scope Client Unit, Scope Victoria

Client Services Coordinator, Parkinson's Victoria

Speech Pathologist, ISIS Primary Care

Victorian Advocacy and Information Officers, Blind Citizens Australia

MS Advocate, MS Society

Policy and Public Affairs Manager, Victorian Council of Social Service

Project Officer, Victorian Council of Social Service

Transport and Disadvantage Project Officer, Victorian Council of Social Service

Convenor, Women with Disabilities Network

Systemic Advocate, Action for Community Living

Executive Director, Council of the Ageing Victoria

Manager Operational Services, Victorian Taxi Association

Multi Purpose Taxi Program – Team Leader, Victorian Taxi Directorate

Deputy Director Operations, Victorian Taxi Directorate

Multi Purpose Taxi Program – Manager, Victorian Taxi Directorate

Chief Executive Officer, Victorian Equal Opportunity and Human Rights Commission

Policy and Project Officer, Victorian Equal Opportunity and Human Rights Commission

Senior Advisor, Policy and Projects, Victorian Equal Opportunity and Human Rights Commission

Commission Disability Reference Group

Disability Reference Group members from 2008–2010 and 2010–2012

2008–2010

Bernie Clifford

Margaret Cooper

Michelle De Hommel

Michael Downes

Maree Ireland

Valerie Johnstone

Jessica O'Brien

Enid Richards

Jenna Willett

2010–2012

Denise Allen

Christian Astourian

Thomas Banks

Sophie Carasso

Trevor Carroll

Frank Hall-Bentick

Garry Hammer

Licia Kokocinski

Suzanne Lau-Gooey

Tricia Malowney

Jen Hargrave

Jody Saxton

Joan Smith

Susan Stork-Finlay

David Webb

Appendix 2: Summary of the 2010 research

Market Solutions Pty Ltd was contracted to undertake the 2010 research, adopting a similar methodology to the one used for the 2006 research. The study objectives were to:

- provide a rounded view of the quality of taxi services for passengers with a disability
- identify areas of proficiency and or deficiency in the provision of taxi services for users with a disability
- provide a comparison with the results of the study conducted in 2006.

Taxi usage

Compared to 2006, respondents indicated that they use taxis less. On average, 20 per cent of respondents reported using taxis once or twice per week and 24 per cent caught taxis less than once or twice a month. This contrasts with the 2006 findings where respondents reported to using taxis more frequently, with the majority (30 per cent) using taxis more than five times a week.

Although the research reports that the number of taxi journeys has decreased, the VTD reports that WAT taxi journeys in Metropolitan Melbourne have increased by 19 per cent in 2008–09 and 14 per cent in 2009-10.

Overall perceptions

The overall rating of drivers' response to needs of people with a disability was "fair to good". Although 61 per cent of respondents rated drivers positively, a high proportion (39 per cent) rated the drivers negatively. These results show that drivers' responsiveness to passenger needs is declining when compared with the 2006 survey. In 2010, more respondents rated the drivers as being "poor" and fewer rated responsiveness as "excellent". This growing dissatisfaction among passengers with a disability appears to be across all areas of taxi use and in all areas (metropolitan vs non-metropolitan).

A variety of reasons for positive ratings were given by respondents including reporting that drivers treated them with respect (27 per cent) and were helpful (17 per cent). Figure 1 summarises reasons provided by respondents.

Figure 1: Reasons for rating drivers' response – summary

Reasons for rating drivers' response	2006 (n=337)	2010 (n=498)
<i>Base all answering</i>	%	%
POSITIVE		
Treat passengers with respect, patience, politeness	27	27
Driver helpful/assisted	12	17
Like having regular driver	10	9
Generally happy with the service	14	7
Reliable (on time)	3	3
NEUTRAL		
Neutral (some good, some bad)	8	14
NEGATIVE		
Driver rude/impatient/inconsiderate/not respectful	10	19
Need better awareness of disabilities and communication mobility		14
Unreliable (booking/service problem)	9	13
Communication problems	6	11
Driver unhelpful, did not assist	5	9
Need improvement to driver knowledge	2	9
Some drivers dishonest/overcharge/take long route		8
Driver needs training (problems with equipment / safety)	5	7
Drivers unwilling to accept taxi cards		4
Drivers refuse to take short trips		4
Unwilling to pick up with assistance dog		3
Generally bad service	3	2
Other	2	5

(Q6. Why did you rate drivers' response to the needs of people with disabilities in this way? Please use specific examples.)

The most significant aspects contributing to an "excellent" or "very good" rating of drivers' response to passenger needs was being treated with respect, patience and politeness (60 per cent) and drivers' willingness to assist passengers with a disability (42 per cent).

The Department of Transport conducts quarterly customer satisfaction monitor of passengers on all forms of public transport in Victoria, including those travelling in taxis. Between October 2006 and March 2010 customer satisfaction scores with

using taxis fell 12 per cent (63.6 – 56.0 out of 100).³² The areas receiving the lowest satisfaction ratings concerned finding a taxi, information and taxi drivers. Although specific analysis of people with a disability cannot be undertaken with data from the customer satisfaction monitor, it is interesting to note this downward trend in satisfaction scores, which would probably also be the case for passengers with a disability.

Additional analysis undertaken by the Department of Transport indicates that driver behaviour is the key factor in determining passenger satisfaction.³³

Rude drivers appear to be a central feature of poor service expressed by both metropolitan and non-metropolitan taxi users.

Difficulties using taxi services

The majority (68 per cent) of respondents experienced some sort of difficulty with taxi services. Figure 2 provides a list of these difficulties compared with the findings from the 2006 survey.

Figure 2: Types of difficulties

Types of difficulties	2006 ³⁴	2010
<i>Base: Found aspect relevant and provided a response</i>	%	%
How long you need to wait for a taxi to arrive	48	68
Hailing a taxi in the street	52	60
Booking a taxi using the automated telephone service	39	51
Communication with the driver	45	51
Feeling safe during the journey	35	47
Having the driver refer to the street directory when locating your destination	29	43
Getting in and out of taxis	31	37
Handling various payment methods	29	36
Signing your name	29	33
Securing your wheelchair or scooter in the taxi	36	32
Securing your wheelchair or scooter to a seat in the taxi	28	30
Your physical comfort in the vehicle	19	30
Using a taxi with a guide, hearing or assistance dog	13	21
Other aspect	8	23

Q.4.a-n Do you have any particular difficulties with any of the following?

Figures in bold indicate where there has been a significant increase in the proportion of respondents experiencing a difficulty when compared with 2006.

³² Department of Transport's Customer Satisfaction Monitor (CSM) for metropolitan taxis – December, 2009.

³³ Ibid.

³⁴ The figures used in this table are the 2006 weighted figures.

Overall, there has been a general increase in the difficulties faced by passengers with a disability in using taxis. This may be a contributing factor to the declining frequency of taxi use.

Of particular concern is the proportion of passengers experiencing delays of one or more hours particularly in metropolitan Melbourne (73 per cent) vs. non-metropolitan areas (49 per cent).

Passengers are still experiencing difficulties with hailing a taxi; some respondents reported this was due to getting the taxi driver to accept the fare, while for others it was due their personal disability (27 per cent due to visual, speech or hearing impairment and 27 per cent due to an intellectual or physical disability).

Passengers also expressed difficulties with using the automated booking telephone service, with non-MPTP members (61 per cent) experiencing significantly more difficulties with the automated booking service than MPTP members (48 per cent), who may be more familiar with the system.

Just under half (47 per cent) of all respondents indicated that they had problems communicating with the driver. The major (46 per cent) difficulty was attributed to the driver's poor English. About one-third (30 per cent) of respondents felt they had difficulties due to their disability, while a further 24 per cent reported the driver ignoring directions or not knowing the route. Passengers in the metropolitan area were significantly more (55 per cent) likely to have problems communicating with the driver than non-metropolitan passengers (37 per cent).

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Notes

Notes

THE VICTORIAN EQUAL OPPORTUNITY AND HUMAN RIGHTS COMMISSION

The Victorian Equal Opportunity and Human Rights Commission is an independent statutory body that reports to the Victorian Parliament through the State Attorney-General. The Commission's vision is for a community where every person values and respects equal opportunity and human rights.

The Commission has functions and responsibilities under the:

- *Equal Opportunity Act 1995*
- Charter of Human Rights and Responsibilities
- *Racial and Religious Tolerance Act 2001.*

Our role

The Commission's role is to:

- help resolve complaints about discrimination, sexual harassment and racial and religious vilification by offering a free and impartial complaint-handling service
- provide education about equal opportunity, racial and religious tolerance, human rights and the Charter
- undertake projects and activities aimed at eliminating discrimination and racial and religious intolerance
- conduct research and provide policy advice
- undertake specific functions in relation to the Charter, which include:
 - reporting annually to the Attorney-General on the operation of the Charter
 - providing ad hoc advice to the Attorney-General in relation to the Charter
 - conducting human rights reviews upon request by public authorities and the Attorney-General
 - intervening in court and tribunal proceedings involving questions related to the Charter
 - assisting the Attorney-General with the review of the Charter in 2011 and 2015.

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**Victorian Equal Opportunity
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