



30 August 2018

Mr Michael Forde
Commissioner
Commission of Inquiry into New Generation Rollingstock Trains

By email: commissioner@traininquiryngq.qld.gov.au

Dear Commissioner Forde

Thank you for the invitation to make a submission to the commission of inquiry into the New Generation Rollingstock Trains.

The Anti-Discrimination Commission Queensland has little direct knowledge of the circumstances leading up to and associated with the procurement of the trains in question. We are unable therefore to provide specific information in relation to the inquiry's terms of reference.

As you may know, in the exemption application process before the Australian Human Rights Commission (AHRC) in January 2018, the Anti-Discrimination Commission Queensland provided a submission that decried the commissioning and deployment of trains that do not comply with anti-discrimination laws. A copy of our submission to the AHRC is available here.

http://www.adcq.qld.gov.au/data/assets/word_doc/0003/13971/Submission-to-AHRC-12.01.2018.docx

Anti-discrimination laws have operated in Queensland since 1992, and the Disability Standards for Accessible Public Transport came into effect in 2002. All new conveyances brought into use for public transport service after October 2002 must comply with those Standards.¹

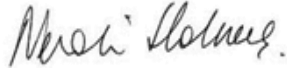
The objectives of the laws and the Standards is to enable people with disabilities to participate in life fully and equally, consistent with Australia's obligations under international human rights instruments. Everybody has the right to use public transport. Failures in legal compliance in large scale projects can have significant long term detrimental impacts on realising the human rights of people with disabilities.

It is therefore of paramount importance that all government procurement policies and practices include compliance with anti-discrimination laws and accessibility Standards. Everyone involved in procurement should be trained in and conversant

¹ *Disability Standards for Accessible Public Transport 2002*, section 33.1.

with these laws. In addition, there must be early and meaningful consultation with disability stakeholders in large scale procurements to ensure best practices are implemented. The failures to comply with the law in this project appear to indicate at the very least, a need for a far greater level of accountability, including mandatory processes for relevant officers to certify compliance with the laws and Standards.

Yours sincerely



NEROLI HOLMES
Acting Anti-Discrimination Commissioner
Queensland