Access All Areas?

Australia’s disability and ageing communities call for speedy introduction of Premises Standards

Following the release of the Report of the Inquiry into Draft Disability (Access to Premises – Buildings) Standards – entitled Access All Areas – a national summit of peak disability and ageing, advocacy organisations and official Disability Advisory Councils, in broadly welcoming the Report, has issued this statement:

We welcome the Report by the House of Representatives Standing Committee on Legal and Constitutional Affairs following its extensive inquiry into the draft Premises Standards.

We agree with the Committee’s Chair, Mr Mark Dreyfus QC MP, that “equal access to premises is crucial to justice and social inclusion for people with disability.”

As representative bodies of and for people with disability and older Australians, we wholeheartedly endorse the unanimous view of the cross-Party Committee that “people with disability have waited more than long enough for better access to premises.”

We strongly urge the Government of Prime Minister Kevin Rudd to adopt the key Recommendations of the Parliamentary Committee.

In particular we believe that the Attorney General and the Minister for Innovation, Industry, Science and Research should adopt Recommendation 1 as quickly as possible to ensure that:

“… the Premises Standards be introduced without delay. Any issues which cannot be finalised without causing delay should be considered at a later date.”

People with disability have legal rights not to be discriminated against with regard to access to premises and the built environment. The Disability Discrimination Act affirmed those rights when it was enacted in 1992.

The Rudd Government acted commendably to further enshrine the rights of people with disability to equal, access when Parliament ratified the United Nations Convention on the Rights of Persons With Disabilities on 17th July 2008. Specifically, Article 9 – Accessibility - of the UN Convention states:

“States Parties shall take appropriate measures to ensure to persons with disabilities access, on an equal basis with others, to the physical environment, to transportation, to information and communications, including information and communications technologies and systems, and to other facilities and services open or provided to the public, both in urban and in rural areas.”
The draft DDA Premises Standards create a basis for an agreed way forward to ensure the formal legal rights to access can be made effective in the real world. They have been the subject to debate between interested parties – organisations of and for people with disability, the building industry, regulators and Government – for more than 10 years. Agreement on a draft that can be endorsed by the Australian Parliament is long overdue. There should be no further delay.

At its Summit the Premises Standards, the representatives of the Australian disability and ageing communities agreed these key points, requiring action by Government nationally as well as, where appropriate, States and Territories.

- Immediate adoption by the Australian Government of the key Recommendations of the Parliamentary Inquiry report.

- Commitment to introduce a Premises Standards to the Australian parliament at the earliest practical opportunity. We further call on every Member of Parliament to act to ensure the passing into law of the Premises Standards at the first opportunity.

- A public commitment by the Australian Government to ensure that the harmonisation of a Premises Standards with the Building Code of Australia is completed in the shortest time practically possible.

- Government action to ensure the completion on the Australian Standards referenced in the Premises Standards, specifically:
  - AS1428.1 Design for access and mobility: General requirements for new building works;
  - AS/NZS 1428.4.1 Design for access an mobility: Tactile ground surface indicators for the orientation of people with vision impairment;
  - AS/NZS 2890.6 Parking facilities: Off-street parking for people with disabilities.

Participants in the national summit were extremely concerned at the reported reluctance of Standards Australia to complete work on the technical standards and agreed that any further delay would be wholly unacceptable and an affront to the workings and decisions of the Australian Parliament.

- Commencement, as soon as possible, of work to develop draft Standards on ‘fit-out’ of buildings, way-finding and emergency egress.

- Recognition of and support for the human and financial costs to representative non-government organisations of older Australians and people with disability involved in providing information, advice, advocacy, training and representation with regard to the Premises Standards and the procedures that result from them.

This statement was agreed by representatives attending the national summit on Premises Standards in Sydney on Monday, 20th July 2009. The statement is endorsed by the following organisations:
• Australian Federation of Disability Organisations
• Blind Citizens Australia
• Central Community Legal Service South Australia
• Council On The Ageing NSW
• Deaf Australia Inc
• Deafness Forum Australia
• Disability Council of NSW
• Disability Council of Queensland
• Disability Discrimination Legal Centre Victoria
• National Seniors Australia
• NSW Disability Discrimination Legal Centre Inc.
• People With Disability Australia
• Physical Disability Australia
• Physical Disability Council of New South Wales
• Public Interest Advocacy Centre NSW
• Vision Australia
• Western Australian Ministerial Advisory Council on Disability

Wednesday, 5th August 2009