

Hon Mark Dreyfus QC MP  
House of Representatives Legal & Constitutional Affairs Committee  
House of Representatives  
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Parliament House  
Canberra ACT 2600  
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**SUBMISSION**

20 February 2009

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23 FEB 2009 sm  
BY: IACA

Dear Mr Dreyfus

Thank you for receiving comment on the newly released Disability (Access to Premises - Buildings) Standards. These standards will improve the operation for the *Disability Discrimination Act 1992* (Cth) and we would commend the Government for introducing these standards.

In particular we note that access to premises is regarded as a human right under the *Convention on the Rights of Persons with Disabilities*. As Australia has taken the commendable step of ratifying this Convention in July of 2008 Australia has undertaken to ensure Australian laws comply with the rights contained in the Convention.

Article 9 of the *Convention on the Rights of Persons with Disabilities* states:

1. To enable persons with disabilities to live independently and participate fully in all aspects of life, States Parties shall take appropriate measures to ensure to persons with disabilities access, on an equal basis with others, to the physical environment, to transportation, to information and communications, including information and communications technologies and systems, and to other facilities and services open or provided to the public, both in urban and in rural areas. These measures, which shall include the identification and elimination of obstacles and barriers to accessibility, shall apply to, inter alia:
  - (a) Buildings, roads, transportation and other indoor and outdoor facilities, including schools, housing, medical facilities and workplaces;
  - (b) Information, communications and other services, including electronic services and emergency services.
2. States Parties shall also take appropriate measures to:
  - (a) Develop, promulgate and monitor the implementation of minimum standards and guidelines for the accessibility of facilities and services open or provided to the public;
  - (b) Ensure that private entities that offer facilities and services which are open or provided to the public take into account all aspects of accessibility for persons with disabilities;
  - (c) Provide training for stakeholders on accessibility issues facing persons with disabilities;
  - (d) Provide in buildings and other facilities open to the public signage in Braille and in easy to read and understand forms;
  - (e) Provide forms of live assistance and intermediaries, including guides, readers and professional sign language interpreters, to facilitate accessibility to buildings and other facilities open to the public;

- (f) Promote other appropriate forms of assistance and support to persons with disabilities to ensure their access to information;
- (g) Promote access for persons with disabilities to new information and communications technologies and systems, including the Internet;
- (h) Promote the design, development, production and distribution of accessible information and communications technologies and systems at an early stage, so that these technologies and systems become accessible at minimum cost.

We note that generally the draft Disability (Access to Premises - Buildings) Standards comply with article 9. We would however reiterate the concerns raised in the South Australian Access Consultants Network submission to this Inquiry pertaining to the safety of people with mobility and sensory impairments in multi-storey buildings at times of emergency evacuation.

We submit it can be extremely difficult for people with disabilities to live and work in multi-storey buildings to live independently if mobility aids (such as lifts) stop operating in emergency situations. In addition if fire exits and the inside the escape stairwells are not marked with Braille markings then people with eyesight may confront problems in using the exit safely. While it may be impractical to introduce such measures into the current Standards we urge the Government to engage in further research and dialogue to increase the ability of people with disabilities to live independently and safely in the community.

Yours faithfully

Paul Harpur.

National Disability Spokesperson  
Australian Lawyers for Human Rights.