

**COMMUNICATIONS
ALLIANCE LTD**



ACCESSIBILITY OF PAYPHONES
INDUSTRY GUIDELINE
G630:2006

G630:2006 Accessibility of Payphones Industry Guideline

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*Human Rights and
Equal Opportunity
Commission*



The attached Industry Guideline is today released for voluntary adoption by the payphone industry in Australia. The Guideline has been developed for the improvement of accessibility of payphones. The Communications Alliance, in collaboration with the Human Rights and Equal Opportunity Commission (HREOC), brought together representatives from government, the payphone industry and the disability sector, to develop this guideline. It represents a commitment to the development of industry-wide best practices for increasing the level of accessibility of payphones, and thus to a narrowing of the digital divide.

In commending this Guideline to you, we encourage payphone manufacturers, installers and operators to use it in their own Disability Action Plans as a new benchmark for payphone accessibility in Australia.

Yours sincerely,

Anne Hurley
Chief Executive Officer
Communications Alliance Ltd

Graeme Innes, AM
Human Rights Commissioner and
Commissioner responsible for Disability Discrimination

INTRODUCTION

This is the Explanatory Statement for the G630:2006 **Accessibility of Payphones** Industry Guideline.

Background

In 2003, according to the Australian Bureau of Statistics (ABS), some 3.95 million people in Australia or 20 percent of the population, living in households or cared accommodation had a disability (ABS, 2003, Survey of Disability, Ageing and Carers). The survey also found that the likelihood of having a disability generally increased with age. In a recent report, the Productivity Commission predicted that one quarter of Australians will be aged 65 or over within the next 40 years. (Productivity Commission, Economic Implications of an Ageing Australia, November 2004). The impact of both Reports is the likelihood of a significant and growing number of Australians with particular access needs for whom communications equipment, including payphones, must be accessible.

The issue of accessibility of payphones been highlighted in several recent reports from Government and regulators. The most recent is a comprehensive review of payphone policy, undertaken in July 2003 by the then Australian Communications Authority (ACA) under Ministerial direction.

Australian Communications Authority Report

The review of payphone policy was part of a larger review of the universal service obligation (USO), as required under s. 159A of the *Telecommunications (Consumer Protection and Service Standards) Act 1999* (Cth). (The provision of the USO includes the obligation on the USO provider to provide reasonable access to payphones). The Report was provided to the Minister in February 2004. The third Recommendation of the Report was that:

The Payphone industry and disability peak bodies should consult through an Australian Communications Industry Forum (ACIF) working group, and work together to develop a Payphone Accessibility Code for endorsement by HREOC. Australian Local Government Association (ALGA) and the Property Council should be invited to be involved in this ACIF group. The group should look for approaches that

- *Maximize reasonable accessibility for people with a disability;*
- *Are flexible enough so as not to inhibit the overall provision of public and private payphones; and*
- *Provide certainty to payphone operators that they have met their obligations under the Disability Discrimination Act.*

The fourth recommendation of the Report focused on the provision of teletypewriter (TTY) payphone services as a specific area for review by the ACIF working group.

The Minister issued a press release welcoming the ACA's recommendations and saying the Government would consult further on the implementation of the recommendations.

Development of the Guideline

As the USO provider, Telstra is required to provide payphones that are reasonably accessible to all people in Australia, including people with a disability. In February 2004, Telstra, together with members of the Telstra Disability Forum, developed a draft Guideline to assist Telstra in ensuring that the payphones it provides under the USO are reasonably accessible to people with disabilities. That Guideline has been the basis for

the development of this joint Communications Alliance/HREOC Guideline on the accessibility of payphones.

Current Regulatory Arrangements

Telecommunications (Consumer Protection and Service Standards) Act 1999

Under the *Telecommunications (Consumer Protection and Service Standards) Act 1999*, the Universal Service Provider (USP) is required to 'ensure that payphones are reasonably accessible to all people in Australia on an equitable basis, wherever they reside or carry on business'. This includes ensuring people with disabilities have access to payphones. Telstra is the USP, including for payphones. The USO does not, however, include the provision of private payphones.

Disability Discrimination Act 1992

The *Disability Discrimination Act 1992* (Cth) (DDA) makes it unlawful to discriminate against a person on the grounds of a disability. The objects of the DDA include eliminating, as far as possible, discrimination against people with disabilities and promoting recognition and acceptance within the community that people with disabilities have the same fundamental rights as the rest of the community.

The DDA uses a broad definition of "disability" that includes:

- Physical
- Intellectual
- Psychiatric
- Sensory
- Neurological, and
- Learning disabilities, as well as
- Physical disfigurement, and
- The presence in the body of disease-causing organisms.

The law is administered by the Human Rights and Equal Opportunity Commission (HREOC) and sets out specific areas in which it is unlawful to discriminate. These areas include the provision of goods, services and facilities. An organisation that provides such goods and services is liable for complaint if those goods or services are not accessible to people with disabilities.

The DDA recognises, however, that in certain circumstances, providing equitable access for people with disabilities could cause 'unjustifiable hardship' for an individual or organisation providing goods or services.

Where a person with a disability believes they have been discriminated against they can complain to the Commission who will investigate the complaint and, where appropriate, attempt to conciliate a solution between the two parties. Where conciliation is not possible the complainant may take their complaint to the Federal Court or Federal Magistrates Service who have the authority to determine whether unlawful discrimination has occurred and what constitutes 'unjustifiable hardship'. Nothing contained in this Guideline removes the right of an individual to pursue a complaint under the DDA in relation to a payphone they believe is inaccessible.

The Commission also has a role in assisting organisations understand their responsibilities and supporting initiatives aimed at promoting compliance through best practice. While these Industry 'standards' or 'best practice guidelines' have no force in law the

Commission has supported their development in the hope that they will provide a level of access consistent with the requirements of the DDA.

This document is a guideline for the design and provision of payphones. This Guideline does not have the force of law, and adopting the Guideline does not guarantee fulfilment of legal responsibilities under the DDA, nor does it remove from any institution their obligation to comply with the requirements of that Act or any other relevant legislation. The adoption of Industry Standards is voluntary, but compliance is generally monitored by industry regulators.

It is intended that this Guideline on the supply and installation of payphones should assist providers supplying or installing new payphones. It will also assist providers who are upgrading or renovating existing facilities and who wish to address access issues in the process of upgrading or renovation.

As noted earlier the DDA contains a general provision that allows service providers to claim an 'unjustifiable hardship' if technical or cost issues would result in too onerous a demand.

This Guideline aims to encourage payphone providers to provide payphones that are as accessible as possible to all Australians, and to assist providers to comply with the requirements of the DDA, but it is the responsibility of providers to decide whether or not in particular circumstances full application of some of the content of the Guideline might cause them an unjustifiable hardship.

It is acknowledged that Australia is a small market and does not manufacture payphones. Payphones are purchased from overseas, where different disability standards apply. The cost could be prohibitive for Australian payphone operators to have payphones specially manufactured to meet Australian requirements and unjustifiable hardship arguments may apply. However, the aim of the Guideline is to, as much as possible, encourage the procurement of compliant equipment as and when it becomes available.

Some providers might develop an Action Plan under the DDA as a strategy to address access to all their payphones over a period of time. An Action Plan can be lodged with the HREOC and makes a positive statement about the organisation's commitment to addressing access barriers. It can also be used as part of a defence of unjustifiable hardship in the event of a complaint.

Australian Communications and Media Authority (ACMA)

Although the Guideline is not enforceable under the *Telecommunications Act 1997* (Cth), ACMA will be monitoring compliance by industry with the Guideline. If, when the Guideline is reviewed, ACMA finds that there has been limited compliance it may consider requesting Communications Alliance to develop a code, or make a disability standard under section 380 of the *Telecommunications Act 1997*.

Other References

Aspects of the provision of payphones are also covered by standards made by Standards Australia and the Australian Communications Industry Forum (ACIF). These set out requirements that must be adhered to in the provision of payphones, and are listed in Section 4 of this Guideline. Section 4 also contains other relevant overseas legislation, and other guidance that has been provided to ensure the accessibility of payphones.

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1 GENERAL

1.1 Introduction

- 1.1.1 The development of the Guideline has been facilitated by the Communications Alliance and the Human Rights and Equal Opportunity Commission (HREOC) through a Working Committee comprised of representatives from payphone providers and the Communications Alliance Disability Council.
- 1.1.2 The Guideline should be read in conjunction with related legislation, including:
- (a) the *Telecommunications (Consumer Protection and Service Standards) Act 1999*; and
 - (b) the *Disability Discrimination Act 1992*.

1.2 Scope

The Guideline is for use by payphone providers and telecommunications equipment suppliers in the acquisition, provision and installation of payphones.

1.3 Objectives

The objectives of the Guideline are to provide guidance in the design and provision of payphones to:

- (a) maximise accessibility for people with a disability, such as consideration of the handset design, mounting height and siting, etc.;
- (b) ensure sufficient flexibility so as not to inhibit the overall provision of public and private payphones;
- (c) provide guidance to payphone operators in meeting their obligations under the *Disability Discrimination Act 1992*; and
- (d) have regard to overseas requirements in the design and provision of payphones.

1.4 Review of the Guideline

This Guideline will be reviewed two years after publication. The review committee will include representatives from Telstra, the Payphones Association, the Communications Alliance Disability Council, the HREOC and Communications Alliance. Other members may be appointed as appropriate.

2 ACRONYMS AND DEFINITIONS

2.1 Acronyms

For the purposes of the Guideline, the following acronyms apply:

ACIF	Australian Communications Industry Forum
HREOC	Human Rights and Equal Opportunity Commission
TTY	Telephone typewriter

2.2 Definitions

For the purposes of the Guideline, the following definitions apply:

Enclosure

means a structure in which the Payphone is housed.

NOTE:

An Enclosure can include a full length booth, a half length booth or a wall mounted booth. Not all Payphones are housed in an Enclosure. (see Appendix B for illustrations of Enclosures)

Mobility Aid

includes, but is not limited to, a walking frame, a long cane, a wheel chair or a motorised scooter.

Payphone

means a terminal that is:

- used to make a voice call or equivalent; and
- has facility to accept payment using Australian currency, prepaid phone cards or other payment methods such as credit cards.

Public Payphone

means a Payphone that is available to the public.

NOTE:

Public Payphones available to the public are located in areas such as shopping centres, airports and footpaths.

Terminal

means a unit including a handset, dial pad and facility for payment.

3 ACCESSIBILITY GUIDELINES

3.1 Siting

- 3.1.1 If the Enclosure is sited on a public footpath, it should be sited so as to maintain as clear an access path as possible and should be:
- (a) oriented to face away from the kerb, or parallel to it;
 - (b) a minimum of 1.8 metres away from the building line and no closer than 300 mm from the kerb;
 - (c) if mounted on a pedestal, the pedestal should be at right angles to the kerb;
 - (d) not near cross walks;
 - (e) away from other street furniture or fixtures such as bus shelters, seating or telegraph poles; and
 - (f) where possible, located away from traffic noise.

NOTE:

Consider full booth and/or volume control when the Enclosure is sited near heavy traffic.

- 3.1.2 If the Enclosure is mounted on a wall or other surface, it should be mounted so that:
- (a) a person can move freely around the Payphone;
 - (b) it is located so it will not impede other customers; and
 - (c) it is located so it can be easily accessed by a person using a Mobility Aid.

EXAMPLE:

Enclosures should not be located at the top of stairs or in a narrow passageway.

- 3.1.3 When the Enclosure is sited, it should be in a location with good ambient lighting.

3.2 Installation

- 3.2.1 The minimum height for the lowest point of the Terminal (including shelf) should be 700 mm from the floor.
- 3.2.2 The maximum height from the floor to the highest operable part of the Terminal should be:
- (a) if the clear floor space only allows forward approach, 1220 mm; or
 - (b) If the clear floor space allows parallel approach, 1350 mm.
- 3.2.3 If the Terminal is mounted on a bench or counter the maximum height for the Terminal should be lessened by 1 cm for every 2 cm the Terminal is set back from the edge of the counter or bench.

- 3.2.4 If a Payphone is mounted in a half length booth, there should be sufficient surrounding space to allow for both front and side access (from both sides) for Mobility Aids.

3.3 Enclosure

Guidelines for the Enclosure (whether full length or half length) are:

- (a) the base should be level with surrounding surface;
- (b) lighting should be provided to a minimum of 200 lux;
- (c) for full length enclosures, the entry should be at least 800 mm in accordance with AS 1428.2; and
- (d) where a pedestal booth is used, the width of the pedestal on which the booth sits should reflect, as closely as possible, the width of the booth.

3.4 Terminal

- 3.4.1 The Terminal should have volume control, as follows:
- (c) there should be clear indication on the terminal that the volume can be adjusted. It is desirable that a volume control be indicated by use of a tactile marking;
 - (d) there should be a graduated raise in volume up to permissible Australian standards; and
 - (e) the volume control should reset to normal at the termination of a call.

NOTE: The volume must be adjustable in accordance with AS/ACIF S004:2006.

- 3.4.2 The coin entry/card reader should be:
- (a) a straight slot; and
 - (b) easy to locate and orient by touch alone.

- 3.4.3 The keypad should:
- (a) have dialing via a push button keypad;
 - (b) a standard number layout;
 - (c) a tactile orientation mark on the number 5 button;
 - (d) have audible and, if possible, visual feedback on key depression;
 - (e) have keys that are recessed or concave;
 - (f) have lettering on keys that use open typeface fonts such as Arial or other sans serif fonts such as Tiresias; and
 - (g) have keys that provide a minimum luminance contrast of at least 30%, with the best contrast possible, avoiding polished surfaces.

NOTE: The keypad must be in accordance with AS/ACIF S002:2005.

- 3.4.4 If there are function keys on the terminal, there should be a clear indication of their function.
- 3.4.5 The handset should be of ergonomic design.

NOTE: The handset must include an inductive hearing aid coupler in accordance with AS/ACIF S040:2001.

- 3.4.6 The handset cord should be a minimum of 735 mm long.
- 3.4.7 If the Terminal has a display screen, the screen:
 - (a) should be set so that it can be viewed from an angle of up to 30 degrees;
 - (b) should have 30% luminosity;
 - (c) should provide good contrast;
 - (d) the text on the screen should use open typeface fonts such as Arial or other sans serif fonts such as Tiresias. The size of the font should be a minimum of 12 point but preferably 14 point; and

NOTE:

The text should preferably use black lettering on a white background. If using colours, the text should be in a strong primary colour (such as maroon or blue) against a pale background colour (such as beige or pale yellow.)

- (e) It is desirable to have audio output to match the visible information.
- 3.4.8 The coin refund chute should have tactile orientation.
- 3.4.9 The card refund chute should be of sufficient size and design so that cards should protrude at least 2 cm to assist the retrieval of the card.
- 3.4.10 The terminal should give an audible indicator:
 - (a) when credit is about to expire; and
 - (b) for requesting the removal of a prepaid card on completion of the call.

3.5 Instructions

- 3.5.1 Instructions should be adjacent to or immediately above the keypad.
- 3.5.2 Instructions should:
 - (a) be a minimum of 12 point font, but preferably 14 to 16 point font should be used;
 - (b) use clear graphics and plain English to indicate the basic operation of the payphone;
 - (c) be in a combination of lower and upper case type;
 - (d) use open typeface text fonts such as Arial or other sans serif fonts such as Tiresias; and

- (e) if behind protective covering (perspex or glass) be on non-reflective material.

3.5.3 Greyscaling should be used before final format.

NOTE

If instructions are provided in colours, greyscaling means reprinting the instructions in black and white to ensure their readability by people with colour vision impairment.

3.5.4 Payphone providers should have additional instructions on the use of their payphones on their website or otherwise available on request, including available in alternative formats.

3.6 TTYs

3.6.1 In the selection of sites for TTY payphones, payphone providers should work with organisations representing deaf, hearing and speech impaired people, to identify appropriate locations for Payphone TTYs in metropolitan or regional areas. Priority is to be given to provision of TTY payphones at locations such as medical, judicial and educational institutions, shopping centres and transport terminals.

3.6.2 Generally the TTY keyboard and screen should be provided at a height between 700 mm and 900 mm from the floor level.

3.7 Public Information

Payphone providers should make information readily available to consumers on the location of the TTY payphones they provide.

3.8 Payphones in rural/regional areas

3.8.1 When only one payphone is provided in non urban areas, the payphone should have as many features for accessibility as possible as per this Guideline.

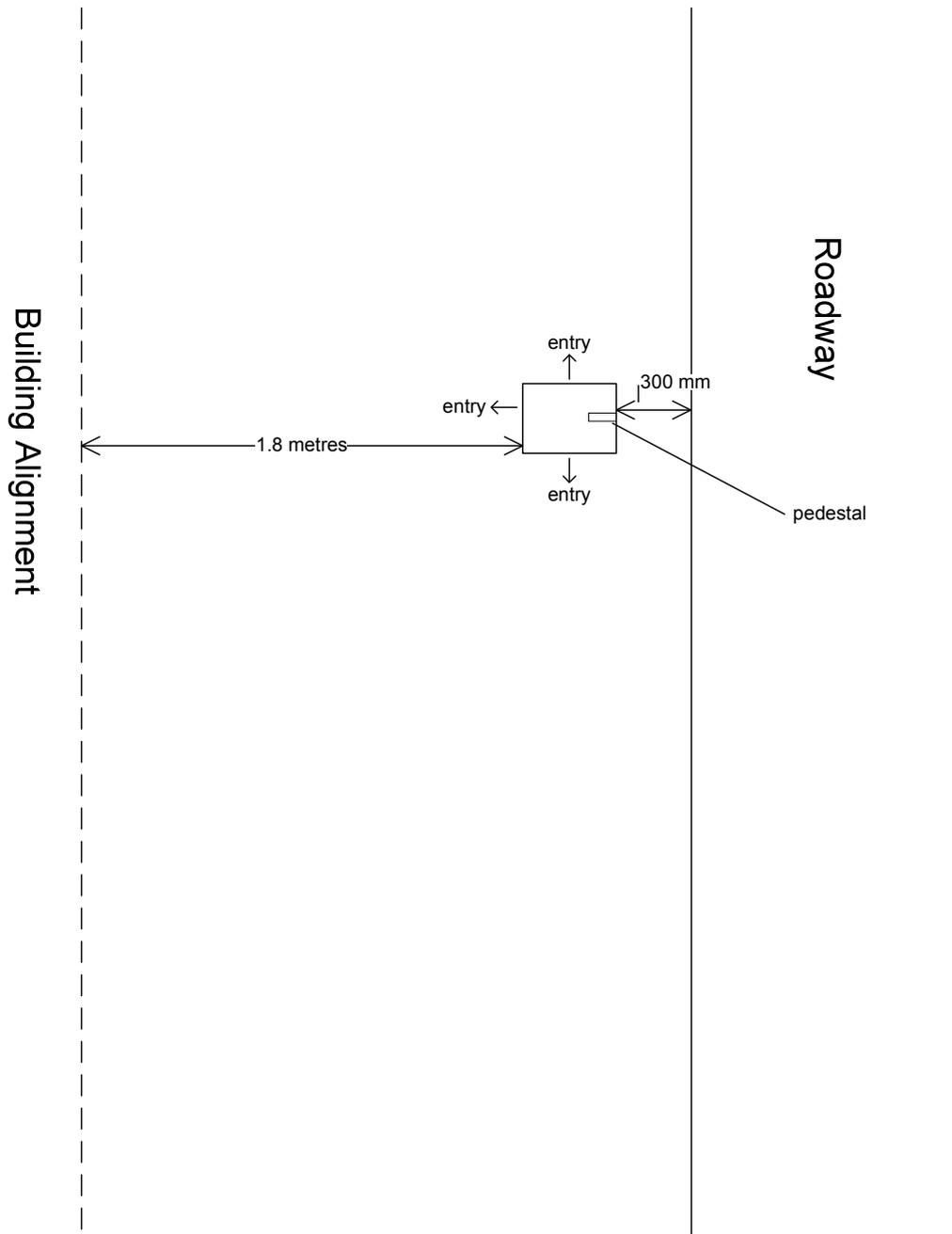
3.8.2 When removing or relocating a payphone from a non-urban area, the payphone operator should leave payphones with accessibility features in place.

4 REFERENCES

Publication	Title
Australian Standards	
AS/ACIF S002:2005	Analogue interworking and non-interference requirements for Customer Equipment for connection to the Public Switched Telephone Network
AS/ACIF S004:2006	Voice frequency performance requirements for Customer Equipment
AS/ACIF S040:2001	Requirements for Customer Equipment for use with the Standard Telephone Service – Features for special needs of persons with disabilities
AS1428.2-2001	Design for access and mobility - Enhanced and additional requirements - Buildings and facilities
International Standards	
28 CFR Part 36	Code of Federal Regulations - Title 28: Judicial Administration - Part 36: Nondiscrimination on the basis of disability by public accommodations and in commercial facilities. (regulations made under the <i>Americans with Disabilities Act 1990</i>)
Australian Legislation	
<i>Telecommunications (Consumer Protection and Service Standards) Act 1999 (Cth)</i>	
<i>Disability Discrimination Act 1992 (Cth)</i>	

APPENDIX A

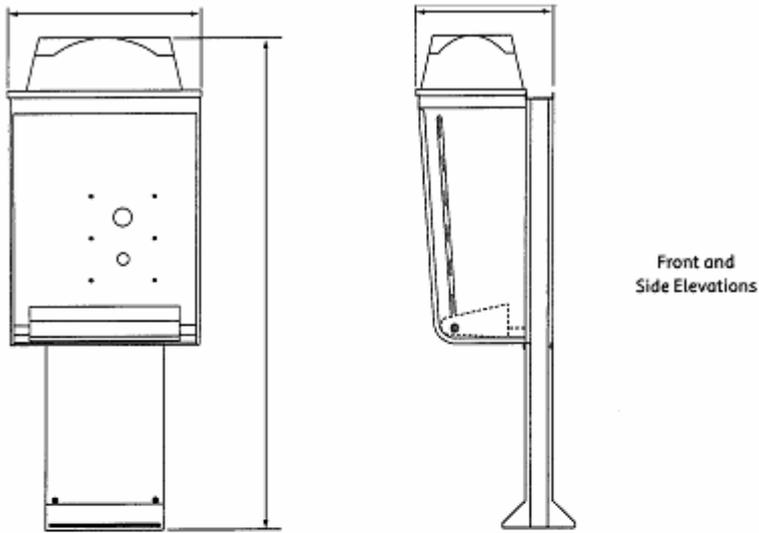
Siting of Payphone



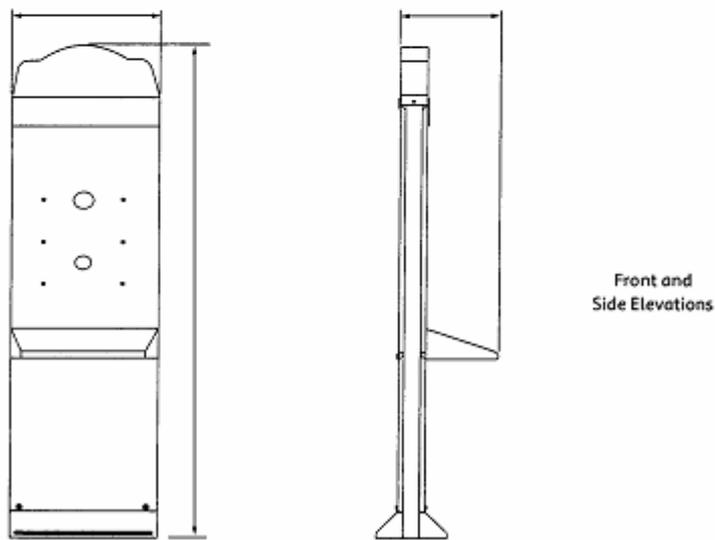
APPENDIX B

Illustrations of Enclosures

Half Length Enclosure

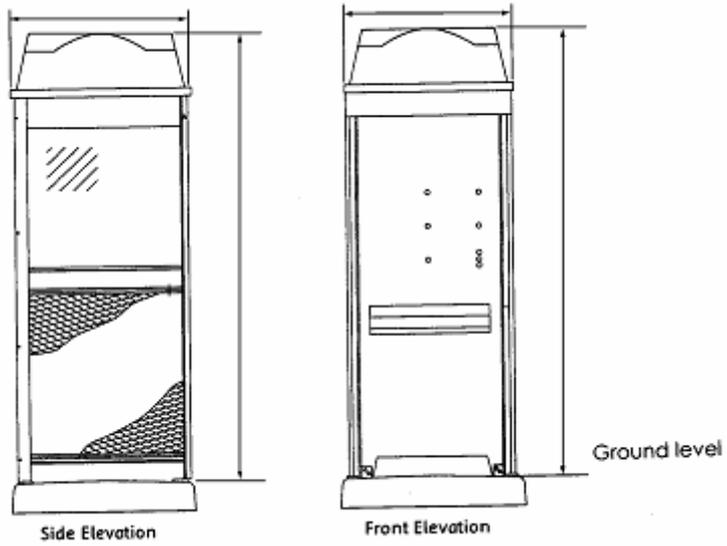


Half length enclosure



Typical internal half length enclosure

Full Length Enclosure



PARTICIPANTS

The Working Committee that developed the Guideline consisted of the following organisations and their representatives:

Organisation	Membership	Representative
Communications Alliance Disability Council	Voting	Tony Starkey
Human Rights and Equal Opportunity Commission	Non-voting	Bruce Maguire
Telstra	Voting	June Gasson
TriTel	Voting	John Bucknell

Holly Raiche of Communications Alliance provided project management support.

Communications Alliance was formed in 2006 to provide a unified voice for the Australian communications industry and to lead it into the next generation of converging networks, technologies and services.

In pursuing its goals, Communications Alliance offers a forum for the industry to make coherent and constructive contributions to policy development and debate.

Communications Alliance seeks to facilitate open, effective and ethical competition between service providers while ensuring efficient, safe operation of networks, the provision of innovative services and the enhancement of consumer outcomes.

It is committed to the achievement of the policy objective of the Telecommunications Act 1997 - the greatest practicable use of industry self-regulation without imposing undue financial and administrative burdens on industry.



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