



(1) Anti-Discrimination

In Queensland, it is unlawful to treat someone less favourably because of an attribute, in various areas including the provision of transport services. As a professional driver you are prohibited to discriminate or engage in any conduct which offends, humiliates, insults or ridicules a person on a range of attributes or characteristics. Drivers are also prohibited from inciting hatred towards, serious contempt for, or ridicule of a person or group of persons on the grounds of a range of attributes.

There are 16 attributes, some of which are defined in the Act:

- age
- breastfeeding
- family responsibilities (responsibility to care for or support a child or other member of immediate family)
- gender identity (a person identifies as a member of the opposite sex, or is of indeterminate sex and seeks to live as a member of a particular sex)
- impairment (covers most physical and psychological conditions, and includes reliance of a guide, hearing, or assistance dog, wheelchair or other remedial device, as well as present and past impairments)
- lawful sexual activity (a person's status as a lawfully employed sex worker, whether or not self-employed)
- parental status (includes being a step-parent, adoptive parent, foster parent, or guardian)
- political belief or activity
- pregnancy
- race (includes colour, descent, ethnic origin, and nationality or national origin)
- relationship status (whether a person is single, married, married but separated, divorced, widowed, de facto partner, or civil partner)
- religious belief or activity (includes not holding a religious belief, and not engaging in lawful religious activity)
- sex
- sexuality (heterosexuality, homosexuality or bisexuality)
- trade union activity
- association with, or relation to, a person identified on the basis of any of the above attributes.

(2) Sexual Harassment

Sexual harassment is any unwanted or unwelcome sexual behaviour where a reasonable person would have anticipated the possibility that the person harassed would feel offended, humiliated or intimidated. It has nothing to do with mutual attraction or consensual behaviour.

Sexual harassment is not limited to, but may involve: -

Physical contact, patting, pinching, touching in a sexual way;

Unnecessary familiarity such as deliberately brushing up against a person; Continued use of jokes containing innuendoes in an attempt to humiliate or embarrass another person;



Intrusive inquiries into a person's private life or in reference to his/her sexuality or physical appearance (these may be verbal or written);

Public display of offensive material, such as pictures, posters or computer graphics;

Persistent requests for dates / drinks etc which may have been repeatedly rebuffed;

Offensive phone calls; Offensive sexual gestures or remarks; Indecent exposure; Sexual demands or propositions.

Sexual harassment has nothing to do with mutual attraction. Such friendships are private matters.

Other behaviour that may be considered an offence under criminal law is; physical assault, indecent exposure, sexual assault, stalking or obscene communications.

Sexual harassment is unlawful under the *Sex Discrimination Act*. Some types of sexual harassment may also be criminal offences.

(3) Disability Awareness

It is important that all taxi drivers recognise, understand and are responsive to the needs of people with disabilities. A good attitude and a positive experience can make all the difference.

As a professional driver you should always be there to give assistance when it is needed, especially when your passenger has special needs. Whatever vehicle you drive, be ready to give assistance when an older passenger, or one who has limited mobility, is getting into or out of your vehicle.

Be patient and considerate. Always respect their wishes; disabled people want to retain their independence. If someone tells you they can manage, then let them. But be prepared to offer help if they appear to need it or ask for it. You will have your own problems to cope with, such as busy traffic conditions, inconsiderate behaviour by other road users etc but you should do your best to offer courteous and smooth ride to those with special needs. Also, think about the everyday problems faced by people trying to manage with children, strollers or shopping trolleys. Allow time for strollers to be stowed away securely and in the correct place. This will prevent them being thrown forward in the event of an incident.

It is unlawful for transport providers to treat disabled people less favourably than those without a disability. It is illegal for taxi operators to:

- discriminate against people with disabilities; for example, by refusing to allow someone to board a vehicle simply because they have special needs;
- treat people with disabilities less favorably; for example, by charging them more for a service; and
- fail to make a reasonable adjustment to the way they provide that service; for example, by ensuring that any ramp or lift is in working order.



What can you do to assist?

- Ensure that all facilities such as lifts, ramps, etc are present and in working order before commencing your shift;
- pull up as close to the kerb as possible – this will assist all passengers; and
- avoid sudden braking and acceleration.

When dealing with passengers who have disabilities remember:

- that some passengers won't be able to see or hear your vehicle approaching – be on the lookout for them;
- that people with disabilities are not all the same, so don't make assumptions or generalisations;
- to give passengers time to get seated and fit their seat belt before moving off; and
- to avoid being patronising.

Visually Impaired

A person carrying a white stick, a long white cane or accompanied by an assistant animal is visually impaired. If the stick has a red ring or red and white checks painted on it, or the dog has a red and white harness, they also have impaired hearing. Remember, visually impaired people may depend on their local taxi service for mobility.

Wheelchair Accessible Taxis (Maxis)

The Maxi operator and driver of a Maxi must always give priority to a booking by a wheelchair user ahead of any other requests (unless a pre-booked job has already been arranged for the time requested), in accordance with the licence conditions of the taxi.

Maxis have the passenger capacity to also operate as a high occupancy taxi. A high occupancy taxi can accommodate and secure at least one occupied wheelchair and has seating capacity for between five and 10 passengers, not including the driver, when in its non-wheelchair configuration. Maxis are required to give priority to bookings by people who use wheelchairs but may be used to carry other passengers when not engaged with wheelchair bookings. When not carrying wheelchair passengers, Maxis have the same operating rights and conditions as conventional taxis but may charge an additional occupancy fee when a booking has been made to carry five or more passengers. The high occupancy hiring rate does not apply if one of the passengers is wheelchair bound and is unable to use a conventional taxi and must use a Maxi.

Make sure that you are thoroughly trained in the safe use of wheelchair lifts, ramps and securing devices. If you drive a vehicle fitted with this equipment, never let untrained people operate it.

Mobility Impaired

It is also easy to see that someone with crutches, a walking frame or any other aid to movement has a disability, perhaps only temporarily. Showing a little consideration goes a long way with most people, whether they have special needs or not. Try to imagine what assistance you would like if you were in the position of a person with mobility difficulties.

Hearing Impaired



It is common courtesy to look at people when you speak to them. Just doing that will allow most hearing-impaired people to understand you. Good communication also saves time.

Physical disabilities

People with arthritis, stiff joints, artificial limbs or conditions such as multiple sclerosis will often put up with extra pain (and the impatience of others) rather than ask for extra consideration. For them, courtesy and a smooth ride are important.

Learning disabilities

Passengers with learning disabilities may appear fit and active, but they may also find taxi travel a special problem and a challenge. It may be hard for them to understand other people or to make themselves understood. Also, any unexpected problems can sometimes produce a sense of panic. Those with learning disabilities are increasingly being encouraged to go out to work, to go shopping or visit friends. With patience and understanding you can contribute towards their confidence and sense of achievement.

For additional reference please go to:

[Personalised Transport Required Driver Training Notice January 2019 Version 1](#)

[The Disability Discrimination Act 1992 \(Cwlth\)](#)

[The Racial Discrimination Act 1975 \(Cwlth\)](#)

[The Sex Discrimination Act 1984 \(Cwlth\)](#)

[The Age Discrimination Act 2004 \(Cwlth\)](#)

[The Anti-Discrimination Act 1991 \(Qld\)](#)