



Inquiry into the procurement and delivery of MyWay+

Answer to question taken on notice

Asked by: Mr Thomas Emerson MLA

Addressed to: Chris Steel MLA, Minister for Transport

In relation to: Quantification of costs of non-compliance with accessibility standards.

Hearing: **01/05/2025**

Uncorrected Proof Transcript: **UPT 1/5/2025, p 53.**

Transcript provided: **6/05/2025**

Answer Due: **13/05/2025**

Chris Steel MLA, Minister for Transport took on notice the following question:

MR EMERSON: Thank you. And just a very quick final point on that. On the violation of these various different pieces of anti-discrimination legislation, has the government done any work on calculating the potential costs should any lawsuits be brought against the government or should the Human Rights Commission—

Mr Steel: I do not think we accept the premise of your question. When we were talking about conformance before, it was in relation to the WCAG 2.1 guidelines, not necessarily in relation directly to the Discrimination Act, Anti-Discrimination Act, the Disability Inclusion Act. So we have already taken on notice a question in relation to that, but Mr McHugh has already provided an answer around the positive steps that we are taking with the partner NEC to be able to address the issues. So the second part of your question, you may still be able to ask.

MR EMERSON: Have you done any work calculating the costs should it become clear—and we will find out with your question taken on notice—that we have violated a law with this rollout, or the government has?

Mr Steel: Yes. Well, we might try and answer that with the other question.

Chris Steel MLA, Minister for Transport: The answer to the Member's question is as follows:

As the committee is aware the Government and NEC Australia are working collaboratively together to ensure that the system is compliant with WCAG 2.1 guidelines before the project completion date which is at this time September 2025.

As the committee was advised during the public hearing on 1 May 2025, the Territory and NEC are currently undertaking an accessibility audit of the system. This audit may identify areas where the system could be improved in these matters. Any findings of the audit will be considered by the Government and actioned appropriately.

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As per my response at the hearing, the Territory does not accept the premise of the question that there has been non-compliance with the *Disability Discrimination Act 1992* (Cth) or the *Discrimination Act 1991* (ACT) and as such no legal advice been sought on this matter nor has any potential liability been calculated in terms of costs. Should legal action be taken against the Territory, the Territory would comply with its model litigant obligations and seek legal advice at that time. Any damages the Territory may be liable for would be determined on a case-by-case basis and be specific to the facts of each case.

I draw the Committee's attention to the response to the related QTON.

Approved for circulation to the Standing Committee on Environment, Planning, Transport and City Services.

Signature:



By Chris Steel MLA, Minister for Transport

Date:

11/5/25