

# TRANSCRIPT

## LEGISLATIVE COUNCIL ECONOMY AND INFRASTRUCTURE COMMITTEE

### **Inquiry into the Multi Purpose Taxi Program (MPTP)**

Melbourne—Thursday, 21 October 2021

#### **MEMBERS**

Mr Enver Erdogan—Chair

Mr Bernie Finn—Deputy Chair

Mr Rodney Barton

Mr Mark Gepp

Mrs Bev McArthur

Mr Tim Quilty

Mr Lee Tarlamis

#### **PARTICIPATING MEMBERS**

Dr Matthew Bach

Ms Melina Bath

Dr Catherine Cumming

Mr David Davis

Mr David Limbrick

Ms Wendy Lovell

Mr Andy Meddick

Mr Edward O'Donohue

Mr Craig Ondarchie

Mr Gordon Rich-Phillips

Ms Harriet Shing

Ms Kaushaliya Vaghela

Ms Sheena Watt

**WITNESSES** (*via videoconference*)

Ms Natalie Reiter, Deputy Secretary, Policy, Precincts and Innovation, and

Mr Joe Monforte, Executive Director, Policy and Reform, Department of Transport; and

Ms Tammy O'Connor, Interim Chief Executive Officer, Commercial Passenger Vehicles Victoria.

**The CHAIR:** The Economy and Infrastructure Committee public hearing for the Inquiry into the Multi Purpose Taxi Program continues. Please ensure that mobile phones have been switched to silent and any background noise is minimised.

I wish to acknowledge the traditional owners of the land, and I pay my respects to their elders past, present and emerging. I wish to welcome any members of the public that are watching via the live broadcast.

My name is Enver Erdogan; I am the Chair of the committee. I am joined by my fellow committee members: Mr Rod Barton, Mr Andy Meddick and Mr Lee Tarlamis.

To all witnesses giving evidence today: all evidence taken at this hearing is protected by parliamentary privilege as provided by the *Constitution Act 1975* and subject to the provisions of the Legislative Council standing orders. Therefore the information you provide during the hearing is protected by law; however, any comment repeated outside the hearing may not be protected.

All evidence is being recorded. You will be provided with a proof version of the transcript following the hearing. Transcripts will ultimately be made public and posted on the committee's website.

Any deliberately false evidence or misleading of the committee may be considered contempt of Parliament.

We welcome your opening comments but ask that they be kept to a maximum of 5 to 10 minutes to allow plenty of time for questions and discussion. Could you please begin by stating your names for the benefit of our Hansard team and then start your presentations. Over to you.

**Visual presentation.**

**Ms REITER:** Thank you, Chair and committee members, for the opportunity to be heard. I am Natalie Reiter, Deputy Secretary, Policy, Precincts and Innovation. I am joined today by my colleague Joe Monforte, and Tammy O'Connor, the CEO of CPVV. I open today with a quote from Eleanor Roosevelt:

Where, after all, do universal human rights begin? In small places, close to home ... Such are the places where every—  
person—

... seeks equal justice, equal opportunity, equal dignity without discrimination. Unless these rights have meaning there, they have little meaning anywhere.

And the Multi Purpose Taxi Program is all about us collectively meeting our obligations with regard to universal human rights.

For our first slide: as you will be aware, the Department of Transport plans, delivers and operates the transport system in a way that meets the needs of people who use it and ensures transport agencies and operators work towards a common goal of an integrated transport system that contributes to an inclusive, prosperous and environmentally responsible state. DOT and CPVV are before you together today as each have different yet complementary roles to play with regard to delivering the commercial passenger services. DOT provides advice to government on strategic policy settings for the commercial passenger vehicle industry consistent with Victoria's main transport statute, the *Transport Integration Act*, noting the Act's objectives include social and economic inclusion, while CPVV is the regulator of the CPV industry, responsible for ensuring a safe, accessible, customer-focused and competitive CPV industry.

The Department of Transport recognises the CPV industry as a significant contributor to the livability of Victoria, enabling point-to-point access to employment, education, cultural, entertainment and recreation

opportunities. We are continually looking toward improving services to people living with disability on par with the services available for all Victorians.

Next slide, please. DOT has developed an accessible public transport action plan that assists our transport agencies to fulfil their duty under the *Equal Opportunity Act* to take reasonable and proportionate measures to eliminate discrimination as far as possible. The implementation of the action plan also supports the transport portfolio in meeting its obligations under the Charter of Human Rights and Responsibilities 2006 and the United Nations Convention on the Rights of Persons with Disabilities by providing equitable and dignified access to services. This responsibility includes providing people with disability the ability to plan their journey and access information when travelling, in addition to getting physical access to transport services that are better connected. Flexible transport solutions, including the use of commercial passenger vehicles, can help provide first and last mile journey transport to reduce barriers to access.

Turning to the purpose of the Multi Purpose Taxi Program specifically, the program recognises that some individuals with mobility limitations cannot safely and independently use the public transport network. The MPTP also supports affordable transport options for members, enabling trips for social, economic or medical reasons that may not otherwise be possible. The MPTP supports people with accessibility and mobility needs by paying half the cost of each commercial passenger vehicle trip taken by a member up to a total of \$60, and there is an annual cap of \$2180 on subsidy use unless an exemption is granted on medical grounds, such as a member being permanently confined to a wheelchair.

In 2017 the government commenced work to extend the MPTP to all commercial passenger vehicle services to expand those service provider choices for people with a disability. This approach is consistent with our obligations under law, noting members can continue to use the traditional taxis if they wish to do so. Our obligations to provide equitable and dignified access to services require us to ensure all members of the community, including members of the MPTP, enjoy the ability to choose the transport options that best suit their needs. Broadening the MPTP provides members that choice in the same way these choices were expanded for all CPV users when the 2017–18 reforms were first introduced. Extending service providers' availability for people with a disability is consistent with the expectations by disability groups and peak bodies that subsidies should be applied to a wider variety of services and is also consistent with the directions and intent of the national disability insurance scheme, which seeks to give individuals power, choice and control over the services which best suit their needs.

Next slide, please. The *Commercial Passenger Vehicle Industry Act* provides the foundation for safety and consumer protections for all CPV users by establishing a duty for each industry participant to ensure the safety of their CPV service, with safety duties paramount and embedded throughout supporting regulations. Reforms cut licence fees of around \$23 000 for a metropolitan conventional taxi licence and around \$19 000 for a wheelchair-accessible taxi licence to an administrative fee of \$52 per annum. Perpetual taxi or hire car licences were abolished, significantly reducing the up-front cost of entering the CPV industry. In developing and consulting on the supporting CPV industry regulations, the regulatory impact statement assessed the impact of industry regulations in addressing key objectives to ensure regulations would contribute to the achievement of high levels of passenger and driver safety in the CPV industry, ensure transactions undertaken in the market for CPV services are transparent, reduce information barriers between CPV service providers and consumers of those services and ensure regulatory costs are minimised consistent with the need to ensure the above objectives are met.

The reforms delivered an increase in the number of wheelchair-accessible vehicles and a reduction in wait times plus more choice for people with disability and MPTP members more broadly. The act and industry regulations better enable the delivery of safe and accessible CPV services, and these improvements are complemented by the MPTP subsidies and incentive structures. All CPV users now have improved services, with the broader CPV industry experiencing a much more rapid growth in vehicles and drivers operating in recent years. This has resulted in a reduction in wait times to under 5 minutes on average, and wait times for wheelchair-accessible vehicles have reduced from an average of almost 27 minutes in 2017–18 to just 10.1 minutes in 2019–20, enabled by the number of wheelchair-accessible vehicles in the industry increasing more than 50 per cent.

There has also been a significant amount of COVID support provided by government, with government investing \$22 million towards a range of initiatives to mitigate the impacts of COVID-19 on the CPV industry.

I will not go through each of those initiatives, but DOT is proud of the suite of initiatives designed to help ensure universal human rights are delivered in small places close to home, including by delivering equity of transport choices to all people of all abilities. I will now pass over to Tammy O'Connor, Chief Executive Officer of CPVV, for their perspective on this matter.

**The CHAIR:** Thank you, Natalie. Thanks to the Department of Transport for that presentation. Interesting facts: the increase of \$20 per treatment and you said a 50 per cent increase in the number of wheelchair-accessible vehicles since the 2018 reforms. Okay. Over to you, Tammy. Could we stick to the 5- to 10-minute maximum because I know that a number of committee members would like to get into a bit of a discussion and a question-and-answer stage. Thank you.

### **Visual presentation.**

**Ms O'CONNOR:** Certainly. Thank you, Chair. I am Tammy O'Connor. I am the CEO of Commercial Passenger Vehicles Victoria, and I thank the committee for the opportunity to discuss the Multi Purpose Taxi Program, or MPTP, today.

I have been fortunate to be able to speak with some MPTP members directly about their commercial passenger vehicle travel experiences. What stands out the most is their desire for reliability—to be able to get a ride when and where they need it—and to be treated equally, with respect and dignity. I have also spoken with numerous commercial passenger vehicle drivers who are passionate about and take pride in delivering vital service to MPTP members.

I note committee members have had an opportunity to review our submission, which provides some background about the program and also addresses the terms of reference. Today I would just like to share a little more background with you about CPVV's role in implementing the program and the outcomes of the program. I will start my presentation just by touching on the core focus of the MPTP.

We know that all members of the community have the right to access safe transport services. For some, this might be buses, trains or trams. For others, their preference or need might be for commercial passenger vehicles. CPVV regulates commercial passenger vehicle services in Victoria. We are a statutory authority that implements and enforces industry laws and implements government policies. As a safety regulator our primary focus is on ensuring commercial passenger vehicle services are safe and accessible, and to achieve this we work closely with industry and the community. One of the services we administer is the MPTP. As my Department of Transport colleagues have highlighted, the MPTP was established to provide safe and accessible public transport options for those who need them most. In the next slide I have included a quote which I believe reflects the core of what the MPTP aims to achieve.

Next slide, please. It is important to note that in the last 12 months alone over 80 000 Victorians have relied on the MPTP to give them access to economic and social choices that many of us take for granted. In a 2019 MPTP member survey conducted by CPVV, over 75 per cent of respondents reported that commercial passenger vehicle services are very important to their lifestyle and transportation needs.

As you can see in this next slide on member demographics, most of the members' primary disabilities are physical and do not impact their ability to make decisions to participate in everyday activities. We also know most MPTP members can use conventional vehicles rather than relying on a wheelchair-accessible vehicle and that 18- to 34-year-olds take the most trips—nearly double the average across the program, which reflects the active nature of that cohort, with higher rates of participation in study and work. The pandemic has also highlighted that access to safe and accessible transport for members, many of whom are in high-risk cohorts, has never been more important.

Moving on to the next slide, I want to mention the role commercial passenger vehicles play in people's everyday lives. Almost 17 per cent of people with disability are not able to use some or any form of public transport. Commercial passenger vehicles provide flexible point-to-point transport that gives people a level of mobility not offered by other services, like trains, trams and buses. Commercial passenger vehicles are therefore vital to the social and economic inclusion of many people with a disability or mobility impairment.

The next slide speaks to why the MPTP is vital in achieving an accessible transport network. Despite the impacts of COVID-19 on travel, in 2020–21 MPTP supported over 3.8 million trips across Victoria to ensure

people with disability or mobility impairment could get to their destination. It also supported the availability of wheelchair-accessible services through the payment of over \$21 million in lifting fees, which support the purchase and maintenance of wheelchair-accessible vehicles and incentivise drivers to prioritise wheelchair-accessible services. Furthermore, MPTP supported the viability of the commercial passenger vehicle industry, generating over \$100 million in custom in circumstances where demand for services was generally significantly diminished.

As you can see from the next slide, this is a program that enables members to live their lives on their own terms. The government's MPTP expansion policy seeks to give MPTP members access to the commercial passenger vehicles that best meet their needs. To achieve this we have worked hard to implement the government's expansion program to provide more choice to MPTP members so that they can select the service that suits them.

The next slide shows CPVV's work on expanding the MPTP. To enable the expansion we modified our legacy systems, technology and back-end processes to accommodate all new service providers and make it easier to accept different types of technology in the future. We have successfully introduced two new providers, Net-Cabs and Uber, and we continue to work with several potential new providers who have expressed an interest in providing MPTP services.

Now I would like to take a moment to focus on safety. As a safety regulator, safety is our number one priority. All passengers should have access to a safe commercial passenger vehicle service. You can move to the next slide, please. That is why we work with the industry and community to deliver safe commercial passenger vehicle journeys every time. We take a constructive compliance approach to our regulatory activities. That means educating the industry regarding its safety obligations and enforcing the industry laws wherever that is necessary.

In the next slide I will give a brief overview of our safety activity. The COVID-19 pandemic has changed the risk profile of the commercial passenger vehicle industry. We have been working closely with industry to ensure booking service providers have adequate systems in place to deliver safe services and that these systems are implemented by drivers. We have supported the industry by developing a comprehensive example of a COVID-safe plan and provided guidance on implementing and embedding the plan. And we have utilised new and existing methods of communication with the industry to ensure it remains up to date with rapidly changing pandemic laws and restrictions. We have conducted targeted inspections of booking service providers and commercial passenger vehicles to assess COVID-safe practices and systems and taken enforcement action where necessary. As at the beginning of October, we have conducted almost 300 booking service provider inspections and over 13 000 vehicle inspections. I am pleased that the efforts of the industry and CPVV mean that, despite the high risk of transmission inherent in commercial passenger vehicle services, there has been no reported outbreak of COVID-19 from commercial passenger vehicle services in Victoria.

Now to the last slide, where I will leave you with the following thoughts. We know that overall the experience for people with accessibility needs is not consistent with the experience of people without those needs. MPTP members tell us that they want to access services based on their individual needs. For some this might involve selecting a female driver service or being able to access a wheelchair-accessible vehicle at late notice. We also acknowledge that people with disability sometimes experience discrimination or a lack of understanding when using commercial passenger vehicles. We believe this can be addressed with greater emphasis on driver education, and we are working to raise disability awareness and promote better training outcomes.

In closing, we are committed to working with industry to improve accessible transport services and choices and will continue working to facilitate a commercial passenger vehicle industry for everyone. Thank you for that time, and I look forward to answering any questions you may have.

**The CHAIR:** What I might do is go around to committee members. Just to break it up, because obviously we have got until 3.30 pm, I might just go in 10-minute blocks to allow members to ask a series of questions. I might start with Mr Barton in the first 10 minutes, Lee Tarlamis the next 10 minutes, then Mr Meddick and just go around that way. That might just be better, and then with whatever time remains, if people have additional questions and if we have got time of course, we will go to them. Mr Barton, you have got the first 10 minutes.

**Mr BARTON:** Thank you, Chair. Good to see you, Joe and Tammy. Natalie, I am not sure if we have met before, but I am sure Joe and Tammy warned you about me. When did the CPVV, or then the VTD or the Taxi Services Commission, first have negotiations with Uber to help them to get into the Multi Purpose Taxi Program?

**Ms REITER:** Tammy, when was that?

**Ms O'CONNOR:** Sorry, you broke up then, Natalie, but I think you were referring that to me.

**Ms REITER:** Yes.

**Ms O'CONNOR:** So in May 2018 we wrote to a number of organisations to seek their interest in becoming data collection providers and participating in the MPTP. Net-Cabs was the first data-collection provider to complete a trial and enter into a service agreement with us. Uber submitted an expression of interest in July 2018 and commenced a proof of concept in August 2019.

**Mr BARTON:** Who were the other ones you approached?

**Ms O'CONNOR:** I do not know every one off the top of my head, but there were multiple people who had expressed an interest previously. For example, Schmidt Technologies I know had expressed an interest; I believe Silver Top may have expressed an interest. So there were multiple people who had expressed interest.

**Mr BARTON:** Okay. Thank you. Just about the decision-making and how we have come to this position, we have heard on this inquiry that the regulator has not engaged with the industry, and that has gone from 13CABS to our local rural and regional operators. Certainly all are concerned, and it is genuine concern, that the majority of trips on the Multi Purpose Taxi Program are actually done by WAVs, and they are cross-subsidised by the sedan work. Did the regulator do a risk assessment of what would happen if we opened up the market to another 50 000 vehicles and the impact that would have on the supply of wheelchair-accessible vehicles?

**Mr MONFORTE:** Can I start on that one, Tammy?

**Ms O'CONNOR:** Sure.

**Mr MONFORTE:** I guess for a start, Mr Barton, it was actually a government decision to expand the Multi Purpose Taxi Program to all commercial passenger vehicles. That decision was in 2017, so it has been known as a government decision since 2017. In fact that decision was made following a recommendation of this very committee following its 2017 inquiry into the CPVI Act 2017. The committee recommended an expansion of the program to all commercial passenger vehicles, and the government accepted that recommendation—and the CPVV has been acting to implement that recommendation. It is not a surprise to the industry. I will let Tammy outline the communication that has been going to the industry specifically, but this decision has been well known for some time and, as I said, in fact in its initiation responded to a recommendation of the predecessor of this very committee.

It certainly has increased the supply of conventional taxis that are available, and the industry reforms have done that. A clear basis of the industry reforms and a clear basis of the MPTP expansion was to give consumers more choice and to increase the quality and reliability of services. And as indicated by Natalie in her opening presentation, they have certainly done that in terms of both the supply of wheelchair-accessible vehicle services and the quality of those services, particularly as reflected in the timeliness of service available to customers. At the end of the day, the government policy serves to assist the industry and ensure a safe industry not just for the industry and those participating in the industry but for customers.

In terms of your question about the cross-subsidisation, I am actually not sure what evidence there is for that. I think that there is likely to be some truth to that in terms of regional—

**Mr BARTON:** Joe, you were the advisory panel last year, mate, and that is why we asked for \$22 million to keep the—

**Mr MONFORTE:** Indeed, and the government provided that, but certainly the structure of the industry is such that in regional Victoria many wheelchair-accessible vehicles are owned by booking service providers,

owned by operators who also own conventional vehicles. That is not necessarily the case to the same extent in metropolitan Victoria, where vehicles, whether they are wheelchair-accessible vehicles or conventional vehicles, are owned by individuals who are then affiliated with booking service providers. And certainly in that context in metropolitan Victoria it is difficult to see that there is any cross-subsidisation, because it is individuals who own the vehicles, not the operators or the booking service providers by and large.

**Mr BARTON:** I can give you an example straight off the top of my head. I will say Geelong taxis own 30 wheelchair vehicles.

**Mr MONFORTE:** That is a regional provider, Mr Barton.

**Mr BARTON:** No-one is disputing that this has been government policy, what they are going to do, but what there was an expectation of was that there would have been work going around to make sure that we did not have unintended consequences. Everything about the deregulation has caused unintended consequences. In the middle of all of this commotion, if we just come back up to when the regulator made the announcement in 2020, when it announced that it was going to open up the market, this was on the backbone of the middle of a pandemic, the middle of the worst possible scenario we can have to open up the market to tens of thousands more cars. Did anybody actually kind of think, you know, 'Perhaps this isn't the right time, considering we just gave \$22 million to keep the taxis on the road'?

**Mr MONFORTE:** As I indicated, the government announcement about opening the market was made in 2017, well before the pandemic. Tammy can correct me, but the first new DCP that entered the market, Net-Cabs—once again, that happened well before the pandemic. But the first trials and discussions with Uber as a party that expressed interest in becoming a DCP and offering MPTP services were well before the pandemic.

**Mr BARTON:** Why is it that Uber, in their words, had a good run with the regulator and had been able to get all their run through but we are hearing from other suppliers who have been trying to get into the same market that have had all sorts of roadblocks put in their way?

**Ms O'CONNOR:** I would say actually, Mr Barton, it took 2½ years from the time that Uber submitted their initial proposal for them to become fully operational and enter into a data collection provider agreement with—

**Mr BARTON:** Schmiddy has been working for five years, and GRABiD has been doing it for nearly two years.

**Ms O'CONNOR:** We have engaged with lots of potential data collection providers, and certainly we have received proposals from some providers, but most of those proposals actually have been incomplete. There are a number of providers who have experienced delays in developing their technical solutions, and during the period that we were in negotiations with Uber in relation to their proof of concept and they were conducting their trials, there was no other potential provider that completed the required procurement process.

I acknowledge that at the outset of the pandemic in early 2020 we did pause any further data collection provider proposal considerations, and that really was for two reasons. One is that the commercial passenger vehicle industry was deemed as high risk for transmission of COVID-19, and that meant the diversion of our internal resources to assist the industry to deal with this new risk. It also meant the diversion of the resources of industry providers, and we certainly heard from many potential data collection providers at that time that they needed to pause work on their technical solutions.

Following that we developed a new invitation-to-supply process, so a new procurement process—and a new and improved process—to assist future data collection providers in applying and going through a procurement process with CPVV. We are engaged with a number of providers in relation to that now, and I look forward to the outcome of those proposals.

**Mr BARTON:** Do you ever take into account the ramifications for the people who actually work in the industry, you know, the social and economic responsibility for people who supply these services?

**Ms O'CONNOR:** Look, I acknowledge concerns raised by industry regarding the potential impact of additional providers on their revenue stream. I am also aware that some providers have expressed confidence in

their ability to retain their customers due to strong customer service offerings, and others have welcomed opportunities for improvement that enhanced competition may bring.

**Mr BARTON:** I'd like to meet them.

**Ms O'CONNOR:** I think what is important to remember, though, is that the intent of the MPTP is to provide accessible transport services to people with disability and that the expansion is intended to ensure that all Victorians can have the CPV of their choice.

**Mr BARTON:** The trial in Geelong—you wrote to 500 people looking for 100 people to participate in the trial, and Uber tells us that only six people responded. I would say that is actually a reflection on the market demand rather than anything else. Did you actually just write to members, or did you actually write to service providers in those areas who are dealing with people with disabilities?

**Ms O'CONNOR:** In terms of advising them of the trial, do you mean?

**Mr BARTON:** Yes, so they could participate. Individuals—or did you go to the service providers as well so they could talk it through with their people that they had been working with?

**Mr MONFORTE:** What do you mean by service providers?

**Mr BARTON:** Well, the local Scope or someone like that, or Vision Australia—all those sorts of people.

**Mr MONFORTE:** I mean, Tammy can answer the detail of the question, but MPTP members are the individuals. You know, they may or may not be associated with an organisation like Scope, but the individual members are the ones who make the trip. It has got nothing to do with the service organisations.

**Mr BARTON:** Well, they may have been able to help people participate in the trial.

**Ms O'CONNOR:** I would add to that, Joe. Yes, we wrote to individual members, but we have regular active engagement with various disability service organisations, and at the time of this trial we had an active disability and accessibility forum that we operated, and the trial was discussed with disability service organisations that participated within that.

**Mr BARTON:** I am little concerned at the lack of—I am not a little concerned, I am very concerned—with the lack of, or the view 'We're going to do this no matter what'. And it almost comes across as like a philosophical thing to do because Allan Fels said we have got to have competition at any cost. And we have been flogging this dead horse all this time.

I see there was a workshop held on 15 October 2019 with stakeholders and that some of the specific issues raised included the need for further—this is the industry that is asking:

- awareness of disability and how to communicate and relate to people with disability.
- awareness about passengers' personal space and appropriate personal contact.
- awareness about assistance dogs.

So two years later, have any of those items been actioned? Have we got a program to do any of that?

**Ms O'CONNOR:** Just so I am clear, you are talking about disability awareness training?

**Mr BARTON:** Yes.

**Ms O'CONNOR:** The requirement for commercial passenger vehicle drivers to be tested on disability awareness was removed as part of the government's reform package. Booking service providers, vehicle owners and drivers, though, do—

**Mr BARTON:** Sorry, Tammy, that was in 2019.

**Ms O'CONNOR:** Sorry?

**Mr BARTON:** This was done in 2019.



**Ms O'CONNOR:** So that was a forum we held. Yes, I am getting to that, sorry, Mr Barton. Training is now the responsibility of service providers in accordance with their safety duties, and many of the booking service providers require their drivers to undertake disability awareness training. But you may be aware, Mr Barton, that in 2019 we undertook a review of the state of accessibility within the commercial passenger vehicle industry and we published a report in August 2019. In that report we identified that the impact of driver behaviour on passenger experience was really a key theme, and that disability awareness training offered by booking service providers to their associated drivers varies substantially across the industry. So we did publish an issues paper in October 2019, following which we developed a draft driver training framework in July 2020, and we have done significant consultation with both industry and disability service organisations in relation to that. We are now working—

**Mr BARTON:** Okay, can I just—we have just got a lot to get through. Sorry, Tammy.

**The CHAIR:** One last question, Rod, and then we will go to Lee. I will come back to you anyway. There is going to be time.

**Mr BARTON:** In July 2020 CPVV released a study document entitled *A Proposed Framework for Training and Assessing Drivers of Wheelchair Accessible Vehicles* and the due date for submissions was last year—Friday, 16 October 2020. How many submissions were received?

**Ms O'CONNOR:** I do not have that available to me right now. Sorry, Rod.

**Mr BARTON:** I am advised that there were only four submissions, and 22 survey responses were received.

**Mr MONFORTE:** We can take that on notice.

**Mr BARTON:** That is a very small response to such a safety-driven project. Did you ask specifically the BSPs for their input? And have we done anything on those recommendations that have been put out? You know the recommendations that I am talking about, Tammy?

**Ms O'CONNOR:** Yes. In relation to the engagement with booking service providers yes, we engaged directly with booking service providers and we held a forum, which I think is the initial forum that you were referring to. In relation to the numbers of respondents, as I think Joe indicated, I would have to take that question on notice. I do not have that information immediately available to me.

But in terms of where we are now with the driver training framework, we are moving to finalise that. I acknowledge it has not progressed within the time lines that we had originally hoped, and the impact of COVID-19 has been significant in that. It has resulted in the diversion of resources within our organisation and it has also had a significant impact on industry. As you indicated earlier, Mr Barton, there has been significant impact on trips within the commercial vehicle passenger industry, and we did not consider that this was an appropriate time to put additional obligations on industry participants during COVID—

**Mr BARTON:** 50 000 more cars, though.

**The CHAIR:** Mr Barton, we might come back to you. As I said, you will get an opportunity to go again.

**Mr BARTON:** Thank you, Chair.

**The CHAIR:** I am just worried about time constraints and I know Mr Tarlamis and Mr Meddick would like to have a number of questions too. So Mr Tarlamis, over to you.

**Mr TARLAMIS:** Thank you, Chair. Thank you for coming along today to talk to us as part of this inquiry. I note in the opening slide show it said that CPVV was set up to provide a safe, accessible, customer-focused and competitive CPV industry and that the Multi Purpose Taxi Program was set up to provide affordable transport options and to enable people to choose transport options that best suit their needs. Is it a role for CPVV to monitor and proactively be aware of any threats that might occur to the Multi Purpose Taxi Program about its future viability based on decisions that are made and things that are occurring within that sector?

**Ms REITER:** Perhaps, Tammy, anything that CPVV are doing with regard to that monitoring—I presume the data collection on journeys would be an indicator of how well the service is being received.

**Ms O'CONNOR:** Yes. I might just seek a little more clarity on the question, Mr Tarlamis. Was there a particular threat or concern that you were referring to?

**Mr TARLAMIS:** I am just wondering, because you say that the system has been set up to take into consideration different provisions for different cohorts based on the service that they are providing. I think in your submissions you talk about how, for instance, Uber does not have to have some of the safety mechanisms because they are not doing other things that others are doing, so basically you apply it based on the service that is being provided. So I guess my question is: do you proactively monitor the market to see if there are any potential consequences that may limit choice into the future?

**Ms O'CONNOR:** I think in relation to the differences between service provision and safety it relates to the differences between unbooked and booked vehicle service requirements. I am not sure, Joe, if you want to take that one.

**Mr MONFORTE:** Yes. I guess when the government introduced the commercial passenger vehicle reforms, essentially it removed the distinctions that previously existed between, for example, taxis and hire cars, and essentially every vehicle is a commercial passenger vehicle and one of the key distinctions that remained is distinguished by the types of services that were offered, particularly booked and unbooked services. The safety regulations that are applied to booked and unbooked services differ because of the very nature of those services, and in particular the anonymous and essentially random nature of unbooked services—rank and hail services—where anyone can go to a taxi rank and hop into a vehicle. It is a very anonymous transaction, both for the driver and the passenger involved, and that led to additional safety requirements being imposed in regulatory terms on providers of unbooked services. But that is the nature of that.

In terms of monitoring the industry, Tammy can talk about the actions that are taken in terms of monitoring safety incidents—or adverse safety incidents—but more generally, the Department of Transport, who, as Natalie pointed out, has got the lead role in terms of advising government on, I guess, strategic policy and strategic directions for the industry, regularly looks to what is happening in the market and what changes might be required to the commercial passenger vehicle regulatory framework. In doing so we seek input from others. The minister, as Mr Barton knows, has appointed a CPV advisory panel to provide advice to the minister on future regulatory options. So it is something that we do regularly. For example, we are looking at what the implications are for both the industry generally but more specifically the MPTP services around the introduction of the NDIS and the transition that will eventually occur for those customers—those NDIS clients of the MPTP—so that is something we are very actively aware of and we are monitoring, and we provide advice to ministers.

**Mr TARLAMIS:** Thank you. Is it the role of the CPVV to be aware of what is happening in real time within the sector? So for instance, if a particular cohort that is providing a service was to be struggling and potentially looking to exit the market on that basis, that would obviously have a significant impact on accessibility and choice, because there could be a significant player in the market that might not be there going forward. Is that a role for CPVV to monitor those sorts of things or potential things that may happen? I will give you an example: earlier today Uber confirmed that they do not have any wheelchair-accessible transport vehicles—WAVs—in their fleet and that they have no intention of seeking to. And I know they connect people on the platform, so they do not own vehicles as such, but they have no plans to enter into that space. So if there was a risk that people within the market were going to leave, that would leave a big void. Is that something that CPVV should have a role in monitoring to provide that advice, whether it be back to government, so that decisions could be made to basically ensure the viability of the Multi Purpose Taxi Program?

**Mr MONFORTE:** I might answer that, Tammy. In terms of CPVV the short answer is no. It is not a role for the CPVV; that is a role for the Department of Transport in providing that advice and of course in monitoring what is happening in the market. If there was to be a mass exodus of wheelchair-accessible vehicles, obviously that would be of great concern and we would provide advice to government with the support of CPVV in terms of providing information on options to address that. Now, I put that in the context that obviously during the pandemic period there have been some reports of wheelchair-accessible vehicles leaving the market, but I guess (a), that is not necessarily surprising given the drop-off in business, but you also need to put it in the context of the significant increase in wheelchair-accessible vehicles that has occurred since the reforms—something like 630-odd to 975. This is an industry where people do come and go; drivers come and go, and vehicles come and go. We monitor the market in terms of significant structural changes, and if

there are changes that will affect the quality of services—and obviously wheelchair-accessible vehicles are a particular concern—we will advise ministers accordingly in terms of options to address that, because wheelchair-accessible vehicles in particular are absolutely critical for those who rely on those services to ensure their social and economic inclusion in the community.

**Ms REITER:** And further to that, those reforms that we referred to in the presentation are long-term reforms that lower the barriers to entry to the market, and that allows the market to be more responsive, to gear up or pull back as demand dictates. So we really have set up a sustainable model moving forward.

**Mr TARLAMIS:** If there is cross-subsidisation going on within various providers and one provider is able to surge-price and pick elements of the market that they want to operate in but not others, because they can do that but the other service providers cannot, does that provide a concern?

**Mr MONFORTE:** I think it would be concerning if consumers had no choice. If consumers were being exploited because a provider was surge-pricing and the consumer had no other choice, that would be of concern. But I think we need to be careful about assuming that MPTP clients cannot make decisions for themselves. They can; they do. They can make decisions, or for those who have cognitive impairment, their carers can make decisions. I am not sure that we actually had any evidence of surge pricing affecting MPTP customers. I have not seen any evidence of that whatsoever. But if a customer was faced with a higher price in the case of Uber, for example, because that happens to be the rideshare operator that is in the MPTP market—but most of the other rideshare operators operate a similar approach—that would be very transparent before the consumer, the MPTP client, enters the transaction. If they tried to book a service and they were given the price and it was a higher price and they chose to take that nonetheless, that is a perfectly acceptable choice for that passenger, that client, noting that in most cases they will be subject to the \$60 cap that is applicable to MPTP customers and if there is a higher price that they have to pay, they will be bearing that themselves. That is their choice, and I think that it would be problematic to deny them that choice.

**Mr TARLAMIS:** I am not actually suggesting that people that use these services do not have the ability to make choices. I am simply saying to you as the regulator who has oversight of the sector that the end user does not have oversight of that sector; they have a need for a service and a trip, so they will book the service that is most suitable and applicable to them. The regulator has oversight of the sector, so they should have a clearer idea about what is happening within the sector. If the way the system is structured those choices lead to consequences, that may then result in less choice, potentially—is what I am saying. There should be that sort of overarching element where the whole industry is considered as a whole.

But I might move across. You mentioned the increase in the number of WAVs—I think it was from 636 to 975. Do you know or have any information about where those new WAVs are operating, whether it is in regional Victoria or metropolitan Melbourne, or have a breakdown in terms of where those new services are provided? Does that take into consideration how many have been added? Is that how many are in the market at the moment? Does that take into account those who have left, because you also mentioned that some have left as well?

**Ms REITER:** Tammy.

**Ms O'CONNOR:** I would have to take that question on notice, Mr Tarlamis. Certainly we will have data about where those WAVs are registered, in terms of their postcodes. There are no restrictions on where they can work across Victoria, but certainly we would have indicative data about that.

**Mr TARLAMIS:** No worries. The other question is in relation to wait times. You cited some wait times, which I cannot recall off the top my head, in your presentation and the reduction in the wait times for WAVs. Did that take into consideration COVID and less trips being taken? Was a weighting applied, or was that just comparing numbers prior to COVID with numbers during COVID, which resulted in a decrease in wait times?

**Ms REITER:** The numbers that I quoted were just prior to COVID, so there may have been some minimal upside, if you like, from the reduced demand through COVID, but it was comparing out to June. It was 2019–20.

**Ms O'CONNOR:** And, Mr Tarlamis, we recognise that COVID has had an impact. Wait times have been even further reduced now. But we are not comparing apples with apples, which is why we are using the pre-COVID figures.

**Mr TARLAMIS:** All right. Chair, those are all of the questions that I have at the moment. Thank you.

**The CHAIR:** Thank you, Mr Tarlamis, for your inquisitive questions. I will move over to Mr Meddick, who has been patiently waiting. Thank you, Mr Meddick.

**Mr MEDDICK:** Thank you, Chair, and thank you to the three of you. Look, I know that at the very start of your presentation we had a fantastic quote from Eleanor Roosevelt about the most vulnerable people in our community and how we are there to provide a service, and as well some lovely slides, which predominately focused on people who are in wheelchairs. You know, it strikes me—I already had a pre-existing idea that this was the case, and it has been firmed up by other witnesses that we have actually had—that what we are actually providing for these vulnerable people in our community is an essential service. For most of them, this is the only ways and means that they have of getting around their communities and being participants in their communities, particularly when they are wheelchairbound. As such, when we have a new entrant entering into the market—in this case Uber—why wouldn't they have to be in the same position as every other provider in that they must provide wheelchair-accessible vehicles, because it strikes me that, whether it is intended or not, there is a deliberate action happening out of it? You are creating an unfair playing field, and if we are talking about choice, then these customers are not being given a choice between using a taxi which is a wheelchair-accessible vehicle or an Uber which is a wheelchair-accessible vehicle. I am just wondering if you can clear that up for me, because I have heard that there is actually a federal Act that requires each entrant into the market to actually provide a percentage of wheelchair-accessible vehicles. Is that correct?

**Mr MONFORTE:** Mr Meddick, not that I am aware of, and there is no regulatory requirement in Victoria for any operator to provide wheelchair-accessible vehicles. In fact there are probably numerous booking service providers that do not provide wheelchair-accessible vehicles. Uber is relatively large, but there are other similar booked service providers that might be small and do not provide wheelchair-accessible vehicles and there is no legislative or regulatory requirement for doing so. That market exists because there is a demand for it, and the government provides incentives to support the supply of wheelchair-accessible vehicles, which are available to unbooked service providers as well as any other entrant into the MPTP market.

**Mr MEDDICK:** Thanks for that clarity. That is wonderful. I just want also to refer momentarily to the Geelong trial. When we had Uber in here they suggested that the invitation to the Geelong trial went out to 500, as I think Mr Barton has said and Mr Tarlamis has alluded to as well, and only six said yes to participate. I am just wondering—there was a question from Mr Barton as well—about the providers, the service providers. A very large amount of these wheelchair-bound people who access this service are connected with the various organisations around Geelong. I just want some clarity on if in fact their clients were contacted, because there is a very, very clear interaction between these service providers and the wheelchair-accessible taxi operators. I will give an example: was Kardinia contacted? Was genU contacted? Was Grace McKellar contacted? These are people that provide services. There are several hundred people in Geelong that access this service on a regular basis, so I am just wondering if they were contacted to actually put this up and feed back, you know, if their clients were involved: what happened? How was it? Obviously they could not have because they were not wheelchair.

In addition to that then, I am just curious too: given that it did not include wheelchair accessible, because Uber have no intention of participating in that, and it was only six out of what they sent out—isn't that somewhat of an irrelevant sample size? Because we are not talking about trying to take a sample of the entire population, we are talking about a very specific cohort of people where we know the numbers of people that participate in a particular program because they are part of that program—they are registered, they have got their card, this is what they use. You know who they are, and you know the numbers. Doesn't six strike you then as completely irrelevant and therefore not representative, because when you have got six people only participating it is quite reasonable to assume that Uber, for instance, would throw every single thing hammer and tongs at those six people to make sure that they had the most unbelievable experience that they could possibly have and that there could not possibly be any negatives to that. Wouldn't you insist that it would be far, far greater and just not accept that as a relevant sample?

**Ms O'CONNOR:** Mr Meddick, as Joe has pointed out, the government's reforms deliberately remove most of the distinction between services offered by commercial passenger vehicles, with the exception of rank and hail. So all booking service providers, including Uber, can provide services to any Victorian, including a person with a disability. The expansion policy is consistent with those reforms, so in principle anyone meeting the regulatory standards required to provide commercial passenger services should be able to provide those services to MPTP customers. The point of the trial was not to test Uber's ability to provide services to MPTP members. It was about testing whether the MPTP technology solution that Uber had proposed, one, worked with our systems and was able to correctly apply the subsidy discount, and secondly, whether it provided an appropriate technical experience for clients—so were they able to sign up? Was the subsidy provided for them at the point of sale and did they get fare information afterwards? Because it was of a technical nature rather than a service outcome it was not necessary to have large numbers of participants in the trial.

**Mr MEDDICK:** That is not what Uber said to us when they were here before. They told us that it was actually to see if they could provide the service satisfactorily.

**Ms O'CONNOR:** I have not had the benefit, I am sorry, Mr Meddick, of listening to Uber's evidence, but certainly Uber is an existing service provider in the market, and this was about testing their MPTP solution. If I think about the other data collection provider that has been brought on through the MPTP expansion—that is, Net-Cabs—they were not required to do any live trial at all and that is because their system used the existing user experience for an MPTP member, so they continue to use the cards. They just did proof of concept trials with the back end system to demonstrate their technology solution worked and they did not have any user-experience testing.

**Mr MONFORTE:** I would just add to that. Since the CPV reforms I am sure that there have been new booked service providers—what we traditionally call 'taxi operators'—into the market. And we have not taken them through our process because, as Tammy said, the presumption is they meet the safety standards, they should be able to provide services to any client. To the extent that they are using the existing or the pre-existing MPTP technology—being Cabcharge—that is an existing technology which we know interfaces with CPVV systems. There was no requirement to put them through, and they were not put through, a process of testing or assurance that they can actually provide services to MPTP clients. I am sure that there are a number of booking service providers that have entered that market that were not put through. The distinction here is not that they were a rideshare operator, the distinction here is that they were proposing a new technology platform, just like Net-Cabs, who is a taxi operator essentially, was also providing a new technology platform, and they went through a trial process.

**Mr MEDDICK:** Can I just come back to the fact that what we were talking about there before was we are providing what is essentially an essential service to a very vulnerable section of the community, which is why the MPTP exists in the first place. One section of the market is involved in providing the whole service, and it is under that program. Why would you deliberately allow another entrant into the market without requiring them to also provide the entire section of the market? Because when I look at it in purely economic terms, what we are allowing is one entrant to the market to cherry-pick the pieces that they want to provide, which actually subsidise in many ways the operation of the other section of the market.

When we are talking about WAVs, for instance, they are very expensive vehicles to set up—they are \$100 000 plus—and as a result there has to be a certain amount of participation in that to be able to make that viable if indeed it would be viable. The reality is, from the people that I have spoken to in the market, that the other taxis often are subsidising the existence of that market so that that can be provided to these vulnerable people. Why would we allow an entrant to the market that would actually strip the ability of those people to provide that service? Mr Tarlamis I think raised that as a potential possibility here. We are removing the economic underpinning of providing an essential service by allowing one entrant to the market to strip that very economic provider. Why wouldn't we make it even across the board so that if we are talking about who is providing the best service, that is what it comes down to? When we go to a hamburger shop and there are two side by side, we will go back to the one that provides the best service if the quality of the product is exactly the same. So why don't we have an equal playing field?

**Mr MONFORTE:** Mr Meddick, I will go back to my original comments. There is no requirement for taxi operators to provide wheelchair-accessible vehicle services, and there are plenty of taxi companies, taxi businesses, that do not provide wheelchair-accessible vehicle services. If we impose—

**Mr MEDDICK:** But they are not participants in the MPTP.

**Mr MONFORTE:** No, they are. They are. In fact if you are providing an unbooked service, regulations say you must participate in the MPTP. So there are plenty of small taxi operators out there who provide MPTP services that do not offer wheelchair-accessible vehicles. I think your assertion that it is not a level playing field, we are somehow discriminating—I mean, like there are operators out there. For example, Shebah provides services just for females and just for children.

**Mr BARTON:** They are not offering any services, Joe. They went broke yesterday.

**Mr MONFORTE:** Apologies; I was not up with that latest news. But I mean, that is the nature of the market: businesses will come and go. But we do not mandate that businesses must provide particular services, other than to ensure that if a MPTP client wants to walk up to a rank and hail service, they can if they are a MPTP client get MPTP. There is a requirement for unbooked service providers to offer MPTP services, but there is no requirement for them to offer WAV services.

Now, if we find that the supply of wheelchair-accessible vehicles diminishes, and in regional Victoria it is a fact that there is some cross-subsidisation and if that inability to cross-subsidise diminishes, we will look at options to ensure the supply of wheelchair-accessible vehicle services. But that has not happened to date. If there has been any reduction in the number of vehicles out on the road due to the pandemic, I think we will need to wait until after the pandemic impacts are over to assess what the state of the industry is.

**Ms O'CONNOR:** It may also just be worth highlighting, Mr Meddick, that there are already programs in place to support the supply of wheelchair-accessible vehicles, and in particular I did mention in my opening the \$21 million paid last year in WAV subsidy fees, which really recognise the additional costs of purchase and maintenance of a wheelchair-accessible vehicle and also incentivise drivers to pick up a passenger with wheelchair-accessible needs and prioritise their travel. There is also a program that allows for the partial cost of replacement of wheelchair-accessible vehicles and is particularly utilised by providers in regional and rural environments to contribute to the costs of the purchase of new wheelchair-accessible vehicles.

**Mr MEDDICK:** Okay. We will need to move on, because I think we are going to run out of time. I have just got two other sections that I want to ask you about, one of which is just purely to provide us with some statistics. Vision Australia I asked the question of, and they had very limited data. I was looking for more than that. They tell me that they feel that you might be the people that might be able to provide that, and I will come to that in a moment.

The other one is that we are talking about security measures for vehicles. In taxis, for instance, we have to have cameras and those sorts of things. Why wouldn't we be asking Uber drivers to have cameras put in their cars under this particular program? Is that something that they are going to be asked to do? Because I mean Mr Barton, I think, brought up the fact that there was a case where drivers had been found guilty of serious assaults, including rape, for instance. I think it was; I am not clear on those details, but I think that that has happened. There have been instances in the past where taxidrivers have been guilty of this sort of thing too, which is one of the reasons why this was brought about: to make sure that this was made safer for passengers. Is there any plan to make sure that that occurs with rideshare, regardless of whether it is Uber or any other platform that might enter the market—to provide that security for customers not just I suppose in the MPTP but for all customers?

**Mr MONFORTE:** I will answer that. At this stage there is no plan. I did mention earlier that the minister has established an advisory panel, and that advisory panel, of which Mr Barton is a member, can make recommendations to the minister. But just to go back to the reason for the distinction, the reason for the distinction is because of the fundamental difference in the nature of the service provided by unbooked versus booked services. With an unbooked service, as I said earlier, the service is essentially anonymous and random. As a customer, I walk up to a taxi rank, I do not know who the driver is, the driver does not know who I am. There is no record. The booking service provider has no record of that transaction—what the trip was, who was involved. It is anonymous, and that exacerbates the risk.

In the case of booked services, whether that booking is taken by a rideshare company or by a traditional taxi company, that is not the case. The booked service provider has typically a record of who the driver is, has a record of who the passenger is, and in fact for rideshare operators that use apps that is very much embedded in

the app, so the driver knows exactly who the passenger is, the passenger knows who the driver is, the booking service provider knows. That significantly diminishes the risk as a deterrent, but it also provides a strong record of who was involved should any incidents occur.

**Mr MEDDICK:** But that is also only a name on a database. When I walk up to a taxi rank, as you rightly point out, when I jump in that car I have never met that driver before, I do not know them. It is the same for an Uber. If I book an Uber, I have never met that person before. I do not know them, and you are right in saying—

**Mr MONFORTE:** But, Mr Meddick—

**Mr MEDDICK:** Hang on—just a moment, just a moment. You are right in saying that that name and those names are on a database, but when it goes to court it is my word against them that they committed an assault against me. That is the reason for the camera. The camera is there to record an actual incident. Why wouldn't we be providing that level of security for someone when they get into a car regardless? The same premise is still there: that you are getting into a car with someone you do not know and that they are capable of committing an assault and you need to be able to have the proof to do that. It is still the same thing. There is no difference. They are still providing a taxi service by another name, and it is completely irresponsible in fact to not enforce that. But I will move on from that because, as I say, I have got one more thing.

I asked Vision Australia how many trips their members would be having in taxis versus Uber—raw data, how many would be taken under this program, the MPTP. And they were not particularly sure, but they felt that, as the provider of the program, you guys might be able to—if we could get that data, if you have it. But also a particular concern for them is where they had blind or vision-impaired people with a service dog where they had been refused a trip. Generally speaking, that person would make a complaint to them, to Vision Australia, who would then encourage them to forward their complaint onto CPVV. They assured us that they felt that that was actually happening. To what level that is happening I am quite unsure, but if you could look into your records and provide, first of all, how many trips provided in taxis versus how many provided by Uber, because I am sure by the number of transactions that you process, you would know that data—if that can be forwarded through the secretariat. And to come along with that then, those complaints about refusing to take service dogs in taxis and Uber, so that we can make a comparison between the two. If that data can be provided to the secretariat, that would be absolutely marvellous, thank you. And thank you, Chair.

**The CHAIR:** Thank you, Mr Meddick. On that note, I will go for a little bit and then will probably give the last 15- or 20-minute slot to Mr Barton to wrap up. On that point, I have got number of questions, one of which was about the cameras, which Mr Meddick has already asked. There was actually a discussion there where, Joe, you kind of touched on the issue that was on my mind, and you have kind of subtly answered it. First of all, thank you, all of you, for explaining I guess the deregulation impact is there has actually been an increase in wheelchair-access vehicles overall, almost a 50 per cent increase. The wait times have been reduced for people with a wheelchair-access need. We have heard that the subsidy has been increased as part of that framework to—what was it?—\$20, and there is \$21 million in lifting fees, so a lot of positives in terms of increasing consumer choice and competition, some of the terms that were thrown around. But I do have one issue. I thought you kind of touched on it, Joe. Is there a concern that the long-term viability of the Multi Purpose Taxi Program will ultimately be undermined by some of these new entrants not providing wheelchair-access vehicles? And what happens if they are undermined and we see a decrease? We are going to see what goes on, because obviously we have talked about entrants. You made a point that currently Multi Purpose Taxi Program participants are not required to provide WAV services, but obviously with the new entrants coming on board we are going to see the market might be much more greatly affected. So are you concerned about the long-term viability of the Multi Purpose Taxi Program in terms of wheelchair access in particular, and what would happen if we saw a trend—what would be the best strategy or response, policy wise?

**Mr MONFORTE:** Well, I think the general answer to that question is, given that the MPTP is such an important program in ensuring that vulnerable members of the community get access to services, access to appropriate transport to enable them to engage with their work and their communities, we are always concerned about the program. We are always monitoring the program, and we will provide advice if trends emerge that suggest that there are gaps in that market. At this stage we have not actually seen those gaps, but if they emerge, we will recommend options to address those gaps—

**The CHAIR:** Sorry, Joe, but is it fair to say that at the moment you believe that the market has worked appropriately in terms of increasing the supply, but if there is a market failure, then you reserve the right to recommend a different course of action?

**Mr MONFORTE:** It might not even be a market failure. It might just be that the market is working but that a particular service is not commercial and therefore is being undersupplied and we need to take action to make it more commercial. That is why we have got things like the lifting fee in place and why in the past we have actually provided support particularly to regional operators to purchase wheelchair-accessible vehicles. We will continue to monitor that market.

**The CHAIR:** Some of the statistics about the increase in vehicles and wait times are quite impressive, but I think it is also good to look at the longer term outlook as well—so what might happen—and that is what does worry me. On another point I just want to touch on, we heard about multipurpose taxi cards today from witnesses and about, broadly speaking, fraud detection, especially with these new apps. I have used these apps before—all the providers at some stage I download—and have noticed that you can book trips with other people and so on, so there is this fraud detection kind of issue. And this may be a question for you, Tammy. I asked Uber before to provide details of how many trips they have facilitated since coming online. I am not sure if we will get that necessarily, but CPVV will probably have that data anyway because it will probably know who it has paid per trip, so I guess if you could forward that information—since they have come on board, how many trips they have facilitated—that might be helpful for our deliberations going forward. So it is a broad question about—obviously we want to make sure that taxpayer money is used efficiently and effectively—fraud detection in particular now that they do not have to display the card, and we were told that sometimes the driver might not even know the person who is using the government discount, so to speak. What is our mechanism for checking that people with disability are using that?

**Ms O'CONNOR:** Thank you, Chair. I will process the request for the information in accordance with the usual processes, but in relation to fraud detection certainly CPVV does not tolerate fraud or the misuse of the MPTP, and we undertake daily monitoring of trips. We also act on any information we receive from members of the public or the CPV industry regarding suspected fraud. All suspected fraudulent transactions are investigated, and if we find any evidence of fraud, we have multiple enforcement outcomes that we pursue, including prosecution and disciplinary action. In terms of Uber solutions, certainly no system is completely immune from fraud, but as a data collection provider Uber is required to implement measures for monitoring, detecting, preventing and controlling fraud, and it is also required to notify us if it becomes aware of any suspicious or potential improper use and to assist us with any investigations. It is perhaps worth noting that the platform environment that Uber operates in may make fraud less likely. The most common type of fraud is actually fraud committed by drivers, and in the Uber platform environment the process of calculating the fee or trip fare and the MPTP subsidy is removed from the driver environments. That reduces the opportunity for driver fraud. And also members have greater transparency over their trips with a capacity to review historical trips and verify those that have been taken.

**The CHAIR:** Thank you for that, Tammy. I have got a couple more questions, and then we will go back to Mr Barton. Just broadly, we did hear from one of our earlier witnesses about NDIS. Has any thought turned to how NDIS might impact the Multi Purpose Taxi Program going forward, or are we not expecting it to impact it because it is—

**Mr MONFORTE:** Well, I mean it will have an impact ultimately. The intention of the NDIS program was that clients who are NDIS clients would receive all their transport support, in fact all their support for the services that they need, through the NDIS program, and to the extent that that was the case, they would then be able to transition off state-provided services. Transport is one example of that, but there are other services previously provided to that community. The intention was for the state to get out of that business and for that support to be provided by the NDIS. Now, the practical reality is that, certainly in terms of transport, the NDIS has taken a lot longer than is ideal to provide appropriate transport support. And for that reason, the government has made the decision to delay the transition of NDIS clients off the MPTP. So at the moment NDIS clients receive some support through the NDIS, but if they are members of the MPTP they still receive the full MPTP subsidy. We are working with the commonwealth to ensure that they improve their transport support. There has been a time line for that, but that time line keeps getting extended by the NDIA. But until we are comfortable, we will continue to provide that support.



There is one issue there in MPTP terms. I mean, even when we are comfortable that the level of support clients are getting is adequate, so they no longer need the MPTP support—as we said earlier, when they get that support they can choose how to spend that money themselves. They can spend it on Uber, they can spend it on Oiii—Net-Cabs—or Silver Top, or if they wanted to use that support—and I am being slightly flippant here—to hire their own chauffeur full time, that is how they choose to spend the money. But once that level of support is deemed appropriate and the clients transition off the MPTP, the gap that we have is that the NDIS deals with the demand side, it deals with the client side; it does not deal with supply side. So unless we do something the lifting fee will diminish because those customers will no longer be MPTP customers, and when they use CPVs the drivers or the owners will no longer get the lifting fee. We are looking at options to replace the lifting fee for NDIS customers, because we understand that that is an issue and it might impact the viability of WAVs.

**The CHAIR:** I understand. Yes, that is right, because they will have their own pricing system. I guess one of the questions has kind of been touched on a bit, but it is important: the issue about consumer protections, especially because people at the moment have that \$2100, approximately, amount which they can use annually, and especially predatory-type behaviour. Some people have referred to surge pricing. I guess, what are the consumer protections in place for booked services in that environment?

**Mr MONFORTE:** Would you like to take that, Tammy, just to share it around?

**The CHAIR:** Yes, Tammy, it is probably more of a CPVV question. So what is the consumer protection today, because obviously we are talking about more consumers and more competition, but sometimes you might be in a situation where there is really only one provider locally, or two at best?

**Ms O'CONNOR:** Yes, thank you. Booking service providers are required to provide an estimate of the booked trip cost or fixed fare to a passenger if they request it, and it is most common for booking service providers to offer a fixed fare up-front before their booking is confirmed, which gives full transparency over the total cost of the trip to the passengers, and they can choose whether to accept it or to select a different service based on the offer. Certainly in this respect the industry reforms have ensured passengers are provided an opportunity to make better and more informed travel choices.

**The CHAIR:** Thank you for that, Tammy. I think you have kind of answered my question. You are just saying that the fact is that they kind of know beforehand, so that is the protection.

I might go over to Mr Barton, because I know he is eagerly waiting. Mr Barton, over to you. I think we have still got 20 more minutes.

**Mr BARTON:** You should not make Joe and the team go through this.

**The CHAIR:** Remembering the terms of reference.

**Mr BARTON:** You keep telling me that.

The problem we have with the numbers: we do not know who is active, so I do not know, Joe, how you can say we have had a 50 per cent increase in services, because if I asked you to tell me how many people left the industry in the last 12 months, could you tell me that?

**Mr MONFORTE:** I think I indicated that we have had reports that people have left the industry, and if you asked me to name who tells us that, well, you are one of the people who has told us that.

**Mr BARTON:** Surely the regulator should know who is actually active in the industry?

**Ms O'CONNOR:** Maybe I can cut in, Joe.

**Mr MONFORTE:** Yes, sure.

**Ms O'CONNOR:** Yes. So, certainly, Mr Barton, the MPTP data and BSP data provide us with a strong understanding of current industry activity, including service demand and operator volumes. You are not required to remain active in order to remain accredited or registered, and so the environment is that as long as you pay your fee and we do not take any otherwise—

**Mr BARTON:** You have not charged a fee for three years.

**Ms O'CONNOR:** Yes, I will get to that. So certainly there is an issue around—

**Mr BARTON:** Four years.

**Ms O'CONNOR:** Certainly the legislative environment only enables us to take action against inactivity if either there is non-payment of a fee or there is a reason for us to take disciplinary or enforcement action. Yes, I acknowledge that fees have been paused in relation to driver accreditation and vehicle registration to support the industry during COVID-19, and I do recognise, Mr Barton, that vehicle registration fees have not commenced since the reforms prior to that. So I do recognise that. I acknowledge that that may mean that people who intend to exit the industry have not done so because they have not been required to pay a fee. Certainly we believe that the reintroduction of fees, when that decision is made, will allow us a much better indication of who has permanently left the industry, rather than people who may just be inactive for a period of time. You know, certainly, as you would be aware, many people in this industry use this as a secondary source of income, so it is quite common for people to, certainly pre COVID-19, just use the vehicles and use this environment for peak periods, be that major events or other things. So just because someone is inactive may not mean that they intend to permanently exit the industry. In terms of how we are managing this in the interim, I would just inform you, though, Mr Barton, that we have created a dedicated team to engage with drivers and vehicle owners to identify who remains active in the industry and ensure we have current details, and where providers indicate they have permanently exited the industry we are encouraging and supporting them to surrender their accreditation or registration.

**Mr BARTON:** How many BSPs have we got in Victoria?

**Ms O'CONNOR:** I do not know the exact number off the top of my head, but it is about 250.

**Mr BARTON:** Right. Every month CPVV puts up numbers. We have 120 000-odd drivers and we have got 80 000-odd vehicles. At best guesstimates we are having somewhere around 25 per cent of the industry, and it could be as high as 35 per cent of the industry, who are not BSPs. One of the criticisms coming from the industry is that you are only going after people who obey the law, right? You are going after the BSPs. Everything you have spoken about is irrelevant to 25 per cent, 30 per cent of the industry. What are you doing about bringing those people compliant and making sure that they are meeting their requirements? Because it is incredibly unfair, and I just refer to the Geelong operator who is getting audited again for the second time this year. It is really good to go back to someone you know is always doing it, so you come back and say, 'Yes, everybody's doing the right thing'.

**Ms O'CONNOR:** If I can just clarify, I think there are two parts to that. One is perhaps in relation to our audit program, and just to clarify: we take a risk-based approach to our safety and compliance activity. And so that does mean we pay more attention to the large booking service providers, because they have a significant impact across the industry. And so we do ensure that we are dealing with large booking service providers regularly. I think your other question relates to unaffiliated drivers.

**Mr BARTON:** Yes.

**Ms O'CONNOR:** Okay. Certainly there is no obligation, since the government reforms, for a driver to be affiliated with a booking service provider, but that does not mean we do not know who they are in the sense that all vehicles are required to be registered with us and all drivers must be accredited. And certainly all industry participants have safety duties. As part of our compliance activity we inspect vehicles across the registered commercial passenger vehicle fleet, be they affiliated or unaffiliated with a booking service provider.

**Mr BARTON:** The problem is not happening with 13CABS or Uber. The issues the industry is having are the ones outside of the system.

**Ms O'CONNOR:** Are you able to clarify for me which issues you are referring to?

**Mr BARTON:** Well, cars which are not compliant; taxis which do not have cameras inside them, but they have a GoPro in there because they are not required to get picked up—all that sort of stuff. You aware of what

is going on in the industry, but it is just a question of how you protect it. The issues: from touting, cars which are not meeting the standards, licensing and all that sort of stuff. You simply do not know who they are.

**Mr MONFORTE:** Mr Barton and Chair, I am just not sure how this sits within the terms of reference for this inquiry.

**Mr BARTON:** The Multi Purpose Taxi Program? It is about making sure that we are supplying an absolute—

Safety is part of our remit here, and we want to make sure that people who should not be in it—

**The CHAIR:** Mr Barton, are you suggesting that there are vehicles that are multipurpose taxi registered that are not complying? Is that what you are suggesting?

**Mr BARTON:** Absolutely.

**The CHAIR:** I am not sure, but where is the question? Can you just rephrase the question in relation to multipurpose taxis? Not the broad sector, but just the Multi Purpose Taxi Program.

**Mr BARTON:** How do we make sure for the people who are involved in the Multi Purpose Taxi Program that their vehicles meet the requirements? It was certainly put to us on Tuesday that some people who have been sacked from a taxi company have gone off to drive for Uber when in fact they should have actually been kicked out of the industry altogether. So they are the sorts of things we want to make sure of so we clean the industry up.

**Ms O'CONNOR:** Certainly, Mr Barton, whether you are affiliated with a booking service provider or not, as a vehicle owner you have a safety duty to ensure that the vehicle you are using for commercial passenger services is fit and serviceable and in an appropriate condition. That is irrespective of whether you are affiliated with a booking service provider or not. And as I said, we inspect vehicles across the commercial passenger vehicle fleet. But if you or any industry participant has any information about providers that you have concerns about, I would encourage you to refer those matters to us for our investigation.

**Mr BARTON:** I am not an inspector for Commercial Passenger Vehicles Victoria. All I know is my phone is going absolutely ballistic from the industry here at the moment. I have just got a message in regarding Net-Cabs, and I am advised that they did do a live trial. It did run for about three months, and Net-Cabs had to pay around \$80 000 to pay the subsidy fees. That seems like a lot more trips than six, so that is an indication. Now, I have not had that confirmed, but that is what has been coming in. It is unfortunate that Silver Top has not come in here too. We have also been speaking to Silver Top, and their CEO advised me that they were told they would have to do a trial of the entire fleet, which is different to what others have been able to do. Were they mistaken?

**Ms O'CONNOR:** A trial of the entire fleet? Certainly that is not our intention. I am not sure if they have been told that at some point—I cannot comment on that—but certainly the intent is that any data collection provider who is seeking to come on board would not need to trial with all of their vehicles, particularly with a fleet as large as Silver Top's.

In relation to that Net-Cabs matter, I am sorry, I will have to take that on notice. It is inconsistent with the information I have. I think, as you are aware, Mr Barton, the trial predates my time at Commercial Passenger Vehicles Victoria, but I can seek clarity on that issue.

**Mr MONFORTE:** It is not surprising that in a Net-Cabs trial that occurred predominantly in metropolitan Melbourne, pre pandemic, there were more trips involved than in a trial in Geelong that occurred during a time that was affected by the pandemic. It might have been a trial of a similar length. Tammy can clarify that, but I mean, there are different circumstances in terms of what drove the number of trips during that trial.

**Mr BARTON:** Why was Geelong selected for the trial?

**Ms O'CONNOR:** I will have to take that as a question on notice. I am sorry, Mr Barton, I do not know that.

**Mr BARTON:** Right. Would it have been a decision for Uber or a decision by you?

**Ms O'CONNOR:** I am not certain.

**Mr BARTON:** Are you able to come back to us with any complaints from the Multi Purpose Taxi Program that taxis have received—say, in the last 12 months, or the last 10 months—and complaints that Uber have received?

**Ms O'CONNOR:** Certainly.

**Mr BARTON:** Do you collect that data?

**Ms O'CONNOR:** We do collect data in relation to complaints, so I am absolutely happy to consider your request in accordance with the usual processes.

**Mr BARTON:** Right. Can you tell me what percentage of trips are actually in WAVs in the Multi Purpose Taxi Program?

**Ms O'CONNOR:** Yes. I do not know the percentage number off the top my head, but certainly in my opening slides I provided the details. I am not sure if the person who was controlling that before is able to bring that back up for Mr Barton. Slide number 5 highlights the number of conventional versus wheelchair-accessible vehicle trips in regional and metro in 2020–21. I am not sure if they are able to, so let me just read them out for you. It was almost 2.5 million conventional trips in metropolitan Melbourne and around 750 000 WAV trips, and in regional it was about 500 000 conventional trips and about 130 000 WAV trips.

**The CHAIR:** Over a quarter—it was almost 30 per cent. They are the rough numbers—over a quarter.

**Ms O'CONNOR:** Thank you. I am a former lawyer. It means I am opposed to numbers at all times, so thank you for that.

**Mr BARTON:** Anybody else got another question while I reflect?

**The CHAIR:** There is a lot to go over to be honest. I did have a lot of questions on my mind because it has been a broader discussion about the whole program. I guess it is about the long-term sustainability. We obviously definitely want the wheelchair-access vehicles to stay in, because we know there is a large up-front investment in those vehicles. They have got to be sustainable so they stay involved. There is also a different geographic spread of those vehicles, which would be handy to get if we could. Even if it is just a postcode on registration, I think that would be helpful, because we all want to see where they inevitably will be. That is why there is a role for government. There might be market failures in certain patches and there might be different incentive schemes that the government might need to look at in due course. I was impressed by the information that there has actually been an increase in the amount of vehicles. Obviously with any program we also have got to look at the other side, and I think they are the things Mr Barton was trying to get at. The point is: how is this also impacting the operators in this sector—the consideration given to them and consultation?

There was a question about COVID, which has actually been on my mind since Tuesday, and I will just ask that now. There was one example that one of the witnesses gave about how COVID compliance is not so practical for people already doing the right thing—so it was given by one of the regional taxi operators. They said how they need to clean their vehicles after every single trip. Obviously taxis are an essential service—this is going back to the Essential Services Commission—and all public transport essential services are not governed that way. So, for example, after every trip on a tram or train, it is not practical to clean the vehicles. They felt—it is more what they felt—that that level of enforcement towards people who are already doing the right thing was not appropriate. Do you have any comment about that, Tammy? So it is more of a COVID question. Any comment about that? You do not necessarily make the health orders, but do you get the argument that they were making in that sense?

**Ms O'CONNOR:** Yes. Certainly in September 2020 the then Department of Health and Human Services identified commercial passenger vehicle driving as the second-highest risk occupation in Victoria for the transmission of COVID-19. As I understand it, that relates particularly to the fact that you cannot have social distancing in the vehicle and also that there is obviously a high turnover of passengers within the environment. So on that basis new cleaning regulations were developed specifically for the industry in October 2020. They

do require the cleaning of high-touch surfaces after each trip and then a deeper clean at the end of every driver's shift. And you are right, they were developed on advice from the health department.

What I would say, Chair, is that I am very pleased that we have seen a very high level of compliance rates with COVID-19 safety measures across the board within the industry. In terms of cleaning requirements, the QR code requirement and the requirement to wear a mask, they are all over 95 per cent compliant, and so it has been a fantastic—

**The CHAIR:** That has been my experience as well. I use taxis quite a bit, but even in other rideshares that I have had an opportunity to jump in, yes, I have noticed the compliance levels are quite high in the commercial passenger vehicle sector.

**Ms O'CONNOR:** Yes. And I think it is the efforts of the industry in that regard that have allowed them to stay safe and open.

**The CHAIR:** Very good point. Mr Barton, do you have a couple of closing questions or one closing question?

**Mr BARTON:** No. I am overwhelmed with information at the moment.

**The CHAIR:** There have been a lot of questions. I will just say here this it has been very informative. It has been a really great discussion. And the broader policy issues too, of which, as Joe pointed out, some are a bit outside the remit of this inquiry, are worth discussing. It is my first time having an interaction with you, Natalie, Joe and Tammy, and I have really enjoyed the discussion. It has been very informative.

We might have some questions on notice if that is okay, because obviously we have only had two days of hearings in regard to this inquiry. I am sure there will be some questions that we will come up with after. I know the hearings will finish and then after going through the transcripts there might be other questions. Are you guys happy for us to just contact you through the secretariat with those additional questions?

**Ms REITER:** Yes, absolutely.

**The CHAIR:** Thank you very much for that. Thank you all. Thank you to the Department of Transport and Commercial Passenger Vehicles Victoria. It has been a pleasure to have you today at our inquiry. On that note, that will conclude today's hearings.

**Committee adjourned.**