

Towards Inclusive Tourism: Comparative Disability Law Reform in Malaysia and Australia

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ABSTRACT

This article compares disability laws and inclusive tourism policies in Malaysia and Australia. It aims to identify legal gaps, implementation challenges, and best practices that affect accessible tourism for persons with disabilities. Accessible tourism is now widely recognized as a basic human right under the United Nations Convention on the Rights of Persons with Disabilities (CRPD). Therefore, governments are under increasing pressure to introduce effective laws and policies that ensure equal access and participation for persons with disabilities. However, despite these international commitments, differences still exist between countries in terms of enforcement, accessibility standards, and tourism policy implementation. Using a qualitative comparative legal approach, this study examines laws, policy documents, accessibility standards, and previous research related to disability rights and tourism governance in Malaysia and Australia. The study compares Malaysia's Persons with Disabilities Act 2008 and Australia's Disability Discrimination Act 1992, including related building regulations and enforcement systems. It also explores the importance of universal design, digital accessibility, stakeholder involvement, and institutional responsibility in creating inclusive tourism experiences. The findings show that Malaysia has introduced laws and guidelines to improve accessibility, but implementation remains weak due to poor enforcement, limited monitoring, weak coordination, and low awareness within the tourism industry. In contrast, Australia has a stronger and more effective system supported by enforceable anti-discrimination laws, mandatory accessibility standards, legal complaint mechanisms, and coordinated governance between federal and state authorities. These measures have contributed to stronger compliance and greater inclusion of persons with disabilities within tourism infrastructure and services. The article concludes that Malaysia can improve inclusive tourism by introducing stronger laws, mandatory accessibility standards, regular access checks, better cooperation among stakeholders, and policies that involve persons with disabilities. Promoting accessible tourism is important for ensuring social inclusion, protecting human rights, and supporting sustainable tourism growth.

Keywords: Persons with disabilities, Disability, Accessible tourism, Accessibility, Tourism

INTRODUCTION

The global tourism industry is increasingly recognizing accessibility as a fundamental human right, yet the practical realization of inclusive travel remains inconsistent across diverse legal jurisdictions. While international frameworks like the United Nations Convention on the Rights of Persons with Disabilities provide a normative foundation for equality, their translation into national policy varies significantly regarding enforcement and implementation. This disparity is particularly evident when contrasting Australia's robust, multi-tiered legislative approach under the Disability Discrimination Act 1992 with the structural challenges currently impeding progress within the Malaysian tourism sector (Darcy & Dickson, 2009; Saad et al., 2025). This comparative analysis investigates how Australia's integration of stringent building codes and mandatory standards addresses the inherent complexity of the tourism service environment (Darcy, 2009), providing a critical template for reform in Malaysia. By examining Australia's evolution from the Disability Discrimination

Act 1992 to state-level mandates like the Disability Services Act 1993, this article highlights the necessity of shifting beyond voluntary guidelines toward enforceable compliance mechanisms (Boxall et al., 2017; Darcy & Pegg, 2010).

In contrast, Malaysia's current reliance on the Persons with Disabilities Act 2008 reveals significant regulatory deficiencies, including a lack of mandatory access audits and limited enforcement powers that hinder the effective exercise of fundamental rights (Zahari, 2025). While Australia has historically utilized international human rights commitments to catalyze legislative advancements, recent assessments indicate that legislative frameworks alone do not guarantee seamless tourism experiences, as evidenced by persistent barriers in aviation and service delivery (Chen et al., 2024), (Porto et al., 2019). Furthermore, this ongoing implementation gap illustrates the profound limitations of relying solely on statutory provisions without concurrently dismantling the systemic socio-political and economic barriers that perpetuate a "disabling" tourism environment (Michopoulou et al., 2015).

To bridge this divide, policymakers must move beyond mere formal compliance to embrace universal design principles that prioritize dignity and independent functioning across all dimensions of the tourist experience (McIntosh et al., 2024). Effective reform in the Malaysian context requires reconciling the current legislative framework with the nuanced, environment-specific obligations mandated by Article 30 of the United Nations Convention on the Rights of Persons with Disabilities (Darcy & Taylor, 2009). By adopting the capabilities-based theory approach, Malaysia can shift its legal focus from passive protection to the active enablement of disabled citizens as stakeholders in the tourism economy (Kalimuthu et al., 2023). Against this backdrop, a critical examination of the legal and institutional approaches adopted by Malaysia and Australia is necessary to understand how accessible tourism can be transformed from a policy aspiration into an enforceable and inclusive reality.

LITERATURE REVIEW

Academic discourse surrounding accessible tourism has evolved from rudimentary focus on specific physical barriers to a more comprehensive understanding of universal design and human rights. Current scholarship increasingly defines accessibility as a necessity for functioning independently and with equity, emphasizing the integration of mobility, sensory, and cognitive dimensions into the design of tourism products (Darcy et al., 2010). Furthermore, researchers argue that legislative bodies must transition into roles as "educators" and "enablers" to successfully incentivize tourism enterprises to remove physical and systemic access barriers (Gillovic & McIntosh, 2015). However, current studies indicate that the industry remains deficient in translating these normative standards into widespread market products, often citing the complexity of diverse access requirements as a rationale for stalled progress (Cassia et al., 2020). This failure to standardize operational practices effectively maintains "social apartheid," relegating persons with disabilities to segregated or inadequate facilities rather than fostering genuine integration (Dickson et al., 2016). Crucially, scholars contend that this persistent exclusion often stems from an outdated legislative emphasis on major, visible impairments, which fails to accommodate the burgeoning spectrum of hidden disabilities (Hansen et al., 2021).

Consequently, the social model of disability challenges the traditional perception of impairment as an individual defect, framing the lack of accessible infrastructure instead as a systemic failure of society to facilitate full participation (Garrod & Fennell, 2021). This paradigm shift underscores that the impediments PwDs encounter are not inherent to their conditions but are rather the consequence of environmental and architectural restrictions that deny them equal access to tourism goods and services (Guamán-Guevara et al., 2023). This evolution of the disability paradigm necessitates that policymakers move beyond a purely medicalized view of impairment, which historically prioritized the correction of individual deficits over the systemic removal of environmental barriers (Zajadacz, 2015). This shift toward a social model highlights the pervasive, socially constructed nature of disability, necessitating a move away from standardizing service models that often marginalize individuals through exclusionary practices (Hua et al., 2025; Rickly & Hansen, 2025). Adopting this framework necessitates identifying specific environmental, attitudinal, and communication constraints that perpetuate exclusion, as these barriers fundamentally limit the agency and social participation of individuals with impairments (Rubio-Escuderos et al., 2021).

By mapping these constraints, stakeholders can effectively dismantle the physical and systemic obstructions, such as inaccessible transport or prohibitive facility design that render tourism services exclusive (Fennell & Garrod, 2021). Central to this transformation is the concept of the “travel chain,” which posits that the tourism experience is only as accessible as its most restrictive segment, whether in transit, accommodation, or destination activities (Darcy, 2012). Consequently, addressing this holistic journey requires moving beyond sector-specific interventions to incorporate an embodied understanding of the destination experience, ensuring equality of offering for all tourists (Darcy et al., 2020). This comprehensive perspective confirms that destination demand is not merely a product of physical infrastructure, but is deeply influenced by the perceived reliability of information and the quality of interpersonal engagement provided by staff (López et al., 2025). Indeed, the dehumanized experiences frequently reported by travelers with mobility needs underscore that staff attitudes and a lack of disability awareness are as critical as physical infrastructure in determining the inclusivity of a tourism destination (Devis-Rozental et al., 2026). This reality reflects the broader social model's assertion that exclusionary structures, encompassing both physical impediments and pervasive, hostile attitudes, effectively transform individuals into 'disabled' subjects within the tourism landscape (McKercher & Darcy, 2018).

Furthermore, the current lack of transparent, verifiable data regarding facility accessibility frequently compels travelers to abandon leisure plans entirely, as existing industry symbols often mask deep deficiencies in infrastructure (Bowtell, 2015). Therefore, integrating universal design principles into the digital tourism ecosystem is essential to eliminate these barriers and provide accurate, reliable information that empowers independent travel (Fernández-Díaz et al., 2022). Addressing these informational deficits requires service providers to prioritize duty and justice over conventional business practices by implementing specialized accessibility adaptations (Jamin et al., 2024). Beyond providing basic wheelchair access, such adaptations must encompass multimodal support, including embossed signage, subtitling systems, and tailored service offerings that address sensory and cognitive needs (Özoğul & Baran, 2016). Moreover, this transition requires a shift from viewing accessibility as mere technical compliance to fostering immersive, dignified encounters that account for the entire tourist journey (Stankov et al., 2024; Vila & Darcy, 2024). Scholars emphasize that bridging this information gap is fundamental to reducing social exclusion, as the failure to provide accurate digital resources forces individuals to navigate a fragmented tourism landscape (Demurtas et al., 2025), (Eichhorn et al., 2008), which often leads to heightened anxiety and a pervasive sense of uncertainty for disabled travelers (Devis-Rozental et al., 2026). This systemic lack of reliable, standardized information often manifests as a form of "service failure," where even well-intentioned providers inadvertently deny individuals the autonomy required for a dignified tourist experience (Vardhini et al., 2025).

Given the existing disconnect between formal planning and the actual provision of accessible amenities, the reliance on incomplete or inaccurate information, including the absence of specialized content regarding the tourism suprastructure which further compounds the challenges faced by travelers with special needs (Popović et al., 2022). Indeed, the chronic scarcity of detailed, verified information creates a profound barrier, as the quality and granularity of available data often fail to meet the individual requirements of travelers with higher accessibility needs (Teixeira et al., 2023). This digital divide frequently forces travelers to rely on anecdotal evidence or unreliable third-party platforms, which can lead to significant physical and psychological constraints during their journey (Teixeira et al., 2024). This persistent reliance on incomplete and fragmented information frameworks reinforces the urgent need for innovative digital platforms that facilitate transparent knowledge transfer among all stakeholders (Alves et al., 2022). Such digital interventions must transition from superficial technical compliance toward user-centered design methodologies that actively integrate the input of persons with disabilities during the development lifecycle (Teixeira et al., 2024).

By utilizing comprehensive accessibility audits to populate these platforms, destinations can provide granular data on infrastructure and routes, ultimately transforming fragmented information into a reliable, inclusive guide (Achillas et al., 2024). Such an integrated digital ecosystem not only fosters coordination among diverse tourism market participants but also ensures that universal design principles are consistently embedded across all products and services (Strelnikova et al., 2023). Integrating such technology acts as a vital tool for the co-creation of value, effectively mitigating the perceived hostility and uncertainty that often discourage individuals with diverse impairments from participating in the tourism economy (Buhalis et al., 2019). However, to ensure these digital ecosystems provide genuine utility, providers must ground their design frameworks in the lived experiences of users rather than relying on generic accessibility assumptions (Mastrokourou & Oikonomou,

2025). This shift necessitates a departure from traditional, homogenous market segmentation toward the use of advanced profiling technologies that accommodate the unique requirements of diverse disability sub-segments (Buhalis & Michopoulou, 2010). Effective implementation of these inclusive strategies requires that destination management organizations assume a leadership role in harmonizing these digital tools with physical infrastructure upgrades (Hayden et al., 2024). This coordination is essential to bridge the gap between fragmented tourism services and the creation of a seamless, equitable journey for all individuals (Cassia et al., 2020).

Ultimately, such digital-first strategies align with the broader imperatives of the United Nations Convention on the Rights of Persons with Disabilities, which mandates that states ensure access to information and communications technologies on an equal basis with others. In this context, technology serves as a critical enabler for responsible innovation, ensuring that digital accessibility and assistive tools remain foundational to promoting sustainability and genuine social inclusion (Dar & Dar, 2024). By leveraging the interconnectivity of smart tourism frameworks, destinations can reengineer internal processes to deliver real-time, personalized assistance that effectively removes both physical and service-based barriers (Buhalis, 2019; Lin et al., 2022). This transition towards smart, inclusive destinations creates an exceptional opportunity for providers to enhance the quality of the tourism product while fostering a more competitive and sustainable market. Yet, this potential remains largely unrealized in many jurisdictions, where the integration of accessibility remains siloed rather than systemic (Boes et al., 2016).

Consequently, bridging this gap requires a paradigm shift that integrates the needs of senior travelers and persons with disabilities into the very core of smart city and tourism planning (WEE et al., 2023). This integration demands that stakeholders transcend mere infrastructure provision to view accessibility as a fundamental component of social equity (Fernández-Díaz et al., 2022). Within this framework, the United Nations Convention on the Rights of Persons with Disabilities establishes that enabling access to leisure, recreation, and tourism is a fundamental human right that necessitates a departure from viewing disability as a homogenous experience (Hayden et al., 2024). Rather than relying on universalized accessibility standards, policymakers must adopt nuanced frameworks that recognize the distinct physical and digital requirements of diverse disability sub-segments (Çetinkaya, 2025). Accordingly, the strategic integration of intelligence within urban mobility and governance systems, often termed "smart tourism", must pivot from technical efficiency toward prioritizing the fundamental well-being and autonomy of disabled stakeholders (Rahmadian et al., 2023).

Furthermore, as destinations evolve into "smart" environments, they must explicitly incorporate these cohorts into their development models to avoid the pitfalls of exclusion that currently marginalize over 30% of the global population (Rucci et al., 2021). In this context, the expansion of smart tourism must be viewed as a critical mechanism to reduce existing inequalities, ensuring that the 2030 Agenda for Sustainable Development is effectively translated into tangible, accessible outcomes for all citizens (Arbidāne et al., 2023). By adopting such technology-driven approaches, destinations can align their developmental objectives with broader goals of sustainability and social empowerment (Alsharif et al., 2024), (Buhalis et al., 2023). thereby recognizing that accessibility acts as a catalyst for both individual agency and destination competitiveness (Guillén et al., 2025). This is particularly relevant given that the global tourism market remains severely underserved due to the persistent lack of accessible infrastructure and services, representing a vast, untapped economic potential (Ramírez & Ferreira, 2018). Bridging this supply-demand gap requires moving beyond fragmented local initiatives to embrace sophisticated modeling techniques that optimize itinerary planning for accessibility alongside economic and cultural viability (Suanpang et al., 2025). This imperative underscore the necessity for destinations to adopt rigorous, indicator-based performance frameworks that quantify accessibility management and implementation as core pillars of destination quality (Leporiere & Andrades, 2024).

Such performance frameworks facilitate a proactive approach to destination management, enabling authorities to transform accessibility from a secondary consideration into a measurable driver of long-term sustainable development (Rucci et al., 2021). By leveraging real-time data to optimize accessibility, destination managers can enhance both the social impact and the overall competitiveness of their tourism ecosystems (Puig-Cabrera & Robles, 2025). Indeed, by embracing smart governance and a tourist-centric vision, stakeholders can better align technological infrastructure with the quality-of-life imperatives essential for fostering truly inclusive

environments (Errichiello & Micera, 2021). Hence, the divergence between Malaysia's current legislative approach and Australia's more established regulatory frameworks warrants a comparative analysis to identify actionable strategies for legal reform.

METHODOLOGY

This article employs a comparative legal research methodology to evaluate the legislative frameworks and enforcement mechanisms governing disability rights in Malaysia and Australia. By examining the intersection of the Australian Disability Discrimination Act 1992 and Malaysia's Persons with Disabilities Act 2008, this study identifies critical legislative gaps that hinder the realization of inclusive tourism (Vila et al., 2014). The analysis specifically contrasts Australia's robust, litigation-backed compliance standards against Malaysia's primarily policy-driven, non-binding framework. This divergence underscores the urgent need for a more prescriptive regulatory approach, particularly as digital platforms become the primary gateway for tourism consumption (Kozoriz, 2025; Vila et al., 2017). Consequently, this inquiry explores how the integration of digital sustainability into regulatory policies can catalyze a shift toward a more transparent and barrier-free online marketing landscape for individuals with disabilities (Theofanous et al., 2024). By critically assessing the effectiveness of these respective legal instruments, this research highlights how equitable digital access functions not merely as a technical requirement, but as a fundamental human rights imperative (Vila et al., 2024).

Furthermore, this study examines how the legal transition from discretionary guidelines to mandatory accessibility standards can enhance social inclusion by addressing the economic and business necessities of the tourism sector (Balan & Raghavan, 2022). Central to this legal evolution is the recognition that accessible tourism serves as a cornerstone for social integration and the upholding of human rights, particularly as the number of individuals requiring specialized access is expected to reach 30% of the global population (Anggraeni et al., 2024). By framing accessibility as both a moral imperative and a significant economic opportunity, policymakers can encourage stakeholders to move beyond minimal compliance (Fuchs, 2023; Rizova & Dimova, 2025). Furthermore, this shift necessitates a transition toward a holistic model of inclusive development that incorporates the direct participation of persons with disabilities in all stages of policy formulation and infrastructure design (Gillovic & McIntosh, 2020).

This participatory approach directly addresses the current limitations in Malaysian policy, where inclusive practices often remain ad hoc and disconnected from the lived experiences of the disability community ((UiTM) & Kumar, 2023). To bridge this regulatory divide, Malaysia may look to international standards such as ISO 21902, which provides a framework for harmonizing accessibility practices and fostering the stakeholder collaboration necessary to operationalize universal design (Maria et al., 2025), (Maria et al., 2025). Moreover, because current legislative frameworks often lack binding technical requirements, adopting standards such as the Web Content Accessibility Guidelines is essential to eliminate the digital divide and ensure equitable online service provision (Liginlal & Al-Emadi, 2026; Sukmaningsih, 2025). Overall, this methodological approach provides a comprehensive basis for assessing the effectiveness of disability and accessibility laws in promoting inclusive tourism practices and sustainable policy reform in both Malaysia and Australia.

RESULTS

The comparative analysis reveals that Australia's Disability Discrimination Act 1992 establishes a sophisticated, enforceable nexus between digital information transparency and physical infrastructure access, a benchmark that remains largely aspirational in the Malaysian context (Ferri & Favalli, 2018). While the Australian framework effectively leverages legal remedies to compel compliance, Malaysian regulatory efforts suffer from the absence of organized monitoring systems and formal enforcement mechanisms, which inhibits the implementation of universal design in the hospitality sector. This systemic failure to provide clear avenues for legal redress, contrasted with Australia's established judicial and quasi-judicial pathways, leaves Malaysian citizens without effective means to challenge exclusionary practices (Tan et al., 2019). Existing literature corroborates that despite the existence of the Persons with Disabilities Act 2008, the lack of compulsory adherence renders these provisions largely ineffective in protecting individuals from persistent discriminatory treatment (Ta & Leng, 2013).

Regulatory Gaps, Reasonable Accommodation, and International Alignment

First of all, this disparity is exacerbated by the absence of explicit procedures for reasonable accommodation within the Malaysian legislative landscape, which contrasts sharply with the proactive obligations mandated under Australian law. This regulatory deficiency is further compounded by a reliance on aspirational rhetoric rather than binding Standard Operating Procedures, which historically undermines the delivery of consistent and equitable tourism services (Rohimat, 2026). Indeed, the lack of harmonization between national norms and international mandates, such as the United Nations Convention on the Rights of Persons with Disabilities, continues to obstruct the development of a unified legal baseline in Malaysia (Asilbekovna, 2023). Moreover, the prevailing neglect of digital inclusivity in Malaysian tourism policy mirrors a broader regional failure to mandate technical accessibility standards, such as WCAG 2.1, which are critical for ensuring that online reservation platforms do not exclude potential travelers (Bose & Gaur, 2026). Additionally, the absence of a centralised framework to govern the burgeoning short-term rental market further complicates the legal landscape, as disparate regulatory provisions fail to address the specific accommodation needs of persons with disabilities (Geoffrey et al., 2025).

Physical Accessibility Standards and Enforcement Deficiencies in Malaysia

In contrast, the Malaysian approach has largely relied on technical guidelines like the Uniform Building By-Laws 1984 and Malaysian Standard 1184:2002 to govern physical environments, yet these instruments lack the punitive enforcement power necessary to ensure universal compliance (Wazani et al., 2021). Indeed, the persistent lack of strict penalties and formal accountability mechanisms within the Persons with Disabilities Act 2008 underscores the necessity for comprehensive legal reform that establishes clear, enforceable liability for non-compliance in the tourism sector (Amin et al., 2021). By shifting from a purely facilitative to a robust rights-based enforcement model, Malaysia could better align its legislative output with international standards, ensuring that tourism accessibility is not merely an optional amenity but a legally protected entitlement (Azizi et al., 2021; Mokhtar, 2019). Such a transition necessitates the integration of Section 32 of the Persons with Disabilities Act 2008 into a more comprehensive enforcement framework, effectively transforming the current aspirational right to participate in leisure activities into a mandatory standard for tourism service providers (Abdullah et al., 2024). Furthermore, strengthening the Tourism Industry Act 1992 to include mandatory accessibility criteria as a prerequisite for licensing would mitigate current gaps in enforcement (Bakar et al., 2024). This integration would compel stakeholders to address systemic oversights, such as the persistent failure to provide adequate physical access at heritage sites and transit hubs that currently bypass international obligations under the UN Convention on the Rights of Persons with Disabilities (Isa et al., 2016).

International Obligations and Heritage Tourism Accessibility

In particular, Article 31 of the Convention highlights the necessity of guaranteeing access to both cultural performances and tourism infrastructure, a mandate that requires Malaysia to explicitly codify these rights within its domestic regulatory framework to honor its commitment to inclusive heritage management (Hooi & Yaacob, 2019). Integrating these principles is particularly urgent given that while Malaysia has introduced building standards like MS 1183 and MS 1184, their application remains fragmented across heritage sites, thereby marginalizing visitors with diverse mobility or sensory needs (Zahari et al., 2016, 2023). This situation is particularly problematic in historic locations like Penang and Malacca, where the preservation of cultural heritage frequently takes precedence over the essential accessibility requirements needed to cultivate a truly inclusive tourism landscape (Marsin et al., 2013; Phan, 2016). Furthermore, unlike the rigorous and integrated governance structures developed for the nation's Muslim-friendly tourism sector, where standardized assurance schemes provide both consumer confidence and operational clarity, accessibility standards for persons with disabilities lack a comparable regulatory oversight body (Purba et al., 2024; Zaidi et al., 2025). Consequently, establishing a dedicated accessibility certification entity could bridge the gap between policy intent and actual physical implementation, ensuring that hospitality service providers adhere to consistent universal design requirements (Hansen & Fyall, 2021; Pravita et al., 2023).

Universal Design and Structural Reform in Tourism Governance

Adopting such a holistic approach would move Malaysia toward the "universal design" model, which prioritizes the needs of the entire population through barrier-free environments rather than relying on reactive adjustments (Doan & Nguyen, 2023). By contrast, Australia's Disability Discrimination Act 1992 offers a superior model by leveraging legal redress and strategic planning to mandate that tourism operators proactively dismantle access barriers (Darcy & Dickson, 2009). By integrating the Disability Standards for Accessible Public Transport and the Building Code of Australia, the Australian framework effectively mandates that tourism accommodation, classified as Class 3 development, meets strict mobility requirements that are enforceable under federal law (Darcy, 2009). Furthermore, the Australian model empowers individuals through established complaint mechanisms and the requirement for state-level Disability Access and Inclusion Plans, which compel public authorities to actively remove systemic barriers to participation (Boxall et al., 2017). Evidence from existing literature confirms that while Australia utilizes these legislative instruments to address the diverse mobility, vision, and cognitive access requirements of all travelers (Darcy et al., 2010), Malaysia's reliance on voluntary compliance consistently fails to account for the actual tourism experiences of individuals with disabilities (Saad et al., 2025).

Enforcement Mechanisms, Complaints Systems and Institutional Integration

Australia's experience demonstrates that effective regulation must go beyond construction standards to include mechanisms for resolving individual service-related grievances, as evidenced by the high volume of accommodation-based complaints processed under the Disability Discrimination Act (Darcy & Pegg, 2010). Such an enforcement-oriented paradigm illustrates that legislative bodies must transition into active "enablers" by establishing financial support programs and clear, influential agendas that mandate accessibility across the broader tourism enterprise (Gillovic & McIntosh, 2015). Ultimately, the effectiveness of Australia's legislative framework stems from its ability to synchronize federal antidiscrimination mandates with granular state-level planning, creating a cohesive regulatory environment that directly influences site-specific access outcomes (Porto et al., 2019). This systemic integration is further bolstered by access auditing practices that align the Building Codes of Australia with the Disability Standard for Access to Premises, ensuring that tourism infrastructure accounts for mobility, sensory, and cognitive accessibility in tandem (Dickson et al., 2016). Conversely, the Malaysian reliance on voluntary adoption of standards remains hindered by an absence of similar institutional coordination, leading to a disconnect between national policy objectives and the localized operational reality of tourism service providers (Dickson et al., 2017). To address this, Malaysia should move beyond tokenistic consultation and adopt a co-design approach that centers the lived experiences of persons with disabilities in policy development, ensuring that accessibility measures are not merely top-down mandates but practical, user-informed solutions (Rickly & Hansen, 2025).

Citizenship-Based Transformation and Multi-Stakeholder Collaboration

Adopting the Citizenship-Based Transformation approach would shift the narrative from seeing disabled individuals as passive beneficiaries to active citizens, thereby fostering a more integrated and comprehensive tourism ecosystem (Kalimuthu et al., 2023). This shift necessitates that Malaysia reform its legislative architecture to mirror Australia's multi-tiered governance, where federal, state, and local entities must harmonize building codes and urban planning to eliminate structural exclusion (Darcy & Dickson, 2009). This shift in regulatory strategy must also address the chronic under-representation of persons with disabilities in tourism policy development, as recent evidence suggests that their voices are largely absent from the discourse surrounding industry workforce and planning initiatives (Lu et al., 2024). Such structural deficiencies are compounded by the lack of mandatory access audits for tourism-related buildings, which currently prevents the objective verification of barrier-free environments (Rosemary et al., 2016; Zahari, 2025). Furthermore, effective progress in this sector requires an organic, circulatory approach to stakeholder collaboration, ensuring that communication and clarity of roles are integrated across all levels of the tourism value chain (Nyanjom et al., 2018). In this regard, Malaysia must institutionalize periodic access audits to monitor compliance across various building typologies, transitioning from the current reliance on voluntary guidelines to a standardized enforcement mechanism (Abdullah & Rahim, 2009). Crucially, these mechanisms must be supported by cross-sectoral partnerships that involve architects, policymakers, and travelers with disabilities to ensure that strategies

are not only legally sound but operationally viable (Michopoulou et al., 2015). By centering the “nothing about us without us” principle, these collaborative frameworks can mitigate the dehumanizing, inhospitable encounters currently reported by travelers and ensure that infrastructure design genuinely addresses diverse mobility and sensory needs (Devis-Rozental et al., 2026; McIntosh & Flemmer, 2025).

Training, Awareness, and Service Quality Transformation

Addressing these systemic gaps requires a departure from earlier research methodologies that prioritized negative narratives, shifting instead toward appreciative inquiry to better incorporate the practical, lived knowledge of persons with disabilities into the design process (N et al., 2022). Beyond physical infrastructure, this reformative agenda must also mandate that service providers receive specialized training, as insufficient human resource development currently remains a critical barrier to equitable hospitality experiences (Putri & Taufik, 2024). Implementing such training programs necessitates a shift toward the collaborative stakeholder models that have proven successful in facilitating inclusive environments, where government agencies and tourism providers integrate the expertise of disability organizations into operational standards (Medarić et al., 2021). In this context, formalizing these partnerships is essential, as studies show that minimal collaboration between industry sub-sectors significantly hinders the promotion of accessible tourism (Rubio-Escuderos et al., 2021). By fostering systematic interaction among stakeholders including urban planners, hospitality operators, and community advocates, Malaysia can bridge the current implementation gap between theoretical policy and the practical realities of service provision (Jamin et al., 2024). This holistic shift towards integrated collaboration must be complemented by the adoption of formal universal design principles, which are currently underutilized in addressing the diverse needs of elderly and disabled tourists (Musa et al., 2025).

Education, Industry Linkages and Digital Accessibility

Embedding these principles within a mindfulness-based framework could further enhance the responsiveness and empathy of service providers, transforming the current, often indifferent, service culture into one of genuine inclusivity and respect (Juhari et al., 2024). Such a transition is vital, as research indicates that fostering hospitable attitudes and prioritizing humanized, dignified encounters are as essential as physical infrastructure in mitigating the anxiety and trauma often experienced by travellers with mobility needs (Devis-Rozental et al., 2026). To effectively bridge this gap, Malaysia should prioritize the implementation of mandatory disability awareness training across the tourism sector, as industry-wide education is crucial for shifting operational mindsets from mere compliance to the delivery of exemplary, inclusive service (Daruwalla & Darcy, 2005). Beyond such training, curriculum reform in architecture and tourism degree programs must explicitly integrate universal design and social inclusion, ensuring future professionals possess the theoretical foundation to build more accessible environments (Zajadacz, 2015). This educational alignment mirrors the necessity of bridging the divide between academic theory and industry practice, a common pitfall that often leaves hospitality graduates ill-equipped to address the complexities of disability in real-world settings (Ghotbi & Dyliaeva, 2025a, 2025b).

To rectify these systemic inadequacies, Malaysia should establish formal research-industry partnerships that facilitate a contextual understanding of universal accessibility and reasonable accommodation across all tourism sub-sectors (Makuyana et al., 2022). Such collaborative efforts should prioritize the development of standardized, accessible digital interfaces that reduce the cognitive load for all users, mirroring the efficacy of established decision-support frameworks in fostering informed and inclusive travel planning (Lu & Zhu, 2024). Overall, the findings demonstrate that effective accessible tourism governance requires more than the existence of legislative provisions; it depends on strong enforcement mechanisms, institutional coordination, stakeholder participation, and the integration of universal design principles across both physical and digital tourism environments.

DISCUSSION

Regulatory Philosophy Divergence Between Malaysia and Australia

The comparative analysis between Malaysia and Australia reveals a fundamental divergence in regulatory philosophy, where Australia’s Disability Discrimination Act 1992 functions as a proactive catalyst for systemic

change, whereas Malaysia's framework remains constrained by inadequate enforcement mechanisms and a lack of legislative mandate for universal design (Abdullah & Jian, 2020; Kadir et al., 2018). While Australia employs a robust complaint-driven model that empowers individuals to challenge discriminatory barriers, the Malaysian context is hindered by an reliance on non-binding codes that lack the punitive force required to ensure accountability. This disparity is exacerbated by a pervasive lack of understanding within the construction and tourism industries regarding the practical application of existing standards, which often leads to the perpetuation of architectural barriers despite the existence of legislative guidance (Yusof & Jones, 2013). This systemic disconnect between policy intent and on-site reality mirrors findings in other jurisdictions where, despite the proliferation of accessibility regulations, the implementation of universal design remains inconsistent across critical tourism infrastructure such as hotels and transit hubs (Apaza-Panca et al., 2025), (Rosemary et al., 2016).

Effectiveness of Legislative Enforcement and Accessibility Standards

Specifically, the efficacy of Australia's approach is underpinned by clear, actionable accessibility standards that impose concrete obligations on service providers, a marked departure from the voluntary nature of current Malaysian benchmarks. Such legislative mechanisms allow for the integration of structured feedback loops, similar to those utilized in other regions where passenger complaints and targeted research inform the ongoing refinement of accessibility regulations (Malagas et al., 2023). Conversely, Malaysia's reliance on non-compulsory guidelines often fails to guarantee practical application, illustrating that enacting policy at a theoretical level is insufficient to drive meaningful change (N et al., 2022). Moreover, the Australian experience demonstrates that legislative success relies not only on formal enactment but also on addressing the complex interplay between individual support needs and environmental barriers (Dickson et al., 2017). However, the Australian model is not without its own structural limitations, as the complaints-based framework can create significant burdens for the individual and remains constrained by opaque, technically dense building codes that are often inaccessible to practitioners (Jackson & Everett, 2019). Ultimately, while Australia's comprehensive legislative protection system serves as a benchmark for governmental coordination, Malaysia must move beyond the preliminary stages of awareness to enforce mandatory universal design requirements within both public and private tourism sectors (Abdullah & Rahim, 2009; Anggraini & Notoprayitno, 2023). To achieve this, policymakers should shift toward a legislated approach to universal design, establishing a single source of compliance that mandates clear penalties for failure to meet accessibility standards (Watchorn et al., 2022).

Inclusive Workforce Integration and Regulatory Reform in Malaysia

Malaysia should leverage its regulatory reform to include the tourism workforce in its inclusivity mandate, addressing the current policy silence that often neglects the lived experiences of persons with disabilities as both employees and service providers. Establishing such comprehensive standards necessitates reconciling the fragmented built environment through integrated planning policies that align with global best practices (Samad et al., 2021). Ensuring this transition requires multi-tiered governance to engage stakeholders across planning, urban design, and tourism sectors, thereby moving beyond superficial facility modifications to address the seamless connectivity of the broader built environment (Amirah et al., 2018; Darcy & Dickson, 2009). This strategy necessitates a paradigm shift from viewing accessibility as a secondary aesthetic adjustment to recognizing it as an essential component of urban connectivity and sustainable tourism infrastructure (Samad et al., 2018). In this regard, integrating accessibility data into digital tourism platforms is critical, as demonstrated by Australia's efforts to incorporate inclusive features within the Australian Tourism Data Warehouse to improve consumer information flow (Darcy, 2009). Legislative bodies must build upon this foundational data by serving as both educators and enablers, proactively incentivizing enterprises to dismantle physical and informational barriers (Gillovic & McIntosh, 2015). This transition requires moving beyond sporadic, reactive retrofitting toward a mandatory, unified framework that embeds universal design principles into the lifecycle of all tourism-related developments (Rahim, 2014).

Whole-of-Life Accessibility and Universal Design Integration

In addition, this transition demands a move from a siloed regulatory perspective to a "whole of life" approach that acknowledges accessibility as a prerequisite for sustainable tourism development (Darcy et al., 2010). This integration of universal design is essential to enhance the global competitiveness of tourist destinations, as accessibility functions as a critical investment factor for diverse traveler demographics (Michopoulou et al.,

2015). Furthermore, institutionalizing these standards requires addressing the industry's knowledge gap, as the prevailing lack of disability-specific training among staff continues to undermine the quality of service for travelers with hidden and physical impairments (Kalimuthu et al., 2023). To bridge this gap, Malaysia could adopt a professionalized model similar to international initiatives that integrate occupational therapists within Destination Management Organizations to champion universal design and ensure that service delivery aligns with the holistic needs of all visitors (Rickly & Hansen, 2025). This interdisciplinary synergy effectively bridges the gap between infrastructure development and quality service delivery, addressing the critical lack of awareness regarding the diverse requirements of the broader disability spectrum (Hansen et al., 2021).

Participatory Governance and Multi-Stakeholder Collaboration

Ultimately, this shift toward a more inclusive tourism framework necessitates a collaborative approach that prioritizes public participation and stakeholder involvement to ensure that infrastructure development, product offerings, and information dissemination reflect the genuine needs of persons with disabilities (Medarić et al., 2021). Such participatory governance, as underscored by the necessity for strategic alignment between government, industry, and civil society, is foundational to overcoming the persistent limitations of inadequate infrastructure and budget constraints (Putri & Taufik, 2024). By fostering these multi-stakeholder partnerships, Malaysia can mitigate the non-collaborative dynamics and discriminatory practices that often impede progress when industry stakeholders operate in isolation (Rubio-Escuderos et al., 2024). The creation of a cohesive, systemic framework requires moving toward an organic and developmental approach that clarifies roles, responsibilities, and communication channels among all tourism actors (Nyanjom et al., 2018). Such an approach must necessarily incorporate robust educational frameworks, such as those that leverage vocational training and industry-aligned competency development, to ensure that service providers are adequately equipped to meet the diverse needs of travelers (Hassan et al., 2025).

Economic Potential and Data-Driven Inclusive Tourism Development

Beyond structural reform, the transformation of the supply sector depends on reframing disability from a peripheral social concern into a competitive economic priority, supported by data that quantifies the significant revenue potential inherent in this growing market segment (Zajadacz, 2015). Indeed, aligning tourism policy with the demonstrated market value of inclusive products which represents a significant economic opportunity (Bowtell, 2015), can incentivize private sector investment by framing accessibility not as a cost burden, but as a catalyst for industry growth (Towoliu et al., 2025). Effective implementation of this strategy hinges on fostering robust inter-organizational cooperation, ensuring that government agencies, private enterprises, and non-governmental organizations operate under a shared, well-informed commitment to accessibility (Kusuma et al., 2022). Drawing from the successes of international smart tourism ecosystems, Malaysia must prioritize the integration of data-driven personalization and accessible digital infrastructure to facilitate informed decision-making for all travelers (Tee, 2024). By establishing an index-based monitoring system similar to those utilized in comparative studies of destination competitiveness, Malaysia could systematically measure the political will and implementation effectiveness of its accessibility policies (Porto et al., 2019). Therefore, achieving a truly inclusive tourism sector in Malaysia requires a comprehensive and enforceable governance framework that integrates universal design, stakeholder collaboration, digital accessibility, and continuous institutional commitment to ensure equal participation and sustainable tourism development for persons with disabilities.

CONCLUSION

The comparative study of Malaysian and Australian disability frameworks underscores that legal mandates and rigorous enforcement are indispensable for transitioning from tokenistic accessibility to genuine inclusion in the tourism sector. Moving forward, Malaysia must transition from voluntary guidelines toward a mandatory legislative framework that incentivizes institutional accountability and integrates inclusive design into the core of its national tourism policy (Saad et al., 2025). By adopting a participatory governance model that actively engages persons with disabilities in policy formation, Malaysia can circumvent the exclusionary discourse often found in industry planning and ensure that infrastructure developments reflect the diverse needs of all travelers (Lu et al., 2024). Furthermore, rectifying the current legislative deficiencies such as the absence of mandatory

access audits and the limited enforcement authority of the National Council for Persons with Disabilities is essential to align domestic statutes with the Convention on the Rights of Persons with Disabilities (Zahari, 2025).

Ultimately, fostering a truly accessible tourism landscape requires shifting from a reactive complaints-based model to proactive, whole-of-life planning that treats universal design as a fundamental requirement for social and economic sustainability (Boxall et al., 2017; Darcy & Dickson, 2009). Central to this evolution is the imperative for robust stakeholder collaboration, which serves as the foundational mechanism for reconciling the disparate needs across the tourism value chain (Michopoulou et al., 2015; Nyanjom et al., 2018). Furthermore, this multi-stakeholder engagement must be underpinned by a strategic commitment to transparency, ensuring that comprehensive accessibility data is readily available to facilitate informed consumer decision-making and enhance the overall competitiveness of tourism destinations (Porto et al., 2019; Putri & Taufik, 2024). By prioritizing these systemic improvements, Malaysia can dismantle the disabling norms that currently marginalize travelers with disabilities, transforming tourism from an exclusive service into an equitable human right (McIntosh et al., 2024).

This transition towards a rights-based framework demands that legislative bodies function as both “educators” and “enablers,” proactively distributing access requirements to enterprises while establishing clear financial support programs. Such measures must be coupled with rigorous inter-sectoral cooperation to ensure that accessible tourism products are designed through a collaborative process involving governments, industry stakeholders, and the disability community (Bulgan & Oksay, 2021). By institutionalizing this inclusive framework, Malaysia can create an environment where accessible tourism is recognized not merely as a social ideal, but as a critical precondition for sustainable development and future economic growth (Kalimuthu et al., 2023; Medarić et al., 2021). In conclusion, the Australian experience demonstrates that effective accessible tourism governance depends not only on legislative recognition of disability rights, but also on strong enforcement mechanisms, institutional coordination, and active stakeholder participation. Therefore, for Malaysia to achieve a genuinely inclusive and sustainable tourism sector, future reforms must integrate mandatory accessibility standards, universal design principles, and collaborative policymaking to ensure equal participation and dignity for all travelers with disabilities.

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