

EQUALITY AND HUMAN RIGHTS COMMISSION

WRITTEN SUBMISSION

The Equality and Human Rights Commission (EHRC) is the National Equality Body (NEB) for Scotland, England and Wales, working across the nine protected grounds set out in the Equality Act 2010: age, disability, gender, race, religion and belief, pregnancy and maternity, marriage and civil partnership, sexual orientation and gender reassignment. We are an “A-status” National Human Rights Institution (NHRI) and share our mandate to promote and protect human rights in Scotland with the Scottish Human Rights Commission (SHRC).

The EHRC welcomes the opportunity to contribute to the Committee’s inquiry into the accessibility of Scotland’s major railway stations.

Access to public transport is a critical issue for Scotland’s economy and a critical equality issue for disabled people, older people and parents with young children. A fully accessible and integrated transport system would significantly contribute to increasing the employability of many of Scotland’s disabled people who currently experience a 25% employment gap. Conversely inaccessible transport and inaccessible transport hubs can also contribute to disabled people’s exclusion from the workplace and increase their vulnerability to poverty.

For older people and young families the issues are related to their ability to participate more broadly in Scottish society – as well as travelling for leisure, both groups will rely on public transport to engage in Scotland’s civic society, to volunteer, or simply to shop.

Accessible transport, and therefore accessible transport hubs, is critical to the full participation of all of Scotland’s diverse communities in our economy and society.

The accessibility of railways stations is regulated by the Equality Act 2010. The Act sets out principles for accessibility, primarily focussed on ensuring access for disabled people although as we note above accessibility has broader social benefits beyond simply avoiding discrimination.

One of the key principles to support disability access is the requirement for Railway station operators to ensure that reasonable adjustments are in place to ensure that a disabled person can use a service as close as it is reasonably possible to get to the standard usually offered to non-disabled people.

These adjustments could include the installation of lifts, ensuring that street and station furniture do not prevent access or make access more problematic, or providing physical assistance for visually impaired passengers arriving at unfamiliar stations.

When the duty arises, service providers such as railway station operators are under a positive and proactive duty to take steps to remove or prevent these obstacles. The duty is ‘anticipatory’. This means that service providers cannot wait until a disabled person wants to use a service, but must think in advance (and on an

ongoing basis) about what disabled people with a range of impairments might reasonably need, such as people who have a visual impairment, a hearing impairment, a mobility impairment or a learning disability.

The EHRC would be happy to provide further information to Committee on aspects of service provider's responsibilities or people sharing protected characteristics either in writing or in any future evidence sessions.

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