

Why Accessibility Matters

Discussion Paper

Neil Jarvis and Dianne Rogers

May 2016

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# Acknowledgements

This discussion paper has been generated from the lived experience of members of the blindness community who have shared their ideas, stories and opinions with us. It aims to stimulate thinking and start conversations about why accessibility matters for people who are blind or have low vision and for the whole community.

Many individuals and organisations are working to ensure people who are blind or have low vision have the same opportunities as everyone else. We especially acknowledge the significant contribution these organisations make in ensuring that the people the Blind Foundation serves can participate in and contribute equally to our communities.

We greatly appreciate the expert assistance of Blind Citizens New Zealand, who generously critiqued the paper and provided valuable advice on the content.

The input from our people, Thomas Bryan, Stephanie Lang, Carina Duke, Judith Haswell, Chris Orr, Jane Moore, and former team members, Neelusha Memon and Kevin Prince, has been important in shaping this paper. Thanks for your contributions. Special thanks to Board Director Judy Small for her advice on improving the discussion paper.

Neil Jarvis, Executive Director - Strategic Relations, Accessibility

Dianne Rogers, Policy Manager

# Executive Summary

The three big hurdles that people who are blind or have low vision have to tackle in the external world are:

* Obstacles in the built environment — inaccessible public buildings, spaces and transport.
* Barriers to information and communication — technologies, inaccessible websites, published materials.
* Attitudes that underestimate the potential of people who are blind or have low vision to contribute to society in the field of, for example, employment.

There is growing discontent about the length of time it is taking to remove these barriers so that people who are blind or have low vision can be included as equal citizens and consumers.

Blind Citizens New Zealand, as well as other organisations and individuals, are saying it is time for a fresh approach to overcoming these and the many other barriers that continue to impede the progress of disabled people in New Zealand.

Removing these barriers would allow people who are blind or have low vision to contribute in all walks of life and work in a range of occupations. Denying anyone access to employment is a waste of human resources and leaves society the poorer.

Fortunately, progress is being made. There is increasing interest in beginning a national conversation about what New Zealand might do to become fully inclusive and accessible, sooner. The Government is working alongside Disabled People’s Organisations to do things differently, such as co-designing the new 2014–2018 Disability Action Plan. This new direction is providing impetus for positive change into the future.

The key questions that people who are blind or have low vision want answers to are:

* What are the key concepts and issues regarding access and accessibility?
* What are the barriers to accessibility?
* What is New Zealand doing right now to include disabled citizens and address their access needs?
* What are the benefits of accessibility to New Zealand?
* What more needs to be done and what can we do?

Answering these questions leaves no room for complacency, though, because New Zealand’s efforts to become a fully inclusive and accessible society have slowed and even slipped backwards in some areas. It may be time to make ‘access for all’ a national Government priority. This will take political clout and bureaucratic innovation, and it will require individuals and organisations to work in partnership to progress ‘access for all’. To realise every New Zealander’s full potential, there needs to be a shift of perspective and a willingness to make every Kiwi count. We need inclusion and accessibility to be part and parcel of mainstream social and economic policy.

The Blind Foundation will continue to work on raising awareness within the communities we serve to increase understanding of accessibility. We will continue to work with consumer advocates towards achieving the goal of making our society accessible. Fundamentally there is a need for change in behaviour to improve access to mainstream goods and services for people who are blind or have low vision. It’s the right thing to do, it’s the smart thing to do and it’s the right time to do it.

# Introduction

## New Zealanders who are blind or have low vision

The estimated numbers of New Zealanders living with sight loss in 2015, based on the Blind Foundation’s Prevalence Study, are:

* All visual impairment (visual acuity 6/12 or worse) = 70,751 (age 15+),
* Severe visual impairment and blindness (visual acuity of 6/24 and worse) = 30,356,

We expect that rates of visual impairment will increase with normal population growth in the short term. By 2020 the estimated numbers are:

* All visual impairment = 73,600.
* Severe visual impairment and blindness = 31,600.

We are still working on the national estimates for "blind"; that is, a visual acuity of 6/60 and worse. This means that already there is a significant number of New Zealanders who do not enjoy the same choices and opportunities as everyone else.

## What do we mean by access and accessibility?

Access means to approach or enter, obtain or retrieve.[[1]](#footnote-1)

Accessibility is our ability to engage with, use, participate in and belong to the world around us.[[2]](#footnote-2)

*Imagine getting on a bus. You are blind but have learned the skills to get on a bus and travel to your destination. You ask the driver to let you know the stop that you want to get off at. The bus company puts glass windows in the bus so that sighted people can see where they want to get off. You think the driver could do the same for you. The driver says, “Sure, I will let you know your stop”, but then he forgets!*

The Ministry of Transport and the New Zealand Transport Agency do not have a national public-transport access policy that requires local transport authorities to make sure that bus company operators are announcing stops for passengers who need this service.

*Imagine going into a District Health Board outpatient eye clinic to see your ophthalmologist about your eye condition. You have a white cane in hand, but the very nice admin officer on the front desk hands you a number and says, “Watch the screen for when your number comes up”!*

There is no mandatory requirement for District Health Boards to reasonably accommodate blind patients and those with low vision.

Real-life situations like these are very common for blind people. We believe the time is right to tell the public why accessibility matters and take what we currently do well to another level. Turning up the volume of the voice of blind people is critical to allowing every New Zealander to have the same choices and opportunities.

This paper provides a snapshot of what is going on in New Zealand in terms of the progress being made to improve access and accessibility. It brings the material on access and accessibility together into one paper, in an effort to make it easier to understand why accessibility matters.

Accessibility is the next big social change needed in New Zealand. For far too long the efforts to improve accessibility have been slow and frustrating. There is now wide public acceptance of environmental protection, non-smoking and cancer prevention, and for social issues such as marriage equality. But despite over 30 years of campaigning to improve access for disabled New Zealanders, there is still limited public recognition of why accessibility matters. If the general public understood what is going on we think they would say it’s just not good enough.

We think the time is right to start a national conversation about New Zealand’s law, policy and practice to remove obstacles for people who are blind or have low vision.

If there was support for New Zealand to increase inclusion and accessibility, it would mean people who are blind or have low vision, and many other groups, would have better access than currently exists today.

Accessibility legislation has been successfully implemented in other countries and proven to deliver results for individuals, families, organisations and economies. We think it is time to investigate what is needed in New Zealand. The Blind Foundation is committed to taking national leadership to improve legislation, policies and practices around accessibility.

We need to dream big, about the possibility of a future where everyone in New Zealand has access.

## About this paper

If you perform a Google search using the terms ‘access and accessibility’ and ‘people who are blind or have low vision’, the search engine brings up a variety of links:

* human rights legislation
* technical specifications
* IT accessibility
* access to the built environment
* accessibility policy and practices
* access regulations and standards
* accommodation in education and employment
* the value of access to the economy
* access and advocacy

When linked together these themes cover a vast landscape. There is no one source document which summarises what access and accessibility mean for Blind Foundation clients. This paper aims to fill the gap. We have organised the paper into six parts:

* The first, on ‘What are the barriers’, is arranged by themes and issues for people who are blind or have low vision.
* The second, on ‘What are the benefits of accessibility?’ highlights the economic and social rationale for accessibility.
* The third, ‘How is New Zealand doing?’ describes accessibility law, policy and practice in New Zealand and the implementation of improvements. Some of the broader historical and legal background on accessibility in New Zealand has been included.
* The fourth is a case study of how accessibility legislation was enacted in Ontario Province in Canada.
* The fifth describes what organisations, the Blind Foundation and Government can do.
* The sixth answers the question ‘Why make New Zealand accessible?’

The issues covered in the paper arose from consultations with Blind Foundation clients and staff.

We heard about what causes ‘pain’ for blind people, and what needs to be done to solve the problems, which levels of Government and/or organisations need to take action and what specific actions are required by the Blind Foundation and other organisations.

We refer to information and communication barriers and issues that Blind Foundation clients experience in the labour market. Employment barriers are often created from obstacles in the built environment and in the lack of information and communication regarding products and services. Blind Citizens New Zealand is also working on these burning issues.

Our sister organisations in Australia, the UK and Canada, and globally through the World Blind Union, are focused on similar issues.

Local and international research evidence, including lived experience, has been used to support the opinions expressed in this paper. In addition information has been drawn from:

* the Blind Foundation 2014 Client Needs Survey
* a literature review performed by the Blind Foundation
* consultation with the Blind Sector Forum of Aotearoa New Zealand, disability service providers and consumer advocates
* client focus group feedback
* interviews with blind or low vision employees
* real-world stories from people with access needs who navigate the daily challenges of living and moving around the community

# Part One: What Are the Barriers?

According to the 2014 Client Needs Survey, Blind Foundation clients have the most difficulty with:

* getting on and off public transport (26.7%)
* identifying the right bus, train or ferry (59.5%)
* identifying the right stop to get off the bus or train (38.4%)
* getting information about timetables or routes (27.5%)
* unsupportive or helpful customer service staff (20.8%)

In addition, Blind Foundation clients must contend with several other external barriers which impact on the quality of their lives. These are explained below.

## Costs related to being blind or having low vision

Costs faced by people who are blind or have low vision include:

* Adaptive technology costs.
* Taxi fare costs.
* Time and energy costs.

## Information and communication barriers

The barriers related to accessing information and communicating includes:

* Organisations not thinking about the diverse needs of their customers and not understanding what accessible information and communication involves and the need for it.
* Reliance on the Internet now makes life more difficult for older people with vision loss who are unfamiliar with digital technology.
* Information not being provided in a range of accessible formats; i.e. large print, audio, braille and electronic.
* Information not being delivered at an appropriate time or time of need.
* Websites not being designed in such a way that they can be easily navigated and read by screen-reading technology.
* Lack of access to good-quality health-care information online for patients who have a visual impairment along with chronic co-morbidities.
* Inaccessible PDF electronic statements and bills from banks and utility companies which are largely incompatible with screen-reading technology.

## Transport barriers

Without the ability to drive, people who are blind or have low vision have no choice but to rely on family and friends for private transport or else use buses, taxis, trains and ferries. When public transport is not accessible, difficulties are experienced in working, studying, shopping, using health services and taking part in local activities.

The transport barriers include

* Limited assistance being offered to people with a white cane or guide dog.
* Difficulties in the walking environment, including poor lighting, lack of large print signage, and obstacles on the footpath.

## Employment barriers

The barriers related to accessing employment include:

* Lack of work experience opportunities for blind and low vision students while at school.
* Lack of further training and education options after leaving school.
* Lack of voluntary work experience, on-the-job training and employment opportunities for job seekers who are blind or have low vision.
* Difficulty in finding out about internships and traineeships.
* Negative attitudes of employers and colleagues — feeling discriminated against at work. Employers not being ‘disability confident’.
* Adaptive equipment not being available or being too costly; e.g. computer software, mobile phones and electronic readers.
* Job vacancies not being available in accessible formats, such as large print or braille.
* Jobs support funding only being available once a person has been offered a job and their needs have been assessed.
* Employers’ fears about the cost and hassle of employing someone with vision loss.
* Employers being unaware of what assistance is available or believing the process of getting assistance to be time-consuming or too difficult.

## Built environment barriers

The barriers related to moving around and using the built environment include:

* No consideration being given to the needs of blind users and those with low vision while paths, roadways and public spaces are being upgraded.
* Audible road-crossing signals not working, overhanging branches or trees over footpaths and sandwich-board signs in the middle of footpaths, all of which impede the travel path.
* Hotels, motels and other hired accommodation being advertised as being accessible when they are not.
* Toilets being designated as accessible being used for other purposes (e.g. as store rooms).
* Lack of regulation to ensure that all public buildings, even those not being altered, or due to be altered, have minimum standards of accessibility for blind and low vision building users.
* Designers not being required to provide direct, convenient or user-friendly travel routes.
* Poor physical design of facilities for people with vision loss.
* Accessibility being seen as an ‘extra’ and not as ‘essential’ and the cost of accessibility being seen as a major concern.
* Lack of clear mechanisms to bring access issues in existing facilities and infrastructure to the attention of local authorities.
* Large parts of the built environment not being covered by current design standards (whether voluntary or mandatory) and the need for accessibility not being a routine consideration in the design of footpaths, roads, shared spaces, access to public parks and facilities, public signage, and public transport in smaller communities.
* ‘Shared space’ designs which provide no clear boundary between roadway and footpath, traffic and pedestrians, thereby creating a serious safety issue for blind and low vision pedestrians.

## Determination Process

The Ministry of Business, Innovation and Employment administers the Determination Process which is set down in the Building Act 2004 and Approved Documents. This process has been in place since 1991 and allows the consumer/developer to take a case against the builder/developer if they have not complied with the access requirements in the Building Act and Approved Documents.

In 2004 the process changed to enable a person with a disability to seek a determination in their own right. Since then, only one person with disability has done so. There has been no review of why no other person with a disability has requested to use the process.

## The individual is responsible for raising a complaint about barriers

Even though New Zealand’s legal framework aims to protect the rights of people who are blind or have low vision, there are limited processes to investigate and address individual complaints. This means the outcomes of the mediation process might be a confidential payment to an individual by way of compensation, rather than action to fundamentally eliminate discrimination. Also, a confidential mediation procedure does not set precedents society can readily learn from.

The human rights legislation requires the individual to instigate any action, and organisations are not monitored to ensure they comply with existing accessibility standards (voluntary and mandatory). In addition there is no guarantee in the human rights provisions that a complaint made by a person who is blind or has low vision will result in the barrier being removed or that a new barrier will not be put in the way.

If a person who is blind or has low vision wants to make a complaint they can lodge the matter with the Human Rights Commission (HRC) or take their own legal action. It takes considerable effort, time and resources to make a complaint and there is no certainty that the complaint will be resolved in favour of the person who is blind or has low vision.

There are no penalties for breaches of human rights in New Zealand at present. All of the responsibility rests with the individual and this can be a weighty burden to place on the disabled community.

The HRC advised the Blind Foundation between July 2010 to September 2014, 1,340 complaints were received from people who are blind or have low vision alleging unlawful discrimination on the grounds of disability.

Of those complaints, the majority were about the lack of reasonable accommodation in offering services to blind or low vision customers. Complaints about education, the Accident Compensation Corporation (ACC) and Work and Income New Zealand (WINZ) were the most common areas of concern for people who are blind or have low vision in dealing with Government agencies.

Other complaints involved website inaccessibility, difficult-to-read materials, or difficulty in accessing technology-based services.

Complaints from people who are blind or have low vision that recurred frequently were about:

* Accommodation, e.g. not being permitted to have a guide dog or mobility scooter on the premises.
* Benefits, e.g. difficulty getting access to special funding.
* Drivers licence/ID: the need to produce a driver’s licence as identification and the lack of an alternative.
* Education, e.g. lack of accommodation within school grounds, harassment.
* Employment/pre-employment, e.g. the need for a driver’s licence, lack of accommodation while at work, desired competencies and skills that exclude people who are blind or have low vision.

Disability complaints represent the highest number of complaints second to those based on race relations. For people who are blind or have low vision, Government activity, employment and education are the most complained about issues.

The HRC has a limited mediation service. Both parties must be willing to take part in mediation concerning the allegation of unlawful discrimination on the grounds of disability. However, it is not obligatory for both parties to take part. If an individual or organisation alleged to have unlawfully discriminated on the grounds of disability does not wish to take part in mediation, there is no requirement for them to do so.

The HRC is not required to report publicly on the outcomes of the complaints mediation process when both parties have taken part. The proceedings are strictly confidential. New Zealand’s human rights system looks effective on the surface but underneath it is not ensuring that the rights of people who are blind or have low vision are upheld.

## Limited data on the blind and low vision population

We know that what is measured matters and that it is crucial to have good-quality data and information for planning, funding and for advocacy purposes. Until recently there was no New Zealand prevalence data on the extent of blindness and low vision in the population. It was hard to identify and predict what services were required and what the Government should be responsible for. To address that gap Blind Foundation commissioned the Prevalence Study into Blindness and Low Vision in 2015[[3]](#footnote-3).

The disability data that is collected bundles sensory into one category for statistical reporting purposes. The Blind Foundation is continuing to undertake research to increase the availability of New Zealand data on the blind and low vision population.

# Part Two: What Are the Benefits of Accessibility?

From overseas research, we know that consumers of all ages and types prefer brands that are inclusive, socially aware and in line with their values as consumers and employees.

But despite these factors, New Zealand business has yet to discover disabled people, including the increasing numbers of people who are blind or have low vision, as an emerging market. Diversity as an end in itself is viewed sceptically by most corporate leaders, as they struggle to link a diverse workforce to improved financial performance.

## New accessibility standards benefit individuals, markets and families

In 2010 in Canada, the Martin Prosperity Institute reported on the economic impact of the Accessibility for Ontarians with Disabilities Act (AODA) and found that increasing accessibility benefitted all individuals, markets and families. Significant potential gains could be realised in workplaces and schools. The legislation has enabled increased workforce participation among people with disabilities. This has increased individual and family income and resulted in an annual increase of $600 per annum in GDP per capita in Ontario.

An additional boost to Ontario’s GDP per capita of up to CAN$200 has been forecast as the new accessibility standards are implemented, enabling people with disabilities to achieve parity with average-age educational achievement in Ontario.

Ontario’s businesses are also expected to benefit also from compliance with the standards through increased access to retail and tourism opportunities and accelerated growth in these sectors. It has been estimated that combined direct and indirect effects of the AODA will result in an increase in tourism expenditures of between CAN$400 million and CAN$1.6 billion.

In Canada, the total disposable income of people with disabilities is $25 billion, which increases to $220 billion in the US. The market for products and services specifically targeting disabled people (excluding vision aids and mobility devices) is an estimated $8 billion annually in North America.

The potential for similar progress exists in New Zealand. In 2011 the Ministry of Social Development commissioned research on the consumer spending of people aged 65 years and over. It was found that consumer spending was likely to rise from about $11 billion in 2011 to over $45 billion by 2013. However, we don’t know the size of the consumer market targeting disabled people in New Zealand, and we need to understand more about the economic benefits of accessibility and the value of the disability market in New Zealand.

## Economic benefits of increasing employment for people with disability

The Australian Network on Disability commissioned Deloitte Access Economics in 2012 [[4]](#footnote-4)to undertake economic modelling based on closing the gap between labour market participation rates and unemployment rates for people with and without disabilities. The report suggested that closing the gap by one-third would result in a cumulative $43 billion increase in Australia’s GDP over the next decade in real dollar terms. The modelling also suggested that GDP will be around 0.85% higher over the longer term, which was equivalent to an increase in GDP in 2011 of $12 billion.

There would be merit in commissioning economic modelling on closing the gap between labour market participation and unemployment rates for people with and without disabilities in New Zealand as a reference point for future policy consideration.

## Valuable export market

New Zealand exporters need to be made more aware of the opportunity to access the global disabled consumer market, which is estimated to comprise 1.3 billion people. When friends and family are considered, the market increases by 2.2 billion people. Altogether this market controls over US$8 trillion in annual disposable income globally.

This market comprises not only current and future disabled people, but also any person needing better access, such as caregivers with pushchairs, people with heavy bags and less agile members of society. In addition, technology and processes that benefit disabled people can and do evolve into technology and processes that benefit all consumers.

## Building barrier-free reduces public expenditure

New Zealand needs to understand the economic benefits of accessible or barrier-free building. Barrier-free building was found to reduce expenditure on social services, decrease hospitalisations and increase access for many diverse groups of people.

A study in Spain found that, on average, consumers would pay 12.5% more for a barrier-free home compared to an ordinary dwelling. Barrier-free living provided greater comfort and a better standard of living, and allowed for future-proofing.

It is more expensive to retrofit and make houses accessible post-build than to incorporate accessibility into the planning stage pre-build.

## Economic growth through accessible tourism

The global impact of an ageing population with a high prevalence of disability has been recognised in other sectors. The hospitality industries in Australia, Canada and the UK have acknowledged the need for accessible transient accommodation (hotels/motels).

The same will need to happen in New Zealand’s growing tourism sector. Tourist operators and accommodation providers will need to take account of the growing disabled consumer market in their business strategy and plans. With over 45% of overseas visitors to New Zealand aged over 45, the concern is that New Zealand tourism is not paying enough attention to this sizeable market.

# Part Three: How is New Zealand Doing?

## An accessibility snapshot

New Zealand is believed to be one on the first countries to have access requirements built into legislation, in the form of the Disabled Persons Community Welfare Act (DPCW Act) 1975. Other countries like the UK, Australia and Canada had codes of practice and standards but none of them were mandatory. The USA followed with the Americans with Disabilities Act in 1990.[[5]](#footnote-5)

But since 1975, we have slipped back significantly in our quest to be a fully inclusive and accessible nation. Some are saying that New Zealand is now a ‘Third World’ country when it comes to accessibility.[[6]](#footnote-6)

Australia, Canada, Brazil, the European Union, Israel, Singapore and the USA are ahead of New Zealand in addressing the access needs of disabled people.

Right now in New Zealand it is important to note:

People who are blind or have low vision when compared to the sighted population are significantly disadvantaged on all social and economic indicators. Unless there is a significant change to enforcing the law, regulations, policy and practice this trend is likely to continue.

Public, private and not-for-profit organisations do not automatically take into account the needs of customers who are blind or have vision when providing mainstream goods and services. This isn’t done deliberately. We know that many unnecessary barriers are created just because people are careless of the need to consider others. They assume that one solution will suit everyone, more or less. As a result, unnecessary obstacles are put up which have negative consequences for the lives of certain groups of citizens.

There is little public understanding of why accessibility matters for people who are blind or have low vision. Low awareness and community expectations of certain groups of people in the community exacerbate discrimination, social exclusion and isolation. Even though the Blind Foundation can demonstrate how the blindness and low vision community contribute to society, without a change in culture and attitudes, such advice will go unheeded. Sometimes, it requires legislative change to address a market failure of this magnitude.

Leadership i from Government, senior political leaders from the major political parties, business and community leaders from New Zealand’s most influential organisations and individuals, is needed make fair access a priority..

## Our legal and policy framework

### The Disability Convention

The United Nations Convention on the Rights of Persons with Disabilities (UNCRDP), known as the Disability Convention, affirms that disabled people are to enjoy the same human rights as everyone else and be able to lead their lives as full citizens. The UNCRDP was necessary because of repeated failures to consider the just claims of disabled people within the existing human-rights treaties. New Zealand ratified the Disability Convention in 2008.[[7]](#footnote-7)

Under the convention, Government is required to take appropriate steps to ensure that all facilities and services provided to the public are accessible to disabled people on the same basis as others. This includes taking action in relation to the built environment, transport, public services or facilities, housing, information and communication services and emergency services. Appendix 2 offers a quick reference to those sections of the Disability Convention of most relevance to the Blind Foundation.

The Office for Disability Issues is the focal point within Government for the UNCRDP.[[8]](#footnote-8)

The Ministerial Committee for Disability Issues is jointly responsible for ensuring that all Government agencies have a consistent and comprehensive approach to implementing the Disability Convention.[[9]](#footnote-9)

The Human Rights Commission and the Office of the Ombudsman (independent regulators) and the Disability Convention Coalition (including Disabled People’s Organisations or DPOs) promote, protect and monitor the implementation of the UNCRPD.

Blind Citizens New Zealand is one of seven recognised DPOs who work with the regulators to monitor the Government’s performance against the UNCRPD.

‘Making Disability Rights Real’, the second report of the Independent Monitoring Mechanism of the Convention on the Rights of Persons with Disabilities, was launched in Christchurch on 7 August 2014.**[[10]](#footnote-10)**

International treaties which the Government have ratified do not direct the Courts or anything else solely by the act of ratification. Parliament is sovereign. Only what Parliament says happens domestically.

It is only a matter of convention or policy that enables a treaty to be recognised once ratified. However, it is still a very strong obligation; and successive Governments have a high regard for making sure there is no domestic arrangement that is in breach of a treaty before ratifying it, such as was the case with the CRPD. Several pieces of legislation had to be amended before the Government agreed to ratification. And of course there are the regular reviews by United Nations committees.

It also follows that there should not be any domestic measure implemented after a treaty is ratified which is inconsistent or in breach with a treaty. The Government may choose to ratify a treaty because it wants the benefits of it/recognises the value in implementing it.

Full effect of a treaty will only actively happen if the treaty has related domestic legislation, where a positive action is required (eg there needs to be accessibility standards for buildings) or where a negative action is not already in place (eg freedom from discrimination).

However, courts can take into account and be influenced by ratified treaties where a policy or domestic legislation is unclear. The courts will assume that the Government would only have agreed to be bound by a treaty if they intended to implement it.

#### What does this mean for people who are blind or have low vision?

The improvements for people who are blind or have low vision have been slow. While some gains have been made, the human rights of disabled people continue to be overlooked and even side-lined, mainly owing to the perceived economic costs associated with making reasonable accommodation. Blind Citizens New Zealand, Kapo Maori Aotearoa and Deafblind Aotearoa New Zealand Inc (the blind consumer organisations who have been designated as Disabled People’s Organisations) see the Disability Convention as a catalyst to ignite action for disabled people, especially for people who are blind or have low vision.[[11]](#footnote-11) However, there is no requirement for the Government or organisations to remove barriers.

### Legislation

The New Zealand Bill of Rights Act 1990 (BORA), and the Human Rights Act 1993 (HRA) seek to protect the right of disabled people to freedom from discrimination.

Sections 22 (Employment) and 21(1) (h) (Prohibited grounds of discrimination) of the HRA, and the 2007 repeal of the Disabled Persons Employment Promotion Act 1960, aim to maximise employment opportunities for disabled people, ensuring that they have the same rights, responsibilities and protection as other workers.

The Health and Disability Commissioner Act 1994 and the associated Code of Health and Disability Services Consumers’ Rights protect the rights of disabled people as consumers of health and disability services.

Ten consumer rights have been identified, including the right to be treated fairly and without discrimination, the right to informed consent, the right to be treated with respect, the right to make decisions about one’s own care and the right to receive a quality service.

Other laws that may apply to disabled people include:

* Mental Health (Compulsory Assessment and Treatment) Act 1992.
* Protection of Personal and Property Rights Act 1988.
* Intellectual Disability (Compulsory Care and Rehabilitation) Act 2003.
* Criminal Procedure (Mentally Impaired Person) Act 2003.
* Privacy Act 1993.
* New Zealand Public Health and Disability Act 2000.
* Injury Prevention, Rehabilitation and Compensation Act 2001.
* Resource Management Act 1991.
* Building Act 2004 and Building Code.

#### What does this mean for people who are blind or have low vision?

There is legislation and regulation in New Zealand which recognises the requirements to accommodate for people with access needs. However there is a lack of enforceability within our exiting legal and regulatory framework.

### Minister of Disability Issues and the Office of Disability Issues

The Minister for Disability Issues is the Government’s champion for disabled people, including the blind and low vision community. The portfolio is outside of Cabinet and has a small budget, but is responsible for significant social change. The Minister gets advice from the Ministry of Social Development on a range of issues that impact disabled people, including people who are blind or have low vision, through the Office for Disability Issues.

Since 2009, the Office for Disability Issues has provided significant leadership in advancing disability issues. The Office successfully made the case to Government to innovatein the way it works with the disability sector to progress the Disability Convention. The consequence was to place greater emphasis on the disabled community working with the Government to progress the Disability Convention.

#### What does this mean for people who are blind or have low vision?

There has been a call to rename the ‘Disability Issues’ portfolio the ‘Accessibility’ portfolio and for the Ministry of Business, Innovation and Employment to take more of a lead in advising on accessible built environment and employment policy.

Some commentators have said that the name ‘Disability Issues’ is ‘old’ thinking, as ‘disability’ doesn’t address the broad range of policy issues relating to access and accessibility. To make New Zealand accessible for people who are blind or have low vision requires a paradigm shift.

### The New Zealand Disability Strategy 2001

One of the key initiatives of the Minister for Disability Issues is to lead the action plan for the New Zealand Disability Strategy.[[12]](#footnote-12) The New Zealand Disability Strategy (NZDS) aims to ensure that all Government agencies consider disabled people in their decision-making processes. It covers four key areas:

* Rights of citizenship.
* Government capacity.
* Participation in all areas of life.
* Specific population groups.

The Minister for Disability Issues is required to report annually to Parliament on the progress with the NZDS. The Office for Disability Issues advises the Government on disability issues and reports on progress in implementing the NZDS.

Since 2001, there has been significant progress made. In 2016, there will be a process to revise New Zealand’s Disability Strategy, which will provide the long term vision for achieving and inclusive and accessible society. The role of the new strategy to guide government agencies on what they are required to do to improve the lives of disabled New Zealanders and their families. In February 2016, an expert Reference Group was established to help ensure that the new strategy reflects the needs, aspirations and rights of disabled people in New Zealand.[[13]](#footnote-13)

The Government is using two key approaches which have been developed by the disability community to improve their lives. The Enabling Good Lives approach means that those with disability are able to make their own decisions about how they will lead their lives, what services they need and how those services should be delivered.

The second is the social marketing approach. This relies on educating the community about why accessibility matters. Be. Accessible[[14]](#footnote-14) is a social enterprise committed to increasing understanding of accessibility and campaigning to highlight what people with access needs require. The Be. Institute is leading a social movement aimed at creating a truly accessible country for us all.

It is expected that these two approaches will build momentum for accessibility for everyone.

### 2014–2018 Disability Action Plan

The 2014–2018 Disability Action Plan sets priorities for removing many of the barriers to participation in society that disabled people experience. The new plan is centred on what disabled people say matters most to them — being treated as equal New Zealanders with the same rights of citizenship and participation in society.[[15]](#footnote-15)

For the first time, the plan has been co-designed by Government agencies and DPOs. These Government agencies and DPOs, along with other disability-sector organisations, are now working together to achieve the strategic priorities that Ministers expect to see progressed over the next four-year period. Specifically these priorities are:

* Increasing employment and economic opportunities.
* Ensuring personal safety.
* Transforming the disability support system.
* Promoting access in the community.

#### What does this mean for people who are blind or have low vision?

There is an opportunity for the Blind Foundation to be more influential in working with senior officials across key ministries within Government. We are investigating the opportunity to create a common agenda with the key stakeholders to progress the work to increase access in the community and monitor accessibility.. Working in collaboration with other organanisations will assist to turn up the volume of blind people’s voices and promotethe Blind Foundation’s subject-matter expertise.

Increasing awareness of why accessibility is needed is critical to progressing accessibility for people who are blind or have low vision. A number of non-Government organisations are advocating to improve accessibility in New Zealand’s built environment, including the Barrier Free Trust, Be. Institute and CCS-Disability Action, as well as the Blind Foundation. But there is no mechanism to report annually on the outcomes of investments in education and promotion of accessibility.

We need to develop a process to capture and measure the outcomes of education and promotion related to the access needs of disabled people, including the Blind Foundation’s clients, to understand the outcomes of such programmes. We need to take a baseline measure of public awareness of why accessibility matters and repeat the surveys annually to see what change there is, and what programmes produce the results.

### Inquiry into the Accessibility of Services to Parliament

In 2014 the Government Administration Committee initiated an inquiry into the accessibility of Parliament following concern about barriers to the accessibility of Parliamentary Services.[[16]](#footnote-16)

The inquiry found that more work needed to be done to give disabled people the opportunity for full access to and participation in Parliament and to allow them to fully exercise their democratic rights. The recommendations include providing more accessibility information on the Parliament website, accessible car parks, renovating the reception counters, ensuring that precincts are suitable for vision-impaired people and are not expensive to implement.

The Committee was very concerned to hear that people in New Zealand who are blind do not have the means of making an independent and secret vote. Others raised the accessibility of political parties, particularly their websites and other public information.

The Committee asked the Parliamentary Service and the Office of the Clerk to be more proactive in making essential services to Parliament accessible for everyone. It wanted to see all the necessary changes made in consultation with disabled people and their representatives, and asked that these agencies report back on progress. The Committee wants the New Zealand Parliament to be a world leader in accessibility, and accessible to all New Zealanders.

#### What does this mean for people who are blind or have low vision?

The Blind Foundation applauded the introduction of telephone dictation voting in time for the 2104 General Election. We regard this as the first step along the road to fully accessible voting for people who are blind or have low vision. Much more needs to be done to achieve accessible elections for Local Government in 2016 and at the 2017 general election.

## Information and communications

The design of communications and information systems is aimed at the majority of the population who are sighted. People with access needs because of sensory loss are not usually considered a priority. There are still too many people who are blind or have low vision who do not have the same access to public information and communication.

For some people who are blind or have low vision, digital technology has removed many environmental barriers, enabled equal access and participation in society and improved personal autonomy. Even with this progress, the blindness community continues to have difficulties in accessing information and communication. The rate of technological change makes access to information rapidly shifting territory.

### New Zealand Government Web Standards 1.0 & 1.2

The World Wide Web Consortium (W3C) developed International Web Content Accessibility Guidelines (WCAG) initially over a decade ago as a comprehensive and authoritative international benchmark for designing accessible websites.

The Department of Internal Affairs used these guidelines to inform the development of the New Zealand Government Web Accessibility Standard 1.0 and Web Usability Standard 1.2.

Over 40 Government agencies are required to meet these two mandatory Web Standards. But these standards do not apply to district health boards, territorial local authorities, other Crown entities and schools. People who are blind or have low vision or who have a print disability still cannot access information about their health, Council, school and many other key public documents.

All public services are required to meet the Government’s Better Public Services policy and targets. To do this will require the wider public sector to have fully accessible websites.

#### What does this mean for people who are blind or have low vision?

Few if any Government agency websites at present fully meet the accessibility requirements for Web Accessibility Standard 1.0 and Web Usability Standard 1.2. This makes it extremely difficult for some people who are blind or have low vision to obtain basic public information and communicate with Government agencies.

Citizens who are blind or have low vision have the right to request official information in accessible formats, but at present this issue is not widely understood across the public sector. There is little evidence that accommodations are being made to ensure that disabled people have the same and equal access to official information as other citizens.

### Marrakesh Treaty

At present access to printed materials is very restricted for the blind and low vision community. Accessible publication cannot are not able exchanged across the borders between countries. Public libraries hold limited collections for people who are blind or have low vision. As a result the Blind Foundation must continue to offer a specialised service to address the gap.

The World Intellectual Property Organisation has approved of the Marrakesh Treaty to open up the capacity for countries for exchange accessible of published materials for people with print disabilities across borders. To take effect, 20 countries are required to trigger the activation of the treaty. Sixteen countries have ratified the treaty to date. This makes ratification by New Zealand even more urgent.

In 2015-16 the Government sought the views of the community, publishers and copyright owners on whether to ratify the Marrakesh Treaty. A National Interest Analysis is being undertaken. This is due to be submitted to Cabinet for its approval in the next few months.

The Copyright Act will need to be amended, to enable the Government to comply with the treaty.

#### What does this mean for people who are blind or have low vision?

Only 10% of publications currently are accessible for blind people and those with low vision and people with print disabilities it will remain this way unless the Marrakesh Treaty is ratified. Once the Government accedes to the Marrakesh Treaty, blind and low vision New Zealanders will be able to access a vastly increased range of publications from countries throughout the world.

### Commercial services

Commercial services include services provided by banks and power and water companies. Some commercial services are working to ensure their services are accessible to everyone, but many barriers still exist for customers who are blind or have low vision.

Some banks are rolling out talking automatic teller machines (ATMs), which will improve access. Not all ATMs are speech-enabled throughout the country. The ability to conduct financial transactions is essential to be able to purchase products and services.

#### What does this mean for people who are blind or have low vision?

Some people who are blind or have low vision are not able to make bank transactions and purchase goods and services independently. This is a significant barrier to participation as a citizen in economic and social life. The banking and utility service sectors need to remove barriers for people who are blind or have low vision.

## The built environment

The environment can be disabling. To the extent that the environment meets the needs of a person with a disability, that person is less disabled.

An accessible building is a building that those with a disability can use as easily as anyone else. The built environment also includes public spaces, both indoor and outdoor, and public transport infrastructure.

The Government’s main legislation and regulatory tools to improve access to the built environment are the Resource Management Act 1991, the Building Act 2004, the Building Code and Acceptable Solutions.[[17]](#footnote-17)

### Disability Access Review

A review of access to buildings for disabled people was completed by the Ministry of Business, Innovation and Employment (MBIE) and the Office for Disability Issues in 2015. As a member of the Disability Access Review Reference Group the Blind Foundation advocated for solutions that take account of the increasing numbers of people living with sight loss and requiring the same access to public buildings as everyone else.

The consultation report on Access to Buildings for People with Disabilities reflects the voice of the disabled community and is responsive to their needs.[[18]](#footnote-18) It recognises that for a society to be fully inclusive, people with disabilities must be treated as equal participants.

As a result of the concerns raised, the Building Act and Building Code will be reviewed, to ensure a greater focus on accessibility.

#### What does this mean for people who are blind or have low vision?

The Blind Foundation will continue to influence improvements to building access and to ensure that the access needs of people who are blind or have low vision feature in advice prepared for the Minister by the Ministries of Business, Innovation and Employment and Social Development.

To do this we will advise on alternative options to address access needs. There is an urgent need to bring the various stakeholders together to create awareness and understanding so that access to historical and older buildings is not barred for people who are blind or have low vision.

### New Zealand Accessibility Standard — NZS 4121

The specifications of the New Zealand Accessibility Standard, NZS 4121, are not mandatory and parts are now out of date. There has been a call to update the standard and include it as a mandatory standard in the Building Code. The Blind Foundation is one of the many organisations asking the Government to incorporate the latest thinking on standards into the Building Code, along with and the concept of universal/inclusive design.

### Universal design

The concept of universal design (UD) grew out of advocacy for barrier-free design in America in the late 1990s and has its origins in both the disability and design communities.

UD requires that the needs of all members of society be taken into account in the design of products, environments, programmes and services, to ensure that no adaptation or specialised design is required later on. UD requires that all products, services and systems:

* Be usable and accessible to people of diverse ages and abilities.
* Accommodate and respond to diverse individual preferences and abilities.
* Be easily understandable and consistent with people’s intuitive responses.
* Entail the least possible physical effort and be easy to use.
* Incorporate sufficient size and space to accommodate a range of mobility needs, body postures and sizes.

The application of UD principles in the design of all products, services and systems:

* Ensures access to essential information regardless of sensory abilities and ambient conditions.
* Minimises the hazards and risks of accidental or unintended actions.

There is no requirement to follow UD principles in New Zealand today. It is not widely understood and accepted amongst designers, planners and the commercial building construction sector. It is viewed as an exception to traditional design thinking. New Zealand does, however, have some good examples of public facilities that were designed using UD principles.

Auckland Council has established a UD Group to advance the understanding and use of UD principles in developing plans across the council and council-controlled organisations.

#### What does this mean for people who are blind or have low vision?

Voluntary guidelines and best practice standards have been developed for the construction of public buildings, roads, public spaces and transport. But there is no consistency in how these guidelines and standards are applied. Their use relies largely on the goodwill of building owners, designers and regulators to take into account the access needs of potential users. There are no guarantees that new buildings and any buildings being upgraded will be fully accessible for blind and low vision people.

Universal design is part of the solution. It is important for improving accessibility for blind and low vision people as it ensures that the needs of a person with vision loss are incorporated at the design stage. If the access needs of blind and low vision building users were taken into account at the design stage, the building plan would include appropriate use of good lighting, colour contrast, way-finding, tactile and large print signage, braille and audio announcements. The new building would be fully accessible for blind and low vision users.

### Canterbury rebuild

The rebuilding of Christchurch, post-Canterbury earthquakes, is seen as an opportunity to make the city more accessible, safer and easier to navigate and to include accessible housing. But some smaller building developments in Canterbury have been found not to meet building access standards. Developers are using the unit titles regulations to avoid making new buildings accessible. A petition to highlight concern and stop this practice was raised. The Blind Foundation has been consulted in auditing some of the rebuild projects but this has not yet happened for anchor projects and commercial and private developments.

There is a pressing need to ensure that accessibility is a key component of the Christchurch rebuild, and that the built environment is accessible to everyone and not just those using wheeled mobility devices.[[19]](#footnote-19)

Various bodies have identified accessibility as a major consideration for the Christchurch rebuild. In April 2011 the Ministerial Committee on Disability Issues agreed to focus the cross-government Disability Action Plan on the Canterbury recovery. In May 2012 the Committee again highlighted the need to improve accessibility of the built environment and to make it one of the priorities for the rebuild.

However, some developers are continuing to use loopholes to avoid compliance with the rules. These loopholes include breaking projects up; changing the intended use after consent is provided; designing buildings to avoid meeting access requirements and removing accessible options after consent is received; for example, by using the accessible toilet as a storage area.

#### What does this mean for people who are blind or have low vision?

Barriers are being added to new buildings being constructed in Canterbury. There continues to be little consideration of access and accessibility or thought about the needs of future disabled building users. This means decreased opportunities for people who are blind or have low vision to use these buildings. This will be a problem as new building stock will not meet the future needs of New Zealand’s changing and ageing population.

### Building (Earthquake-prone Buildings) Amendment Bill

The Government has changed the law so that some buildings undergoing earthquake strengthening are able to get access to exemptions. During the past 23 years, public buildings across New Zealand have gradually become more accessible for people who are blind or have low vision. But this proposed law change threatens to derail this process by introducing another loophole.

#### What does this mean for people who are blind or have low vision?

The Building Amendment Act has side-lined the rights of people who are blind or have low vision to access retro-fitted buildings. It is anticipated that this could result in fewer employment opportunities, for disabled people and many other New Zealanders. This decision appears to favour of developers and building owners, over people with access needs.

### Accessible footpaths and roads

New Zealand’s urban transport areas are not designed with safety and accessibility needs at the forefront for road users who are blind or have low vision. The traffic engineers who are responsible for the design of footpaths and roads receive little or no training in designing for road users who are blind or have low vision.

There are no national minimum requirements for the accessible design of roads and footpaths. The joint Australian/New Zealand Standard 1428.4 refers back to the best practice guideline Road Traffic Standard 14 for New Zealand application and the New Zealand Transport Agency guidance document (replacing Austroads part 13), The Pedestrian Planning and Design Guide. There is no mandatory requirement for authorities to consider people who are blind or have low vision.

The result is a lack of consistency in the way that road users who are blind or have low vision are catered for across the country. It is more a postcode lottery, and depending on where you live, there may be some accommodations. But generally the needs of people who are blind or have low vision are not thought about in designing footpaths and roads.

#### What does this mean for people who are blind or have low vision?

The Blind Foundation has worked with the authorities to develop best practice voluntary guidelines for the design of pedestrian facilities for pedestrians who are blind or have low vision; however, the understanding and use of these guidelines is patchy. There is no guarantee they will be used consistently and in their entirety to improve access for Blind Foundation clients. For those people who are blind or have low vision who do have confidence in navigating the community, there is the increased likelihood of their encountering hazards and being injured. This could be avoided, if their needs were considered at the design stage.

## Public transport

New Zealand has no legislation or regulations to ensure accessible public transport for people who are blind or have low vision.[[20]](#footnote-20)

The Human Rights Commission’s *Accessible Journey: Report on the Enquiry into Accessible Public Land Transport* in 2005 recommended: [[21]](#footnote-21)

* The participation of disabled people, including people who are blind or have low vision, in all public land transport planning, funding and implementation processes at the central, regional and local Government levels.
* The development of national accessibility design standards for all aspects of public land transport.
* Industry-wide training in disability awareness and disability competence.

No progress has been made in implementing these recommendations. However, some progress has been made in the design of new buses and the design of new passenger train carriages, to ensure greater access for disabled people, including people who are blind or have low vision.

Other initiatives include:

1. **The Land Transport Management Act** provides the funding for land transport projects. When regional and territorial authorities apply for funding under the Act they must show how their transport service project will assist the transport disadvantaged. However, this doesn’t mean that the service they provide will be accessible.
2. **Requirements for urban buses in New Zealand (RUB).** The New Zealand Transport Agency requirements were developed to ‘provide for the mobility needs of people with physical, sensory and cognitive disabilities’. From 2012, complying with the RUB became a condition of funding from the New Zealand Transport Agency. All new buses and any existing buses being upgraded must comply, but this requirement applies only to buses operating on commercial routes within the urban environment; it does not apply to buses operating on intercity or rural routes. In 2014 the Blind Foundation asked that the RUB to take into account the needs of blind or have low vision commuters. The Blind Foundation will continue to monitor compliance with the RUB for the blindness community.

**3. The Operator Licensing Rule**(2007) requires that all taxis have braille signage and states that guide dogs are permitted to travel in taxis. In 2015 the Government undertook an inquiry into the future of small passenger services to sector (including taxi, private hire car, shuttle, dial-a-driver, and ridesharing services). This was done as a lot has changed since the existing rules for the sector were established in the late 1980s. Since then technology, the range of services offered, and consumer expectations have changed greatly. The Government wanted to ensure it was supporting innovations that enable all New Zealanders and businesses in New Zealand, traditional or otherwise, to enjoy the benefits of new technology. The aim to ensure New Zealand’s regulatory environment is both fit for purpose and flexible enough to accommodate new technologies. In April 2016 Transport Minister Simon Bridges announced the reform would bring taxi companies, Uber and other small vehicle services under one set of rules. Under the proposed changes, the most significant is the signage rules for taxis means they won't have to display information about fares, mandatory branding, or information supplied in braille.

**4. Road Traffic Standards 14: Guidelines for facilities for Blind and Vision-Impaired Pedestrians** provide best practice design and installation principles for pedestrian facilities for blind and low vision people, including tactile ground surface indicators and audible tactile traffic signals.[[22]](#footnote-22) The guide is not mandatory.

**5. The Pedestrian Planning and Design Guide** sets out how to improve New Zealand’s walking environment. It states the need to include disabled people in planning and design processes.

Auditing public transport accessibility in New Zealand reviews international best practice for auditing public transport accessibility and has piloted an audit method to see how accessible regional public transport actually is using a whole-of-journey approach.[[23]](#footnote-23) The audit reviewed:

* accessing information about the service
* getting to the service
* paying for the service
* getting on board
* enjoying the ride
* getting to the final destination
* making the return journey

The New Zealand Transport Agency and the Ministry of Transport have not adopted this approach, one which is regarded as important to improving awareness of blind and low vision commuters’ needs for accessible public transport.

1. **Auckland Council’s Transport Accessibility Advisory Group**.[[24]](#footnote-24) The Transport Accessibility Advisory Group advises on public transport issues for disabled commuters, including people who are blind or have low vision.
2. **Total Mobility Scheme** (TMS) aims to increase the accessibility of taxis for users who are blind or have low vision. The TMS provides for part of a taxi fare to be subsidised. Each territorial authority determines with the New Zealand Transport Agency the level of taxi fare subsidy set for blind and low vision people living within a specified region. Some territorial authorities subsidise fares up to a monthly limit; others set a dollar limit per trip on a percentage basis. The way the TMS is implemented is not nationally consistent.

#### What does this mean for people who are blind or have low vision?

Too many public transport services are not accessible for Blind Foundation members as local authorities do not consistently apply the TMS. There needs to be a national transport auditing process.

In April 2016 the Government announced that the rules will be softened around taxis in New Zealand. These new regulations would likely be introduced in 2017. The most noticeable of these would be the signage rules for taxis, which now won't have to display information about fares, mandatory branding, or information supplied in Braille.

The Blind Foundation views the taxi reform announced by the Government as a step backwards for accessibility for blind and low vision people in New Zealand.

Braille is a vital tool for blind and low vision people. Having braille in all taxis allows us to travel more easily.

The Blind Foundation, an advocate for change, is surprised at the lack of understanding around this issue. The Blind Foundation welcomes an open dialogue about making New Zealand an accessible place to live. Although this is not a decision that takes us forward it should start the conversation about being a truly accessible nation.

## Employment

The Disability Convention states that disabled people are entitled to earn a living through work that they freely choose and in workplaces that are accessible and inclusive.

Disappointingly, the employment status of people who are blind or have low vision compared to sighted people did not improve in the decade 1996–2006 (the date of the latest reliable statistics).[[25]](#footnote-25)

People who are blind or have low vision who are not in education, employment or training find obtaining and retaining a job one of their most significant challenges. As with other disabled people in the labour market, they are at risk of long-term unemployment and welfare dependency.

### Recent initiatives

Over the past five years, the Government’s welfare reforms provide for a more work-based approach in moving into the labour market those people on Jobseeker Support Benefit. People with disabilities have access to supported employment with the Ministry of Social Development's Mainstream Employment Programme for work in the state sector. These programmes do not have the same access to funding incentives, support and labour-market programmes as other employment programmes. As a consequence, blind and low vision job seekers are significantly disadvantaged in the labour market.

There is no data on the participation of blind and low vision people accessing general education and employment programmes.

### Other related Government initiatives

The State Services Commission provides state sector updates on delivering Better Public Services, including the Government's 10 priority results and targets. One of the priorities is to boost skills and employment that will:

* Increase the proportion of 18-year-olds with NCA level 2 or equivalent qualification to 85% by 2017 (from 77.2% in 2012).
* Increase the proportion of 25- to 34-year-olds with advanced trade qualifications, degrees or diplomas to 55% in 2017 (from 52.6% in 2012).[[26]](#footnote-26)

These targets aim to drive improvements to qualification completion outcomes for all New Zealanders, and should include learners and workers who are blind or have low vision. There is strong evidence of the link between the completion of qualifications and better employment outcomes for job seekers who are blind or have low vision.

The challenge will be to find a way to ensure that people who are blind or have low vision are included in these targets and that there is a way of measuring progress for Blind Foundation clients.

Even though no progress has been made in developing national standards to increase equitable access to employment, there have been some improvements through the following initiatives:

1. **Enabling Good Lives** *(*EGL)[[27]](#footnote-27) is a three-year demonstration pilot in Christchurch that provides a new way of supporting disabled people. It is meant to provide disabled people with greater choice and control over the support they receive and the lives they lead. One of the principles of EGL is ordinary life outcomes where disabled people are supported to live everyday lives in everyday places with life stages similar to everyone else and where they are regarded as citizens with opportunities for learning and employment. EGL has a home and family approach and includes social participation. The EGL project in Hamilton is focused on vocational services and finding employment for individuals. EGL is a cross-agency demonstration involving the Ministries of Education, Health and Social Development (who works also with ACC). The demonstration is designed with disabled people, their families and service providers. Some people who are blind or have low vision, along with their families, are benefitting from the initiative.

2. **Employment trends for disabled people***.* The Ministries of Social Development and Business, Innovation and Employment have asked Statistics New Zealand to include the participation of disabled people in the quarterly Household and Labour Market Survey. Currently, the national employment figures do not include the employment trends for disabled people. What we measure matters, and if data on disability employment is not included in the labour market picture we are not taking it seriously. Statistics to track employment trends for blind and low vision people as a discrete group are still lacking.

3. **The Disability Employment Forum**[[28]](#footnote-28) has representatives from the disability sector and employers working with the Ministry of Social Development to connect more disabled youth to the labour market. The Blind Foundation is a member of the forum and advises on the needs of job seekers who are blind or have low vision. The forum and employer-led groups are working on solutions to address the barriers to engage the large, untapped workforce of disabled job seekers looking for work. It has been acknowledged that it will take some time to see improvements.

4. **Leveraging employment opportunities for disabled people**, through Disability Support Services. Health Workforce New Zealand commissioned a report to explore options to employ increased numbers of disabled people in organisations funded through the Disability Support Scheme. As a result, the Ministry of Health has developed a Disability Workforce Action Plan 2013/16.[[29]](#footnote-29) We have no evidence on whether people who are blind or have low vision are benefitting from the initiative.

5. **Improving Existing Services Working Group**. The Ministerial Committee on Disability Issues asked the Disability Employer Forum to examine what could be done to improve existing employment support for disabled people, including people who are blind or have low vision. The key finding was that MSD Support Funds which are administered by both Workbridge and Work and Income NZ, could be used more effectively to:

* enable disabled workers to develop their skills and capabilities
* create a ‘disability confident’ work environment

The work of this group is ongoing.

6. **Disability Workforce Development**. The Te Pou unit at the Ministry of Health administers the Disability Workforce Development Innovation Fund for 2016-2020 to support innovative workforce development opportunities and solutions. The fund is available for one-off projects to enhance the capability or capacity of the disability workforce. There is no data available on how many people who are blind or have low vision are benefitting from the initiative.

7. **EEO Trust and the Human Resources Institute of New Zealand** are working with the human resource profession to overcome the unconscious bias that perpetuates regarding diversity and its impact on the workforce and productivity. The biggest barrier is changing the mind-set of recruiters; this requires buy-in from the top of organisations. We lack evidence on the extent to which people who are blind or have low vision are benefitting from the initiative.[[30]](#footnote-30)

#### What does this mean for people who are blind or have low vision?

More resources could be allocated to the existing services provided by the Blind Foundation for obtaining and retaining employment. More training and awareness could be offered for those other service providers who work with our clients around employment.

The Government’s welfare reforms could result in a significant number of people who are blind or have low vision being supported into employment, education and training. However, if we are to monitor the results of the reforms, there is an urgent need for more frequent and reliable data on employment, unemployment and workforce participation for disabled people.

Higher priority must be given to enabling blind and low vision job seekers to access training and further education through industry training organisations and tertiary education institutes to gain qualifications and skills to increase their employability. Some job seekers who are blind or have low vision need a better understanding of how the education-to-employment system works. The participation of people who are blind or have low vision in the labour market needs to be monitored on a quarterly basis to prevent this group being hidden in employment statistics.

On-the-job training and employment opportunities are limited for job seekers who are blind or have low vision. Some people at work have felt discriminated by their disability even though it did not directly affect their ability to do the job.

Self-employment in running a small business is a satisfactory employment option for some people who are blind or have low vision. Selling specialist items or services through a shop or via the Internet provide job opportunities for some. However, much more support is needed from mainstream economic development agencies for those planning to set up businesses.

Voluntary work is an important opportunity to enable people to feel they are contributing to society. It is also a constructive way for people to learn skills and work habits for future paid employment. More flexible funding would enable people who are blind or have low vision to access volunteering opportunities that align with a clear employment goal. More effort needs to be made to increase access to volunteer work options for people who are blind or have low vision.

Adaptive equipment such as software, mobile devices, electronic readers, etc., needs to be readily available and affordable. The Blind Foundation supports job seekers in to access funding for adaptive technology required in the workplace. The process for getting access to adaptive technology needs to be easy and efficient. Response time needs to be short. Certainly, cost must not restrict access.

# Part Four: Case Study – the Road to Accessibility

In many countries, accessibility matters because it is written into law. Australia, Canada, the United Kingdom and many other countries, have specific laws to protect disabled people, including people who are blind or have low vision.

Much of this came about as a direct result of blind people themselves and their advocacy organisations successfully campaigning for positive change. Laws were enacted to highlight the importance of protecting disabled people from discrimination, and to guarantee them some level of access to public facilities, employment, services, education and/or amenities. See Appendix 3.

There are similarities between New Zealand’s and Canada’s human rights approaches to accessibility. Both countries have enacted human rights legislation together with voluntary guidelines and policies. However, while the intention of these approaches is to ensure human rights are upheld, the individual person must first lodge a complaint.

## Accessibility for Ontarians with Disabilities Act 2005

Under previous law in Ontario there was no guarantee that any legal action would address the access needs of the individual, and it could take a long time to seek redress and be a costly action to take. It was for these reasons that the Accessibility for Ontarians with Disabilities Act, 2005 (AODA) was conceived.

It started with one person, Mr David Lepofsky, a public advocate and attorney who is blind and who, at the time, was advising the Canadian National Institute of the Blind on access matters. He personally held the Public Transport Authority to account for not making Ontario accessible for disabled people by taking it to court for not providing audio announcements on trains and buses.

There was no legislation to ensure access for people who are blind or have low vision and for other disabled people. It is similar to the situation in New Zealand today.

In 1995, David held a public meeting with 20 individuals in the Ontario Parliament to set a goal and timeframe to achieve accessibility legislation to remove barriers for disabled people in the province. At that meeting it was decided that it was high time to change the way disabled people were treated and to aim for an accessible Ontario by 2025.[[31]](#footnote-31) David became the national convenor of the Alliance for the AODA and he worked very hard with a range of people on a ten-year campaign to improve inclusion and accessibility.

The campaign culminated in 2005 with the Ontario Parliament passing comprehensive mandatory accessibility legislation to enable the development, implementation and enforcement of accessibility standards for the public, private and not-for-profit sectors.

Under the AODA, the Government of Ontario has developed accessibility standards to identify, remove and prevent barriers in key areas of daily living: customer service; employment; information and communications; transportation; and the design of public spaces. All organisations with one or more employees in Ontario are required by law to comply with the AODA and its accessibility access by 2025.[[32]](#footnote-32)

# Part Five: What Can We Do?

An organisation seeking to be accessible should:

* Take responsibility and show leadership for why accessibility matters.
* Be willing to think differently.
* Work with and learn from disabled people.
* Take a positive approach to being accessible.
* Make accessibility a business priority.

There is a lot of information around on how to do this. One option is to include access audits as part of continuous improvement. This is the first of many steps that can help to improve accessibility; it provides the basis for an access improvement plan or strategy.

There are a number of reasons why an organisation might carry out an audit. They include:

* Complying with legislation and/or funding conditions.
* Gathering data on buildings for comparison or analysis.
* Complying with certain standards and regulations.
* Fulfilling organisational policy on equal opportunities.
* Aligning with public relations/brand image.
* Conserving historic buildings.
* Acceding to pressure from lobby groups and the awareness of particular problems.

An access audit should identify:

* The current level of accessible information provision.
* The current accessibility of the building/property/site.
* The robustness of equitable employment policies and procedures.
* Areas for improvement.
* Good/bad practice.[[33]](#footnote-33)

With an access audit in hand, an organisation has the information and data to develop an access plan.[[34]](#footnote-34) There are many examples of easy-to-follow access plans.[[35]](#footnote-35)

## The Blind Foundation will

* Be a good-practice exemplar for accessibility.
* Conduct regular access audits and implement an access policy.
* Make our own products and services ‘born accessible’ and usable by all our stakeholders.
* Promote innovative thinking on how to improve access.
* Work with the disability sector to publish a ‘State of the Nation Access Report’ to monitor progress with accessibility.
* Instigate a national conversation around the need for disability or accessibility legislation.
* Partner with other organisations to commission a study into the costs and benefits of accessibility and the value of the disability consumer market to the New Zealand economy.

## The Blind Foundation encourages Government to

* Work with us to create the conditions to achieve our vision of a New Zealand which is accessible to everyone.
* Develop accessibility indicators, set clear accessibility goals and decide on a timetable for change.

# Part Six: Why Make New Zealand Accessible?

It’s the right time. The gains made to improve inclusion of disabled people are constantly under threat. With the Building Amendment Act (earthquake-prone buildings) the rights of disabled people have been side-lined following pressure from building owners and developers who are concerned about cost blow-outs.

It’s the fair thing to do. It really is a matter of fairness and respect. Everybody has a right to live as normal a life as possible. Disability is part of the human condition: almost everyone will be temporarily or permanently affected by disability at some time in their life. An accessible New Zealand will ensure that everyone will be included at their time of need.

It’s the smart thing to do. Based on overseas evidence, a more accessible New Zealand will accelerate the growth of prosperity, increase per capita GDP, create new intellectual property and enhance global competitiveness.

# **Appendix 1: Our Access Stories**

## Story 1

**Bus drivers forget about blind passengers**

**Emily, Auckland, 47**

I took a bus to Botany Town Centre from Ellerslie once. I had arranged with my friends to meet me off the bus when I arrived. When I got on the bus I asked the driver to let me know when I got to Botany Town Centre. I thought that I was all set. Somewhere along the route there was a change of driver, but unfortunately the first driver forgot to tell the new driver of my needs. So the bus passed through my stop and after about ten minutes I realised that the bus was driving into the countryside. I asked the driver how long it would be before I got to Botany. He became aware that I could not see and he quickly realised what had happened. He said that he would take me back to Botany, and turned the bus around. My friends had been waiting for me. They thought that I had missed the bus as they had seen the bus come in, without me getting off. I was relieved when I finally got there. This episode had unnerved me.

## Story 2

**I can’t see the numbers in the lift!**

**Tom, Auckland, 82**

I live in a very new retirement village. I moved in here two years ago with my wife, who has now passed away. I have a very comfortable and quiet apartment; I feel that it is a nice place to live. There is a restaurant, doctors, hairdressers, swimming pool, gym and small shop on site. The only real problem I have is with the numbers on the keypad in the lift. The shapes of the numbers light up, but there is no button as such, the keypad is completely flat. In the beginning of living here, I could still see the numbers in the lift. Over a period of time, the numbers are fading away as my eyesight gets worse. So I spoke to the manager and she wrote it in the book, but that was about five months ago and I haven’t heard anything back. Sometimes I feel so frustrated; I want to drag the board off the wall.

## Story 3

**Off up the road to do some errands**

**Peter, Auckland, 78**

It doesn't seem that long ago when a stroll up to the shops was a weIcome break in the day, but with decreasing visibility it has become more of a challenge. Lincoln St. has got good wide and even footpaths, but the benefits of those are somewhat offset by overhanging branches at eye level and residents’ cars protruding over the footpath, which in some cases forces me into the gutter. Ponsonby Rd. also has good crossing access but care needs to be taken to avoid sandwich board signs, council and private street furniture. My personal fear is the proliferation of skateboards, scooters, cyclists and people so occupied with cell phones simply not looking.

I do feel that people with a disability should be able to negotiate public streets freely and safely. Stronger measures could be taken to minimise obstructions. All commercial street signs should be placed as close to the curb as physically possible.

The use of skateboards and scooters on main streets should be actively discouraged at school level, and cycling on the footpath by adults punishable by fines.

## Story 4

**Access to information**

**Sue, Auckland, 52**

I wanted to be able to read my son’s school newsletter. I wanted the school to convert the letter into a PDF file, so that my screen reader could read it to me on my home computer.

My husband, who was on the board of trustees at the school, had brought up this situation a number of times, at board meetings; however, the school couldn’t make it work to make the information accessible for me.

The consequence was that my husband had to read any school material to me when he came home from work because the school would not provide an accessible format for me to read the school newsletter like other parents could.

## Story 5

**Technology and websites**

**Tim, Auckland, 48**

An ongoing difficulty I have is not being able to fully use the different websites with the help of screen-reading programs. Web access is a universal challenge that my overseas friends also experience. It is not just particular to me. There are some New Zealand websites, such as National Radio, that work with the screen reader but there are also others that are hardly accessible to screen-reader users, most notably like the Work and Income NZ website.

In particular I have encountered a tough challenge in accessing the musical synthesizer keyboard I recently bought. As a professional keyboard player (having a career background in music in the early part of my life) I wanted to get fullest use of this latest Yamaha keyboard. However, the equipment is a highly screen-based interface with the user. There are not any pre-installed features available for the blind user, such as voice activation or any other tactile or audible signs to supplement the screen interface. Accordingly, I am not able to realise my full potential with the help of the latest technology, unable to catch up, left stranded from pursuing the music career like those in the mainstream.

As you might have observed from this brief case history, the issue of web accessibility or access to household appliances or consumer electronics is one of necessity and not of luxury to me. It is something that has a far-reaching negative consequence on my individual life.

## Story 6

**A bouquet for excellent service**

**Rob, Auckland, 48**

Two days before I was due to catch a flight that would take me overseas on holiday, the replacement residents-only parking permit for my wife's car had not yet been received. On enquiry I was informed that no proof of residence had been found with the application form. The time was 3.50pm at this point.

When advised that my visual impairment meant that I could not read building signage or street numbers, the official gave me a good description of the location, of the office building as well as his direct dial telephone number in case I encountered any difficulty in finding the place.

Thirty minutes later, on entering the foyer of his office block, I called him as arranged and he came down to meet me. It was now 4.25pm and he asked me to accompany him to the sixth floor. He quickly processed the rest of the paperwork and printed out the parking permit before leading me across the road to the Auckland Transport Service Centre at the Britomart Railway Station. After assisting me with paying the appropriate fee, he handed the parking permit to me. It was now 4.45pm, less than one hour since I had called to query why the permit had not yet been received.

The young man's courtesy and willingness to do that little bit extra to assist me shows just how simple accessibility for a visually impaired person can be.

## Story 7

**Audio description and announcements**

**Penny, Wellington, 67**

For some time in Wellington I have enjoyed the occasional play and opera with audio description. The most recent I attended was *The Hound of the Baskervilles* at Circa Theatre. I had a touch tour prior to the performance when we met the actors and examined the props and had the scenes explained to us. Having the audio description during the play gives description of anything blind people might miss. The audio description in no way interferes with the dialogue nor is it heard by other members of the audience. It certainly enhances our enjoyment of the performance. Sometimes I am more aware than the fully sighted people in the audience. For example, the props in *The* *Hound of the Baskervilles* are authentic as far as possible

The operas I have been able to attend are *The Bartered Bride*, *La Traviata* and *Madam Butterfly*. The singers had gorgeous costumes which I, on the touch tour, was able to feel.

Last year I went to a Rhythm and Resonance concert. This was mainly percussion. During the touch tour I heard all about the instruments. I had the opportunity to try out a drum. I had no idea that there are so many percussion instruments, everything from the triangle to enormous drums and marimbas.

I was fortunate enough to attend the Blind Foundation Arts Access Weekend in Christchurch in May. I experienced audio description in many areas, such as music, art galleries and at live theatre.

At Te Papa in Wellington I have been part of a pilot project to bring the art works to blind and vision impaired visitors.

On television I have audio description on some programmes. Audio description can be set up on most television sets.

You also wanted to know about ATMs and the audio function. Some members do not use ATMs as they get extra cash when they pay retailers with their EFTPOS card. However, there are occasions when one wants to use a bank ATM. The audio is available on most ATMs of major banks. Some ATMs are audio capable but the software has not been installed. Other times the audio is not working and I have had to notify the branch.

On some buses and trains I have announcements of the upcoming stops. This is very helpful. On the train occasionally the audio has been off so I asked why and they reply that it is a “technical problem”. Likewise on the bus the audio is off because people object to the noise.

I am fortunate in New Zealand to have many facilities to assist blind people in their daily lives and promote independence.

## Story 8

**Auckland Transport**

**Arthur, Auckland, 47**

My story is about my AT HOP card and the accessible concession linked to it. I’m a client and I travel to and from the Blind Foundation in Parnell every day from Albany Park and Ride. My AT HOP card had been linked to my Total Mobility Card (TMC), which I wasn’t aware of when issued. Prior to this card, from memory, I had a HOP card that had been linked to my Blind Foundation ID card.

When travelling to work on the 1 July, I noticed when tagging off the bus that morning that I had been charged a full fare as opposed to the one-third child fare. I at least I thought this was the case, so I went to the Customer Service desk at Newmarket Train Station to find out if this was indeed the case. The clerk checked my card and confirmed that this was indeed the case. He explained that at the expiry of my AT HOP card, it had automatically reverted to the full fare with no concession. It would have been nice to have known this beforehand. I asked the clerk if I could get a credit back on my card for the difference between the child and adult fare but I was told no. Unfortunately my low vision does not expire when my card expires. My low vision continues on every day, so my Blind Foundation ID card also continues on and should be the only one that is linked to the HOP card, so that this issue does not arise.

**Story 9**

**Riding the buses in Auckland**

**Eva, Auckland, 52**

This is tricky. It can be like lassoing a large floating log as it lunges along the river. I throw the rope when it sloshes past me. It lunges to a stop and I rein it in by tapping my cane along the side to find the door. Very occasionally the driver has been known to jump off the log and swim over to me and assist me onto the log. From time to time the driver seems to be blind to me. The driver has for some reason not seen me with my cane. The driver does not slow down and stop to check that I do not need that bus. This can happen even when I am standing in exactly the right place where my qualified mobility instructor has taught me to stand. I am confused and disappointed. What went wrong? More waiting. This does not feel good. It feels bad. I feel left out. I am left to my own means of survival. But, it always feels good when I am picked up. I’m on my way. I’m back in the race!

I like taking the bus to and from work. I like being part of society and feeling the energy of the other passengers going about their lives. I like the motion of the bus and the air conditioning in the summer and the heating in the winter. The seats are comfortable. I find it a vibrant and interesting place to be. However, in reality I am being transported along in a dark, quiet box by a person who I cannot see. I am completely reliant on him or her for the way my journey will end. Will I be let off the bus where I need to be? When I travel on the bus I must concentrate and be alert to pay attention about when to get off.

In the afternoon on the way home from work when I get on the bus, I say to the driver, “Can you please let me know when I get to my stop? Do you know the stop I mean?” I always make sure that the driver knows exactly which stop I mean. Sometimes I ask the driver if he or she needs to be reminded along the way. Sometimes they say “yes, remind me lots of times”. Sometimes the driver does not know their route as they are a substitute driver. I then ask other passengers around me if they know the stop I need. Every trip is different. I have to be alert. Sometimes the driver thinks that he or she knows the stop but makes a mistake. The driver can forget by accident. I don’t blame them. They have many things to concentrate on.

Having to ask the driver makes me always feel conspicuous. My private business about where I want to get off is being shared about to those in earshot. It’s even a bit tedious and annoying. But on the routes where there are automatic stop announcements, I never feel this way. On all other buses though, I often feel just a little anxious something like before one goes for a roller-coaster ride. Here I go again. I know that I will probably not be killed or injured getting off the bus at the wrong stop; however, my intellect tells me that I would definitely be safer on a roller- coaster. I would definitely feel less stressed as at the fun park I can scream my head off and everyone will be smiling.

I bought a special app for my iPhone. It is a GPS called Navigon. This is the best on the market apparently. I thought this wondrous piece of technology would solve all my “get off the bus at the right stop” problems. Ha! What do I find? Well, this technology relies on a connection to the cellular network, which in this part of town drops out through certain parts of the route. What’s more, this app uses up a stupendous amount of my “juice pack” (that’s my back-up iPhone battery). It has therefore turned out to be no more reliable than anything else!

What are my options? I could take the taxi to work. It will cost me ten times as much as I would pay for my bus ticket, even with a 50% discount for Total Mobility card holders. This definitely feels like I am being penalised! I must have been a witch in a past life.

My bus ticket is half the price of what a sighted working person has to pay. It is called an accessible rate. Is this is good as it gets?

## Story 10

**Woman with low vision living in rural New Zealand**

**Mary, Taranaki, 47**

My name is Mary and I am a partially sighted single mother of three school-aged children. I live in Knob Hill, a suburb of New Plymouth which is a 10–15 minute drive from New Plymouth CBD.

**Local library and recreational services**

I am very fortunate to have a library located approximately 500 metres from my home, so I am able to walk there without any trouble. The roads in Knob Hill are not too busy, so crossing the road is not as scary as it is in town. The staff at the Knob Hill Library are friendly and helpful and they have gotten to know me over the years I have lived here. I use an app on my iPad to access the library’s digital books and audio books which the staff at our library helped me set up.

Another thing I like about having a library close by is that when I have to have an appointment to apply for my rates rebate it is all done at our local library where the staff knows me and are used to helping me.

In the area of recreation I do not participate in any of the activities I am interested in because most of them are held in New Plymouth in the evening and the buses into town only run until around 5:30 and a taxi is too expensive, even with Total Mobility.

**Health services**

Here in Knob Hill there is a medical centre in the same shopping complex as our library and supermarket, which is about 500 metres away from where I live.

This is where my GP is but for specialist services such as eye doctors, dentists and other services I have to travel into New Plymouth. To get to these appointments I ask a friend or catch a taxi. The appointments are not easy to change to suit travel arrangements as they are made by the outpatient’s admin at the hospital. So generally I have to pay for transport to these appointments.

To navigate the hospital for appointments I usually ask my driver to take me to the area of the hospital where the appointment is because all the areas of the hospital look the same to me. There are sometimes volunteers that stand near to help people get to the different areas of the hospital, which I think is a positive step forward.

**Websites**

I purchased a 22” monitor and a large print keyboard, which I use along with the Windows 7 built-in magnifier to access the internet. I find most websites accessible with these tools and have noticed that there is awareness about having accessible websites.

I use the internet for almost everything from researching products and information to shopping. I buy groceries, family clothing, gifts and many other things online because it saves me having to worry about finding transport to get to physical shops. I can also enlarge pictures on the internet so I can see them more clearly.

**EFTPOS terminals and Automatic Teller Machines (ATM’s)**

When I use an ATM I remember the order of the instructions because I cannot see the screen.

If the format changes I have a bit of a panic attack and cancel my transaction until I can get someone to come with me and talk me through the new format. I would do things three or four times until I am confident that I have memorised the order and placement of selection buttons.

With EFTPOS terminals I do the same thing, I memorise the order of the process and where the selection keys are that are relevant to me. Most of the EFTPOS terminals peep when they are ready for the next instruction, which I find a big help.

**Studying**

Growing up I found mainstream schooling very difficult and I struggled to keep up with my peers because I was a very slow reader due to my eye condition. When I was 14 years old someone from the Blind Foundation gave me an IQ test, which revealed that I had an above average IQ, but my performance at school was below average. Therefore it was concluded that my sight problem was the issue.

As an adult I have found that study has become much more accessible. There are dedicated staff at each polytechnic and university to help coordinate and provide resources for people with disabilities. I get all my text books in digital format so I can view them in large print or have the text read to me via an app when my eyes get tired or I have limited time. When I was at WITT in New Plymouth each of my tutors would email me their PowerPoint slides before class so that I could use my laptop or iPad to access them at the same time as the rest of my class. I was also permitted to use a voice recorder in class instead of taking notes, which I found very helpful. If I used a voice recorder I had to sign a confidentially agreement which stated that I would be the only person using the recording and that I would delete them at the end of the course. If something was written on the white board I would take a photo of it with my iPad and then I could enlarge it so I could see it.

**Working**

Before getting married I was on a benefit. I think it was expected that I would leave school and go on a benefit because at that time the public opinion was that you have a disability so you are entitled to the benefit and you are not expected to get a job. Well that is how it was for me. Then I got married and my husband supported me while I stayed home and raised our three children. After separating from my husband after being married for 12 years I went back onto the Invalid’s Benefit. Once my youngest child was at school I started looking for a job. I found it difficult to find jobs to apply for mainly because I did not have any qualifications or experience. Because of this situation I decided to study and attended WITT in Taranaki as a part-time student studying management at the diploma level. I continued to look for work and managed to get short-listed for two jobs. One was with a water purification company looking for someone to make phone calls to clients to book filter changes, etc. I did not get the job because the other lady had experience, but the interviewer was not put off by my vision impairment at all. The second job was as a receptionist for a radio station, but once they found out I was vision impaired the telephone interviewer’s enthusiasm changed completely and the call was cut short.

After completing my NZIM Diploma in Management I became frustrated by the lack of confidence that employers have in people with vision problems, so with the help of a CCS Disability Auction staff member I went door to door at a local shopping centre offering to work for them as a volunteer just to show that my disability is not a big issue. Of course free labour was something that grabbed the attention of the managers. I approached a sporting retailer and the young manager was very open to new ideas and innovation so he agreed to take me on as a processor in the warehouse a couple of days a week. My job was to unpack, price and security tag apparel and footwear. The job was very boring and not really what I wanted to do but I needed experience and a reference that could support my good work ethic and high standard of commitment and output. I worked there for three months as a volunteer. I definitely found that my vision was an issue because I needed to read price tags and box labels, but even though I was slow reading prices and labels I was able to make up the time by being an efficient unpacker and security tagger, which meant I was as fast as a sighted processor. This impressed the manager and he offered me a casual position as a processor. They would not consider me for any other position even though I had proved myself. A casual position is an understatement because I only get called up two or three times a year to do a couple of days.

**Using public transport**

I have used the buses from my home to town, but the times that they run are not accessible for me. For example, if I needed to be in town for a meeting at 9:00 I would have to catch the 7:30am bus, which means leaving my school-aged children unattended at home because they leave for school at 8:00 and 8:20. The next bus is at 9:45am.

The trip into town only takes 20 minutes via bus. I did use the bus from my job back home but I needed to have someone spend time taking the route until I felt comfortable doing it on my own because I get very anxious about doing things on my own. I worry that I might get lost and not know where I am, and as a woman that would put me in a vulnerable situation. I practised the route with the CCS lady who helped me get my job. She did the route with me until I was comfortable doing it on my own. I now use an app on my iPhone called Blind Square, which tells me where I am while I am on the bus. This gives me a little more confidence about getting off at the right bus stop. I usually sit at the front of the bus so I can ask the driver to tell me when I get to the right stop because I cannot see enough to identify buildings out the window.

I have to admit I prefer using taxis but the cost is too much even with the Total Mobility voucher. I feel safer and less vulnerable using a taxi than I do using public transport.

## Story 11

**Talking bus timetable**

**Maree, Auckland, 40**

There is a real-time bus timetable at the bus stop where I catch the bus in the morning. The bus stop is on a very busy road, and a number of different buses use the stop. On the pole of the timetable sign there is a large yellow button. When I push the button the sign starts to talk and to tell me in exact minutes when each bus is coming. This is a fantastic system for me. It does not matter if I am the only person at the bus stop. I can always know when my bus is coming.

Sometimes the sign breaks down and I go back to relying on other people for information if they are there. I often miss my bus as I do not know which one is the right one. It is quite soul destroying to be standing at the bus stop with streams of cars driving past, and then to have your own bus drive past too! I hope to see more of these timetables on bus routes throughout New Zealand.

# Appendix 2: The Disability Convention — Quick Reference for the Blind Foundation[[36]](#footnote-36)

All 50 articles of the United Nations Convention on the Rights of Persons with Disabilities (UNCRPD) are of interest and importance to us. However, many are of specific relevance to the relationship between the United States and the United Nations (UN) only. Others are procedural in that they guide the UN on how to manage the convention and so are not of immediate relevance to the Blind Foundation. Articles 31–50 have been excluded from this document on these grounds. Lastly, some articles, or clauses within articles, are of more relevance to other disability groups or are very generic statements of principle, which, without practical examples, can be interpreted by the reader as they see fit; they, too, have been excluded from this list. The intention here is to give those engaged in advocacy — in which the UNCRPD is a useful tool — access to the most immediately relevant, and useful, aspects of the convention.

This should not be taken to mean that we can ignore those clauses and articles not included here. This document is simply an attempt to focus attention on those aspects of the UNCRPD which we should know inside out, especially in our interaction with Government ministries, officials, MPs and ministers, not to mention the media.

Our Government has signed up to and ratified this convention and it is our job to ensure that our community benefits from the promises implicit in that ratification.

What follows is the text of the most immediately relevant aspects of the convention to the Blind Foundation. As in the original document, it is organised by article. However, only the most immediately relevant articles appear here, and within them, only the most immediately relevant clauses. For convenience, the clauses and sub-clauses are identified next to the article number and title to facilitate easy reference: some articles are immediately relevant in their entirety, while in other cases only specific parts of the article are.

If articles or clauses which ought to have been included here have been excluded, these can be added at any time.

Article 2: Definitions (two specific definitions)

For the purposes of the present Convention:

‘Communication’ includes languages, display of text, braille, tactile communication, large print, accessible multimedia as well as written, audio, plain language, human-reader and augmentative and alternative modes, means and formats of communication, including accessible information and communication technology;

‘Universal design’ means the design of products, environments, programmes and services to be usable by all people, to the greatest extent possible, without the need for adaptation or specialized design. ‘Universal design’ shall not exclude assistive devices for particular groups of persons with disabilities where this is needed.

Article 4: General obligations (specifically Clause 1)

1. States Parties undertake to ensure and promote the full realization of all human rights and fundamental freedoms for all persons with disabilities without discrimination of any kind on the basis of disability. To this end, States Parties undertake

(a) to adopt all appropriate legislative, administrative and other measures for the implementation of the rights recognized in the present Convention.

(b) to take all appropriate measures, including legislation, to modify or abolish existing laws, regulations, customs and practices that constitute discrimination against persons with disabilities.

(c) to take into account the protection and promotion of the human rights of persons with disabilities in all policies and programmes.

(d) to refrain from engaging in any act or practice that is inconsistent with the present Convention and to ensure that public authorities and institutions act in conformity with the present Convention.

(e) to take all appropriate measures to eliminate discrimination on the basis of disability by any person, organization or private enterprise.

(f) to undertake or promote research and development of universally designed goods, services, equipment and facilities, as defined in article 2 of the present Convention, which should require the minimum possible adaptation and the least cost to meet the specific needs of a person with disabilities, to promote their availability and use, and to promote universal design in the development of standards and guidelines.

(g) to undertake or promote research and development of, and to promote the availability and use of new technologies, including information and communications technologies, mobility aids, devices and assistive technologies, suitable for persons with disabilities, giving priority to technologies at an affordable cost.

(h) to provide accessible information to persons with disabilities about mobility aids, devices and assistive technologies, including new technologies, as well as other forms of assistance, support services and facilities,

(i) to promote the training of professionals and staff working with persons with disabilities in the rights recognized in this Convention so as to better provide the assistance and services guaranteed by those rights .Article 9: Accessibility (in its entirety).

2. To enable persons with disabilities to live independently and participate fully in all aspects of life, States Parties shall take appropriate measures to ensure to persons with disabilities access, on an equal basis with others, to the physical environment, to transportation, to information and communications, including information and communications technologies and systems, and to other facilities and services open or provided to the public, both in urban and in rural areas. These measures, which shall include the identification and elimination of obstacles and barriers to accessibility, shall apply to, inter alia,

(a) buildings, roads, transportation and other indoor and outdoor facilities, including schools, housing, medical facilities and workplaces.

(b) information, communications and other services, including electronic services and emergency services.

3. States Parties shall also take appropriate measures to

(a) develop, promulgate and monitor the implementation of minimum standards and guidelines for the accessibility of facilities and services open or provided to the public.

(b) ensure that private entities that offer facilities and services which are open or provided to the public take into account all aspects of accessibility for persons with disabilities.

(c) provide training for stakeholders on accessibility issues facing persons with disabilities.

(d) provide in buildings and other facilities open to the public signage in braille and in easy to read and understand forms.

(e) provide forms of live assistance and intermediaries, including guides, readers and professional sign language interpreters, to facilitate accessibility to buildings and other facilities open to the public.

(f) promote other appropriate forms of assistance and support to persons with disabilities to ensure their access to information.

(g) promote access for persons with disabilities to new information and communications technologies and systems, including the Internet.

(h) promote the design, development, production and distribution of accessible information and communications technologies and systems at an early stage, so that these technologies and systems become accessible at minimum cost.

Article 20: Personal mobility (in its entirety)

States Parties shall take effective measures to ensure personal mobility with the greatest possible independence for persons with disabilities, including by

(a) facilitating the personal mobility of persons with disabilities in the manner and at the time of their choice, and at affordable cost;

(b) facilitating access by persons with disabilities to quality mobility aids, devices, assistive technologies and forms of live assistance and intermediaries, including by making them available at affordable cost;

(c) providing training in mobility skills to persons with disabilities and to specialist staff working with persons with disabilities;

(d) encouraging entities that produce mobility aids, devices and assistive technologies to take into account all aspects of mobility for persons with disabilities.

Article 21: Freedom of expression and opinion, and access to information (in its entirety)

States Parties shall take all appropriate measures to ensure that persons with disabilities can exercise the right to freedom of expression and opinion, including the freedom to seek, receive and impart information and ideas on an equal basis with others and through all forms of communication of their choice, as defined in article 2 of the present Convention, including by

(a) providing information intended for the general public to persons with disabilities in accessible formats and technologies appropriate to different kinds of disabilities in a timely manner and without additional cost.

(b) accepting and facilitating the use of sign languages, braille, augmentative and alternative communication, and all other accessible means, modes and formats of communication of their choice by persons with disabilities in official interactions.

(c) urging private entities that provide services to the general public, including through the Internet, to provide information and services in accessible and usable formats for persons with disabilities.

(d) encouraging the mass media, including providers of information through the Internet, to make their services accessible to persons with disabilities.

(e) recognising and promoting the use of sign languages.

Article 24: Education (specifically clauses 1c and 2–5)

1. States Parties recognize the right of persons with disabilities to education. With a view to realising this right without discrimination and on the basis of equal opportunity, States Parties shall ensure an inclusive education system at all levels and lifelong learning directed to

(c) enabling persons with disabilities to participate effectively in a free society.

2. In realising this right, States Parties shall ensure that

(a) persons with disabilities are not excluded from the general education system on the basis of disability, and that children with disabilities are not excluded from free and compulsory primary education, or from secondary education, on the basis of disability.

(b) persons with disabilities can access an inclusive, quality and free primary education and secondary education on an equal basis with others in the communities in which they live.

(c) reasonable accommodation of the individual’s requirements is provided.

(d) persons with disabilities receive the support required, within the general education system, to facilitate their effective education.

(e) effective individualised support measures are provided in environments that maximize academic and social development, consistent with the goal of full inclusion.

3. States Parties shall enable persons with disabilities to learn life and social development skills to facilitate their full and equal participation in education and as members of the community. To this end, States Parties shall take appropriate measures, including

(a) facilitating the learning of Braille, alternative script, augmentative and alternative modes, means and formats of communication and orientation and mobility skills, and facilitating peer support and mentoring.

(b) facilitating the learning of sign language and the promotion of the linguistic identity of the deaf community.

(c) ensuring that the education of persons, and in particular children, who are blind, deaf or deaf blind, is delivered in the most appropriate languages and modes and means of communication for the individual, and in environments which maximize academic and social development.

4. In order to help ensure the realization of this right, States Parties shall take appropriate measures to employ teachers, including teachers with disabilities, who are qualified in sign language and/or braille, and to train professionals and staff who work at all levels of education. Such training shall incorporate disability awareness and the use of appropriate augmentative and alternative modes, means and formats of communication, educational techniques and materials to support persons with disabilities.

5. States Parties shall ensure that persons with disabilities are able to access general tertiary education, vocational training, adult education and lifelong learning without discrimination and on an equal basis with others. To this end, States Parties shall ensure that reasonable accommodation is provided to persons with disabilities.

Article 25: Health (specifically items B and E)

States Parties recognize that persons with disabilities have the right to the enjoyment of the highest attainable standard of health without discrimination on the basis of disability. States Parties shall take all appropriate measures to ensure access for persons with disabilities to health services that are gender-sensitive, including health-related rehabilitation. In particular, States Parties shall

(b) provide those health services needed by persons with disabilities specifically because of their disabilities, including early identification and intervention as appropriate, and services designed to minimize and prevent further disabilities, including among children and older persons.

(e) prohibit discrimination against persons with disabilities in the provision of health insurance, and life insurance where such insurance is permitted by national law, which shall be provided in a fair and reasonable manner.

Article 26: Habilitation and rehabilitation (in its entirety)

1. States Parties shall take effective and appropriate measures, including through peer support, to enable persons with disabilities to attain and maintain maximum independence, full physical, mental, social and vocational ability, and full inclusion and participation in all aspects of life. To that end, States Parties shall organize, strengthen and extend comprehensive habilitation and rehabilitation services and programmes, particularly in the areas of health, employment, education and social services, in such a way that these services and programmes:

(a) begin at the earliest possible stage, and are based on the multidisciplinary assessment of individual needs and strengths.

(b) support participation and inclusion in the community and all aspects of society, are voluntary, and are available to persons with disabilities as close as possible to their own communities, including in rural areas.

2. States Parties shall promote the development of initial and continuing training for professionals and staff working in habilitation and rehabilitation services.

3. States Parties shall promote the availability, knowledge and use of assistive devices and technologies, designed for persons with disabilities, as they relate to habilitation and rehabilitation.

Article 27: Work and employment (specifically Clause 1)

1. States Parties recognize the right of persons with disabilities to work, on an equal basis with others; this includes the right to the opportunity to gain a living by work freely chosen or accepted in a labour market and work environment that is open, inclusive and accessible to persons with disabilities. States Parties shall safeguard and promote the realization of the right to work, including for those who acquire a disability during the course of employment, by taking appropriate steps, including through legislation, to, inter alia,

(a) prohibit discrimination on the basis of disability with regard to all matters concerning all forms of employment, including conditions of recruitment, hiring and employment, continuance of employment, career advancement and safe and healthy working conditions.

(b) protect the rights of persons with disabilities, on an equal basis with others, to just and favourable conditions of work, including equal opportunities and equal remuneration for work of equal value, safe and healthy working conditions, including protection from harassment, and the redress of grievances.

(c) ensure that persons with disabilities are able to exercise their labour and trade union rights on an equal basis with others.

(d) enable persons with disabilities to have effective access to general technical and vocational guidance programmes, placement services and vocational and continuing training.

(e) promote employment opportunities and career advancement for persons with disabilities in the labour market, as well as assistance in finding, obtaining, maintaining and returning to employment.

(f) promote opportunities for self-employment, entrepreneurship, the development of cooperatives and starting one’s own business.

(g) employ persons with disabilities in the public sector.

(h) promote the employment of persons with disabilities in the private sector through appropriate policies and measures, which may include affirmative action programmes, incentives and other measures.

(i) ensure that reasonable accommodation is provided to persons with disabilities in the workplace.

(j) promote the acquisition by persons with disabilities of work experience in the open labour market.

(k) promote vocational and professional rehabilitation, job retention and return-to-work programmes for persons with disabilities.

Article 29: Participation in political and public life (in its entirety)

States Parties shall guarantee to persons with disabilities political rights and the opportunity to enjoy them on an equal basis with others, and shall undertake to

(a) Ensure that persons with disabilities can effectively and fully participate in political and public life on an equal basis with others, directly or through freely chosen representatives, including the right and opportunity for persons with disabilities to vote and be elected, inter alia, by

(i) ensuring that voting procedures, facilities and materials are appropriate, accessible and easy to understand and use.

(ii) protecting the right of persons with disabilities to vote by secret ballot in elections and public referendums without intimidation, and to stand for elections, to effectively hold office and perform all public functions at all levels of government, facilitating the use of assistive and new technologies where appropriate.

(iii) guaranteeing the free expression of the will of persons with disabilities as electors and to this end, where necessary, at their request, allowing assistance in voting by a person of their own choice.

(b) Promote actively an environment in which persons with disabilities can effectively and fully participate in the conduct of public affairs, without discrimination and on an equal basis with others, and encourage their participation in public affairs, including

(i) participation in non-governmental organizations and associations concerned with the public and political life of the country, and in the activities and administration of political parties.

(ii) forming and joining organisations of persons with disabilities to represent persons with disabilities at international, national, regional and local levels.

Article 30: Participation in cultural life, recreation, leisure and sport (specifically clauses 1, 3 and 5)

1. States Parties recognise the right of persons with disabilities to take part on an equal basis with others in cultural life, and shall take all appropriate measures to ensure that persons with disabilities:

(a) enjoy access to cultural materials in accessible formats.

(b) enjoy access to television programmes, films, theatre and other cultural activities, in accessible formats.

(c) enjoy access to places for cultural performances or services, such as theatres, museums, cinemas, libraries and tourism services, and, as far as possible, enjoy access to monuments and sites of national cultural importance.

3. States Parties shall take all appropriate steps, in accordance with international law, to ensure that laws protecting intellectual property rights do not constitute an unreasonable or discriminatory barrier to access by persons with disabilities to cultural materials.

5. With a view to enabling persons with disabilities to participate on an equal basis with others in recreational, leisure and sporting activities, States Parties shall take appropriate measures:

(a) to encourage and promote the participation, to the fullest extent possible, of persons with disabilities in mainstream sporting activities at all levels.

(b) to ensure that persons with disabilities have an opportunity to organize, develop and participate in disability-specific sporting and recreational activities and, to this end, encourage the provision, on an equal basis with others, of appropriate instruction, training and resources.

(c) to ensure that persons with disabilities have access to sporting, recreational and tourism venues.

(d) to ensure that children with disabilities have equal access with other children to participation in play, recreation and leisure and sporting activities, including those activities in the school system.

(e) to ensure that persons with disabilities have access to services from those involved in the organisation of recreational, tourism, leisure and sporting activities.

# Appendix 3: Key legislation and initiatives around the world dealing with the rights of disabled people, including people who are blind or have low vision

Many countries and regions around the world recognise the importance of empowering all people to participate fully in society. In 1948, the United Nations adopted the Universal Declaration of Human Rights. The concept of inclusivity for disabled people evolved over the years, with many nations collaborating and supporting the UN’s Convention on the Rights of Persons with Disabilities (2006). In addition to global collaborative efforts, nations around the world have developed their own initiatives to support the inclusion of persons with disabilities, tailored to each country’s unique requirements and resources.

Some countries, including the UK, Sweden, Australia and Singapore have legislation that addresses the inclusion of disabled people within their societies. These initiatives focus on inclusion in a reactive manner — most make recommendations on policies regarding inclusion, and enforcement is complaints-based — so that action is taken when an individual who experiences discrimination makes a complaint. Many initiatives mandate support programmes for disabled people, instead of enabling a more inclusive society as their core objective.

## Australia

### Disability Discrimination Act

This legislation is designed to enable full participation of all citizens. It applies to most public and private organisations. It does not require mandatory reporting. It does not set provisions for proactive enforcement. It does not clearly define specific accessibility goals. It does not define timeframes to meet goals.[[37]](#footnote-37)

## Canada

The Canadian Charter of Rights and Freedoms (CCRF) is Canada’s primary legislation. Section 16 of the CCRF details the guaranteed equality rights. The Canadian Human Rights Code protects disabled people in the provision of goods, services and accommodation facilities.

### Canadian Human Rights Act

This legislation is designed to enable full participation of all citizens. It applies to most public and private organisations. It does not set provisions for proactive enforcement, clearly define accessibility goals or clearly define timeframes to meet goals.

### Ontario

Ontario’s approach to equality is unique in a number of ways:

* It applies to all public and private organisations (no exceptions).
* It requires mandatory reporting of compliance.
* It is proactive in audits and enforcements.
* It sets specific accessibility goals to be met.
* It sets a guaranteed timeframe for all Ontarians to meet these goals.

#### Accessibility for Ontarians with Disabilities Act (AODA) 2005

This legislation is designed to enable full participation of all citizens. It applies to all public and private organisations. It requires mandatory reporting. Provisions are set for proactive enforcement. It clearly defines accessibility goals and sets timeframes to meet goals.

The provinces of Nova Scotia and Manitoba have also enacted accessibility legislation modelled on the AODA.

## United States

In the United States, the Americans with Disabilities Act was enacted in 1990 (amended in 2009) to protect disabled people from discrimination due to their disabilities. Areas covered include employment, facilities, accommodation and public transportation**.**

### Americans with Disabilities Act 1990

This legislation is designed to enable the full participation of all citizens. It applies to most public and private organisations. It does not require mandatory reporting. It does not set provisions for proactive enforcement. It does not define specific accessibility goals and does not clearly define timeframes to meet goals.

## United Kingdom

### Equality Act 2010

This legislation is designed to enable the full participation of all citizens. It applies to most public and private organisations. It does not require mandatory reporting. It does not have provisions set for proactive enforcement, does not clearly define specific accessibility goals and does not set timeframes to meet goals.[[38]](#footnote-38)

## Sweden

### Act Concerning Support and Service for Persons with Certain Functional Impairments 1994

This legislation is designed to enable full participation of all citizens. It applies to individuals and is a support-based Act. It does not require mandatory reporting. There are no provisions set for proactive enforcement. It does not clearly define specific accessibility goals. It does not set the timeframe to meet goals.

## Singapore

### Enabling Masterplan

This national strategy is designed to enable full participation of all citizens. It applies to most public and private organisations. It does not require mandatory reporting. It does not set provisions for proactive enforcement. It does not define specific accessibility goals. It does not clearly define the timeframe to meet goals.

## United Nations

### Convention on the Rights of Persons with Disabilities

This treaty is designed to enable full participation of all citizens. It applies to most public and private organisations. It does not require mandatory reporting. It does not set provisions for proactive enforcement. It does not clearly define specific accessibility goal. It does not clearly define the timeframe to meet goals.

# Appendix 4: Footnote URLs where applicable

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