

Accessible transport: legal obligations (Transport Committee)

Transport for All's response
March 2023

About Transport for All

Transport for All is the only disabled-led group striving to increase access to all modes of transport and streetspace across the UK. We are a pan-impairment organisation, guided by the passionate belief that all disabled and older people have the right to travel with freedom and independence.

How the views of our community are obtained

Transport for All is the leading voice on accessible transport. We have 40 years of specialist knowledge of transport access, and a unique understanding of the needs and views of disabled travellers. As a membership organisation, we facilitate a network of over 1000 disabled people, gathering the perceptions and insights of those with lived experience of access to transport. Through our information and advice line we provide advice, support and education for over 250 disabled and older people each month.

Why we are submitting evidence

As the only Disabled Person's Organisation working entirely on transport, we feel that our expertise will provide the Transport Committee with invaluable evidence as part of this Inquiry.

Summary

Current legislation does not ensure accessible transport for all due to weak language, limited implementation, and inadequate legal consequences. In order to properly enforce existing legislation, the penalty administered for breaches must be of similar significance as the breach itself. In order for operators to uphold their legal obligations to make transport accessible, adequate staffing levels are critical. Complaints and compensation can work well for individual disabled people, however the processes are often long, complicated, emotionally draining, and inaccessible. Some transport sectors do not have adequate consumer protections in the first place. Accessibility provisions vary across the country, and disabled people face significant barriers on every mode of transport. Regulators do not have significant enough powers to enforce the legal obligations of their particular mode of transport. The current legal obligations for transport are minimal, and guidance often does

not have any legal standing whatsoever, making it ineffectual. We do not have any examples of best practice, and any guidance developed should be coproduced with disabled people. Whilst we initially welcomed the Inclusive Transport Strategy, we are disappointed with its lack of progress, and feel that the strategy itself could have gone further.

How effective is the current legislation aimed at ensuring accessible transport for all?

Current legislation does not ensure accessible transport for all. The Equality Act and the Public Sector Equality Duty are both general duties that seek to “harmonise” equalities duties across all nine protected characteristics. Whilst there are secondary legislations to strengthen these more broad-based steps, the overarching Equalities legislation makes very few references to making transport accessible. The Public Sector Equality Duty is outlined as telling public bodies, and private companies who deliver a public service, that they must “take steps” to “consider” how any action will impact groups that fall under a protected characteristic. This does not go far enough to ensure that disabled people are protected from decisions that will impact their ability to travel or access public transport services. Furthermore, the Public Sector Equality Duty does not apply to private companies.

It is clear that there is an aim to make sure public transport is accessible, however the legislative power in order to enforce this is not present. For example, under the Equality Act, a person is only able to take a discrimination claim to the civil courts. Further, discrimination claims can only be made on individual cases of discrimination (as in one specific instance, which can be applied to an individual or group of people, or an organisation). This means that every time a person is discriminated against, even if it is by the same body, another individual claim must be made. This is extremely tiring and places the entire burden of upholding the law on the disabled person being discriminated against, and is often shown not to work.

For example, Govia Thameslink have admitted to breaching the Equality Act consistently over the last decade¹, yet no action is able to be placed against them as, again, individuals must bring their own cases of discrimination against the courts. This means that it is not possible for a group of disabled people to bring multiple experiences of discrimination from one company, even if it is the same “type” of discrimination, to the courts. This prohibits group action and means that companies are less accountable.

There are also a significant number of discrimination claims under the Equality Act that are settled before being officially brought before the courts. This works well for individual disabled people, providing them with compensation or system changes. However, these

¹ Disability News Service (2022), *Rail Operator admits breaching the Equality Act on access for more than a decade*. Available at: <https://www.disabilitynewsservice.com/rail-operator-admits-breaching-equality-act-on-access-for-more-than-a-decade/>

cases being settled before becoming official means that they are not captured in official data, making it difficult to understand exactly how many claims have been made overall.

Furthermore, there is very little legislation that relates specifically to accessible transport. There are some parts of the Act that do relate to transport, and do have demonstrable effects. For example, section 165 of the Equality Act makes specific provisions for protecting against discrimination from taxi drivers (including being charged more for a journey), and the recent Taxi and Private Hire Vehicles (Disabled Persons) Bill has updated this legislation to ensure better protections for all disabled people during taxi journeys. This includes requiring that all taxi drivers, not just those driving Wheelchair Accessible Vehicles (WAVs), must provide assistance for disabled passengers. The Bill also requires that local licensing authorities keep a list of all WAVs in their area. Whilst this Bill does demonstrate the efficacy of having more specific language within legislation (i.e., making it a legal right that any disabled person, regardless of their impairment, receives assistance for their taxi journeys), there are still places in which it does not have the desired effect. For example, only 83% of authorities maintain a list of wheelchair accessible taxis in accordance with section 167 of the Equality Act, and only 72% maintain a list of all wheelchair accessible private hire vehicles².

How can existing legislation be better enforced to make accessible transport a reality?

Currently, the discrimination claim fines that are administered to transport companies who breach the Equality Act, are insufficient to ensuring effective enforcement. (TOCs). We have seen that the TOCs have the resources to pay out tens of thousands of pounds worth of fines, often to the same person for multiple discrimination claims, with no other recourse available. For instance, Southern was required to pay £17,000 in compensation to one disabled woman after she was left stranded on their trains and platforms more than 30 times³. Yet Southern continue to operate on a “business as usual” basis. In order for existing legislation to be better enforced, the penalty for discrimination must be equal to the seriousness of the offence. It must also be severe enough that the impact of systematic change outweighs the current system of continuously paying off fines, which currently do not have an impact significant enough to create these changes.

There are also stringent restrictions on the ability to access legal aid. It is unfair and discriminatory in itself to expect disabled people to bear the cost of legal action every time they are discriminated against. Many people will decide not to take action in order to protect their own health and wellbeing; pursuing legal action is both a time consuming and emotionally draining process, as well as often incurring a large financial burden. The

²Department for Transport (2022), *Taxi and Private Hire Vehicle Statistics 2022*. Available at <https://www.gov.uk/government/statistics/taxi-and-private-hire-vehicle-statistics-england-2022/taxi-and-private-hire-vehicle-statistics-england-2022>

³ Disability News Service (2021), *Train Company pays £17,000 after repeatedly leaving a disabled woman stranded*. Available at: <https://www.disabilitynewsservice.com/train-company-pays-17000-after-repeatedly-leaving-disabled-woman-stranded/>

Government must make it easier for disabled people, who are six percentage points more likely to live in poverty than non-disabled people⁴, to access legal aid.

Are operators and local licensing authorities fulfilling their legal obligations to disabled travellers and travellers with other accessibility needs? If not, why not?

As mentioned above, train operating companies flagrantly breach the Equality Act. Research by the Association of British Commuters shows that 6 railways across the Southeast are discriminating against disabled passengers at almost 300 train stations⁵. In all cases, this is due to staffing shortages and breaches of the Turn Up and Go provisions. It's clear that staffing is integral to ensuring disabled people are able to travel safely and with dignity, as per the Equality Act. Yet TOCs are not fulfilling this due to shortages and cost saving measures. Furthermore, the Office of Rail and Road recently conducted a review of unbooked assistance and Help Points at stations: of 79 auditors asked to find a Help Point at a partially staffed or unstaffed station, 65 were able to find one, 53 attempted calls, 46 were connected and 41 auditors were able to board a train, a success rate of only 52%⁶. This is an unacceptably low number, and demonstrates both another way that TOCs are not fulfilling their duties as per the Equality Act, and the importance of staffing in maintaining accessible travel.

In terms of taxis, whilst local licensing authorities are bound by the Public Sector Equality Duty, they are often seen not to follow these obligations. Licensing authorities seem to often not listen to the needs of disabled passengers, do not have a register of their wheelchair accessible vehicles and often do not send out a WAV to a customer who has requested it. We have also heard from a concerning number of members of our community that taxi drivers have attempted to charge them extra for the journey by starting the meter before they were safely inside the vehicle, then becoming angry when confronted. Many local licensing authorities are also known to not take accessibility related complaints seriously: more on this below.

How well do complaints and compensation processes work when things go wrong?

Rail and the Rail Ombudsman

⁴ The Health Foundation, (2022), *Inequalities in poverty*. Available at: health.org.uk/evidence-hub/money-and-resources/poverty/inequalities-in-who-is-in-poverty#:~:text=Disabled%20people%20are%20six%20percentage,27%25%20compared%20with%2021%25).

⁵ Disability News Service (2022), *Six train companies guilty of widespread discrimination, say campaigners*. Available at: <https://www.disabilitynewsservice.com/six-train-companies-guilty-of-widespread-discrimination-say-campaigners-2/>

⁶ Research Institute for Disabled Consumers (2022), *Accessible Travel Policy Implementation Review of unbooked assistance and Help Points*. Available here: <https://www.orr.gov.uk/media/23499>

Complaints in and of themselves are often extremely arduous processes that take disabled people a lot of time, effort and mental resource to complete. It does not help that 17% of disabled people have said that the complaints process is too confusing for them to complete, and 5% have said that the complaints process is entirely inaccessible to them⁷. This is also a statistic that has been acknowledged by the ORR⁸, though the establishment of the Rail Ombudsman has gone some way to reducing this confusion⁹. It is also unfair to expect a disabled person to have to advocate for themselves time and again through a long complaints process, when there is no confirmation that their complaint has ever even been received.

Often, Train Operating Companies do not operate their complaints processes in a way that is accessible to disabled people. The most common complaints process barriers are being unable to find the complaints contact on the TOC's website, or not hearing for several weeks about the outcome of a complaint. We have also heard traumatic experiences from our members that illustrate the sheer lack of awareness that TOCs have in regards to their processes.

Case study:

Samir* approached Transport for All after an incredibly distressing, life-threatening experience on a train. Samir is a wheelchair user and has a learning disability. He was traveling to see family, but as he was boarding a train, the doors closed in on him and the train briefly moved. He contacted the train operating company, who offered him an apology letter and sent an unsolicited gift hamper to his address, containing various food items, many of which Samir or his family could not consume for various reasons. Samir repeatedly asked for financial compensation for this incident, but it was not possible for him to get through to the train company or train station in question to get suitable compensation. The train company's "best offer" for Samir was £100, which he declined immediately and deemed insulting. Samir and his family contacted both the train company and the station on multiple occasions, over the phone, email, social media and via post. Many of the methods described are not accessible to Samir personally due to his learning disability, but the train company made no efforts to accommodate for this, despite Samir requesting for communication to be done over the phone. Transport for All helped Samir obtain a Deadlock letter which enabled us to get the case investigated by the Rail Ombudsman. After months of continuous support, the Ombudsman helped secure Samir a compensation of multiple thousand pounds, to be paid by the train company, as well as subsidised counselling to help Samir alleviate the trauma caused by the incident.

⁷ Scope (2019) *Travel Fair*. Available at https://www.scope.org.uk/campaigns/travel-fair/travel-fair-report-summary/?gclid=Cj0KCCQjwpcOTBhCZARIsAEAYLuV8-n0oaYx-WtkDVhJNA49BNU_O8PkvuZX8KaWRykyfkmsKVvXr9vIaAIH1EALw_wcB

⁸ Scope (2019) *Travel Fair*. Available at https://www.scope.org.uk/campaigns/travel-fair/travel-fair-report-summary/?gclid=Cj0KCCQjwpcOTBhCZARIsAEAYLuV8-n0oaYx-WtkDVhJNA49BNU_O8PkvuZX8KaWRykyfkmsKVvXr9vIaAIH1EALw_wcB

⁹ Scope (2019) *Travel Fair*. Available at https://www.scope.org.uk/campaigns/travel-fair/travel-fair-report-summary/?gclid=Cj0KCCQjwpcOTBhCZARIsAEAYLuV8-n0oaYx-WtkDVhJNA49BNU_O8PkvuZX8KaWRykyfkmsKVvXr9vIaAIH1EALw_wcB

*Name changed for privacy reasons

For complaints that go to the Rail Ombudsman after a deadlock, the maximum compensation allowance is £2,500, except for where there are circumstances in which there has been damage to mobility equipment that exceeds this amount. We are pleased that the ORR has acknowledged that this maximum award amount is not suitable in these cases, or in cases where a TOC has breached the Equality Act.

However, for the case to reach this point, it has to have reached either a deadlock or an unsatisfactory result with the operating company in question, a process which can take up to 40 working days. This results in added pressure and uncertainty about the status of a complaint, and represents a significant escalation that is extremely time consuming and can take an emotional toll.

Taxi/Private Hire Vehicle complaints

Many disabled people have experienced discrimination while using Taxis and Private Hire Vehicles, and often have grounds for complaint. However, there are many barriers to formally complaining, and sadly Local Authorities do not support disabled people through this process, or do not possess powers to act.

Case studies:

'I can't see their number plate, and I can't see any identifiable information like their make of car or their appearance. So even if I did report them, I can't give any evidence. The complaints process itself can also be really inaccessible and difficult to navigate.' - Visually impaired participant

'I have had my chair broken in a taxi by drivers mishandling it. There is no recourse for this – there was no compensation. I lost money as a result. No one seemed to know what to do or who is responsible.' - Wheelchair user

'My biggest issue has been guide dog refusals. I used to report every single incident. My local authority will not pursue a complaint. One time I was reporting an incident and the railway company even provided CCTV footage from the station of the taxi refusal, but that wasn't good enough evidence for the council. Normally I will get a letter saying 'it's your word against the driver's word'.' - Blind participant

'My experience of complaining to the local authority is being met with disinterest. And it's exhausting to continuously fight for basic things.' - Visually impaired participant

It is clear from the above that many local authorities are not only providing inadequate support to disabled passengers who make complaints, but they are also failing to uphold their equalities duties. Guide dog refusals are just one example of this; refusing someone a service due to the presence of a guide dog is illegal under the Equality Act, yet in the example given above, neither the taxi driver nor the local council acknowledged this. They provided no recourse for the passenger, and took no accountability for the situation. This is by no means a unique experience- we have heard countless examples of assistance dog refusals and broken mobility equipment which have never been acknowledged by local authorities. The lack of accountability for access denials is a serious failing of the legal obligations that local authorities are under, and represents a total disregard for the experiences of disabled taxi and PHV customers.

Air travel complaints

There is very little consumer protection for disability discrimination and accessibility related to air travel, and as such, complaints are often not properly listened to or taken seriously.

Another issue with the current legislation is the delineation of the roles of the air carrier and the managing body of the airport. These two bodies are assigned different sets of responsibilities and duties. However, at various points these duties and responsibilities overlap, creating a potential legal vacuum which can ultimately leave disabled passengers unprotected.

For example, assistance through the airport – through check-in, security, and to the gate, and boarding the aircraft – is covered by the airport. Assistance on board the aircraft, specifically to move from the aircraft door to the assigned seat and vice versa, and storage of luggage in the overhead lockers would fall under the responsibility of the aircraft crew. The transition between the two presents opportunities for issues and confusion to arise.

The Montreal Convention, adopted in 1999, set the maximum liability of airlines for lost baggage (which includes mobility aids such as wheelchairs) to a fixed amount 1,128 Special Drawing Rights (SDR) per passenger¹⁰. This is woefully inadequate to cover costs incurred by damage to wheelchairs and other mobility aids that can easily cost into the £30,000 band¹¹. In addition, the impact of the loss, even temporarily, of vital mobility equipment places disabled passengers at a substantially increased disadvantage in comparison to other passengers suffering damaged or mislaid baggage. For custom or adapted mobility equipment, there can be a minimum three-month (often much longer) lead time for a suitable replacement.

¹⁰ International Civil Aviation Organisation (2019) *2019 Revised Limits of Liability Under the Montreal Convention of 1999*. Available at https://www.icao.int/secretariat/legal/Pages/2019_Revised_Limits_of_Liability_Under_the_Montreal_Convention_1999.aspx

¹¹ Innova (2020) *How much does a power wheelchair cost?* Available at <https://www.innovacareconcepts.com/en/blog/how-much-does-a-power-wheelchair-cost/>

It is an extremely difficult and bureaucratic process to pursue an unresolved complaint made to an airline. This is due to the fact that there is no legally mandated Alternative Dispute Process (ADR) under the CAA. For example: if a disabled person wants to escalate an unresolved complaint about an incident on a plane, they have to escalate separate cases as per the Civil Aviation Authority's (CAA) Alternative Dispute Resolution schemes (ADRs). It is extremely difficult to pursue this, as not all airlines and airports are part of an ADR scheme. In addition to this, the 1999 Montreal Convention makes it difficult to request discrimination compensation from airlines (e.g. in the case of Tony Hook vs British Airways¹²). Furthermore, in a 2014 case - *Stott v Thomas Cook* - the Supreme Court decided that compensation for injury to feelings cannot be awarded where disability discrimination has occurred during embarkation, disembarkation or on board the aircraft¹³. This is because the Montreal Convention limits the liability of air carriers. It is clear therefore that the complaints process as related to air travel is extremely limited in its efficacy.

Are there specific transport modes or kinds of journeys where compliance with legal obligations is especially patchy? Are there differences according to where in the country you are travelling? What difficulties does this cause for travellers with access needs?

The rate of compliance and the overall coverage of public transport varies according to location. For example, rural areas tend to have extremely patchy public transport provisions, if any at all, and do not operate to the same standards as public transport provisions in large cities.

Different areas have different levels of accessibility provision: for example, whilst in London, all buses are fitted with an automatic mechanical ramp, other areas of the country do not have this level of provision, and thus disabled passengers who require the ramp must ask the driver to manually unfold the ramp for them. We have also been told that in some areas of the country, drivers are required to remain inside the cab at all times for their safety. This causes passengers to feel like they are breaking a rule, and inconveniencing the driver and other passengers when asking for the ramp to be deployed. This is also a clear cause of confusion among drivers over their obligations to maintain accessibility versus the mandate that they stay in the cab. We have even heard from a member of our community that a bus driver expected them to deploy the manual ramp themselves. It is clear that the standards of accessibility, particularly on buses, vary to extremes across different areas of the country.

In terms of difficulties this causes, whilst accessibility failures cause obvious travel delays, problems with ramp deployment and lack of assistance exposes disabled passengers to

¹² Case of Tony Hook by His Mother and Litigation Friend Gillian Hook v British Airways Plc [2011] EWHC 379 (2011). Available at: <https://www.travellawquarterly.co.uk/wp-content/uploads/2017/02/hook-v-british-airways.pdf>

¹³ Equality and Human Rights Commission, *Your rights on board a flight*. Available at: <https://www.equalityhumanrights.com/en/advice-and-guidance/your-rights-board-flight>

negative attitudes from both transport staff and other passengers, and can put them in dangerous or even life-threatening scenarios. This includes poor assistance provision, for example on train platforms when staff are not properly trained in ramp deployment.

As mentioned in many of our previous answers, rail travel can be extremely difficult, time consuming, and exhausting for disabled people. Whilst Passenger Assist mandates that a passenger should only need to request assistance 2 hours before their journey, this often fails, due to a lack of staff and/or failed assistance provision. This alone places a barrier on disabled passengers that non-disabled passengers do not face. We reiterate the statistic that 6 rail operators, in the South of England alone, have been found to be in breach of their equalities duties.

Overall, it is clear that there is a lack of consistency in accessible travel across the UK. Whilst larger cities such as London and Manchester are often seen to be doing a better job (due to such features as the mechanical bus ramps in London and the level-boarding tram in Manchester), there are still significant daily barriers to accessing transport in these large cities. This gets worse in rural areas. It is difficult to say whether one mode is particularly “patchy”, as disabled passengers are faced with significant barriers on every mode of transport.

How effective are the relevant regulators at enforcing accessibility in transport? These include the Equality and Human Rights Commission, the Office of Rail and Road, Local Licensing Authorities [and the Civil Aviation Authority].

EHRC

In 2019, the EHRC announced a new project that would support disabled and older people in taking legal action against operators¹⁴. However, according to some disability related news outlets, the EHRC commented that they posted this “in error”, and to date, nothing new about the project has been released. The EHRC has also published some research reports on the state of public transport across the UK, including reports on the accessibility of buses in Scotland and Wales. It also published a 2019-2022 strategic plan, which stated that one of the Commission’s main aims was to ensure public transport “ensured the social and economic integration of older and disabled people”¹⁵. Other than these publications, the EHRC has done very little to hold operators to account in terms of creating and maintaining accessible buses. We would therefore say that in this sphere, the EHRC has been ineffective, due to the lack of engagement.

ORR

¹⁴ Equality and Human Rights Commission (2019), *Watchdog warning to transport operators*. Available at: <https://www.equalityhumanrights.com/en/our-work/news/watchdog-warning-transport-operators>

¹⁵ Equality and Human Rights Commission (2020), *All aboard? Barriers for disabled passengers on public transport*. Available at: <https://www.equalityhumanrights.com/en/our-work/blogs/all-aboard-barriers-disabled-passengers-public-transport>

As the regulating body of a public transport service, the ORR must comply with the Public Sector Equality Duty, and pass this on to operating companies by requiring all TOCs to maintain an Accessible Transport Policy. However, as mentioned above, many Train Operating Companies are failing to uphold equalities duties, and are regularly in breach of the Equality Act. It is clear that the ORR is not effective in its role as an enforcer when it comes to accessible rail travel- this is further evidenced by the Equality and Human Rights Commission's decision to write to the body over concerns about rail reforms.

Whilst the ORR has recently taken over the oversight of the Rail Ombudsman from the RDG, and committed to user testing the new service with disabled people, this does very little to ensure that the accessibility of rail travel in the first place is up to the standard set out by the Equality Act.

CAA

The CAA has been able to mandate some improvements in passenger assistance (or 'special assistance' as it is known in the aviation sector and a term that we do not support), especially over the last year. We were pleased to see that the Interim Accessibility Report detailed the ways in which several of the UK's airports were failing to provide acceptable levels of assistance¹⁶, as we hoped this would represent a step towards rectifying these failures. However, it is disappointing that the number of passengers who missed flights, faced negative attitudes, or were not listened to by staff due to these failures was not listed. Whilst many improvements have been made, it is also disappointing to see that many airlines have failed to hit their performance targets since being written to early last year¹⁷.

There is very little consumer protection legislation applicable to airlines in the UK. The CAA is very limited in its ability to hold all airlines to an equitable consumer standard, which is particularly true for its ability to regulate accessibility and assistance requirements. Furthermore, whilst there are two CAA approved Alternative Dispute Resolution (ADR) providers: CEDR and Consumed Dispute Resolution Ltd (trading as AviationADR), neither of these ADRs are mandatory for airlines to join. These providers are also statutory complaint handlers. The CAA's Passenger Advice and Complaints Team (PACT) is not an approved ADR provider, although it is a statutory complaint handler.

CAA approved ADR providers are required to include in their agreements with airlines/airports that the results of their decisions are binding, so monetary awards (including compensation) must be paid by the airline. PACT has no such agreement with the airlines/airports. PACT has no legal power to enforce individual decisions, and therefore no record is kept as to whether the airline pays compensation to the consumer, nor how

¹⁶ CAA, *Interim Airport Accessibility Report* (December 2022). Available at <https://publicapps.caa.co.uk/docs/33/CAA%20Airport%20Accessibility%20Interim%20report%20CAP2491.pdf>

¹⁷ The Guardian (2022), Heathrow criticised by watchdog after disabled passengers missed summer flights (December 2022) Available at: <https://www.theguardian.com/world/2022/dec/13/airports-disabled-passengers-unacceptable-service-heathrow-bristol-leeds-bradford-luton>

much¹⁸ This means that the CAA is exceedingly limited in what actions it can compel airlines to take, thereby letting down disabled consumers. It is not possible for the CAA to adequately regulate airlines in this state.

Do current legal obligations or guidance need to be strengthened?

Yes. As per our answer to question 2, there are very few concrete obligations as relating specifically to transport. Guidance does not go far enough to ensure that every disabled person is able to travel with the confidence, dignity and ease of non-disabled people, as per the Equality Act, and essentially does nothing to force operators and licensing bodies to consider disabled people beyond “making considerations” in regards to their plans. Furthermore, there is an extensive amount of guidance related to transport which are not legally enforceable. For instance, the new Publicly Available Specification (PAS) for Electric Vehicle Charging Infrastructure, PAS 1889, is a purely voluntary policy, and does not require charging manufacturers to consider the accessibility measures outlined.

Where the Taxi and Private Hire Vehicle (Disabled Person’s) Bill strengthened legislation around accessible taxi journeys, so should other pieces of legislation be brought in to do this across all modes of transport.

What best practices should transport operators be following to improve their performance on access and inclusion for users?

At present, we are unaware of any examples of best practice. Whilst we are encouraged to see some bus operators, most notably Brighton and Hove, make moves to ensuring that there is more than one wheelchair space on their buses, there is an extremely long way to go in terms of creating a best practice model.

We would advise that for this to come about, the Government and transport operators must engage with disabled people on a paid consultancy basis. As a Disabled People’s Organisation, we have the expertise and experience to coordinate this effort.

How effective is the Government’s Inclusive Transport Strategy, and how well does it influence decision-making across transport policy? How could it be improved?

We strongly welcomed the Inclusive Transport Strategy (ITS) when it was published in 2018, and in particular welcomed the strong light it shone on the importance of accessible transport. We remain of the view that a cross-Government, well-resourced and well monitored strategy is a helpful tool in working for greater transport accessibility, and we applauded the ambitious goal set by the ITS for disabled people to have equal access to transport by 2030. There have been some real wins and progress made, for example the transition to Accessible Travel Polices.

¹⁸ CAA (2021) *UK passenger complaints 2021*. Available at <https://www.caa.co.uk/data-and-analysis/uk-aviation-market/passenger-complaints/2021/>

However, given that the ITS has failed to meet many of its targets over the last 5 years, we do not think it is an effective strategy. Whilst we acknowledge that the COVID 19 pandemic has had an extremely detrimental impact on public transport use, this does not explain why, according to the most recent ITS scorecard, transport has actually become less accessible since the ITS's implementation.

In 2022, the government's own metrics¹⁹ on the ITS showed that transport has become less accessible since the implementation of the strategy:

- Disabled people continued to take fewer trips on average than non-disabled people – in 2020-2021, disabled people aged 16 to 59 took 77% of the number of trips taken by non-disabled people, compared to 83% in 2019-2020.
- The percentage of bus passenger complaints that were accessibility-related increased from 5% to 7%.
- The percentage of taxis that were wheelchair accessible decreased from 57% to 54%.
- The number of private hire vehicles that were wheelchair accessible remained at 2%, down from 2.2% in 2016-2017.

By the government's admission, the ITS has failed to have an impact on transport accessibility, and it appears as though it is regressing. It is imperative that the Department for Transport investigates where the strategy is failing in this regard, and takes action. Though the ITS has had some success- most notably an increase in the number of audio and visual announcements on local bus routes and a decrease in accessibility related rail complaints- there has been a concerning lack of progress across almost all other areas.

In addition, we feel that the ITS could and should have gone further. There is very little mention of Active travel (walking, wheeling and cycling) particularly around access to adapted cycles. Active travel is crucial for disabled people, both in terms of positive impact on physical health and mental wellbeing, and being a link to all other modes. The strategy did not outline many specific commitments to combating the financial barriers to travel, despite the ultimate goal being for disabled people to travel without additional cost. There was little addressing the lack of support and assistance for disabled people (i.e disabled people who require a carer or Personal Assistant to accompany them on journeys but have limited access to social care, or disabled people who have to use a car but cannot drive and lack access to a driver).

We would like to see the following improvements made to the ITS, as substantial issues with implementation have resulted in the strategy not achieving its goals, particularly with regards to rail travel.

A key part of the ITS's ambition is accessible infrastructure – £350 million Access for All funding has been provided for rail station accessibility upgrades at 114 stations. This is a step in the right direction, but unfortunately just the tip of the iceberg. There are 2,576

¹⁹ Department for Transport (2022), *Inclusive Transport Strategy scorecard 2020 to 2021*. Available at: https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1062373/inclusive-strategy-scorecard-2020-2021.csv/preview

passenger rail stations in the UK and just 20% (approximately 520) have step-free access between all platforms. According to DPTAC, it costs around £3 million to implement new-build standards of step free access at a station, meaning that around £6 billion is required to upgrade all inaccessible stations. At current rates of spending, this is estimated to take around 100 years. We cannot escape the fact that significantly more investment is required, as well as a more strategic approach to targeting more priority areas first. We would therefore like to see a commitment to uplifted investment in order to achieve these goals within a shorter timeframe.

Secondly, in recent years the ITS seems to have been abandoned by Government in favour of new/different courses of action. ITS's overarching goal is for disabled people to have access to assistance where physical infrastructure remains a barrier. Assistance is absolutely crucial to an accessible railway. With only 2% of stations having level boarding between train and platform – wheelchair users and others with mobility impairments rely on staff to deploy a manual boarding ramp. Assistance is also required by many blind and visually impaired people who need guiding through a station, and people with cognitive impairments and mental health conditions that may require support and assurance. Only 11% of stations are staffed at all times, with a further 45% staffed only part-time. Furthermore, at around 20% of stations, trains do not have a guaranteed on-board guard able to deliver assistance, meaning that in some instances there are stations with a combination of no staff at the station and no staff on board the train, so no one is available to provide assistance (DPTAC estimates this to be 10% of all stations). This is an already bad situation (resulting in disabled people being unable to Turn Up and Go at stations and access the assistance they need) that is set to significantly worsen should the Government's proposals to close all ticket offices at 1000 rail stations in England go ahead. These proposals appear to be a total departure from the ambitions and strategies set out in the ITS. The Government now seems to be in effect working against itself, we are unable to see how reducing access to staff can be reconciled with an ambition for disabled people to have equal access to transport by 2030. We would therefore like to see a reversal of this proposal, and an acknowledgement of the key role ticket offices play in rail travel.