



**INCLUSION IRELAND**

National Association for People with an Intellectual Disability

# **Submission to the National Transport Authority**

**On their 2018 – 2022 strategy statement**

**June 2017**

**This document is written in font 12 Verdana in line with Inclusion  
Ireland plain English guidelines.**

## **1. About Inclusion Ireland**

Established in 1961, Inclusion Ireland is a national, rights based advocacy organisation that works to promote the rights of people with an intellectual disability.

Inclusion Ireland uses a human rights-based approach to its work. This recognises persons with an intellectual disability as rights holders with entitlements, and corresponding duty bearers and their obligations.

Inclusion Ireland seeks to strengthen the capacities of persons with an intellectual disability to make their claims and of duty bearers to meet their obligations.

The vision of Inclusion Ireland is that of people with an intellectual disability living and participating in the community with equal rights as citizens, to live the life of their choice to their fullest potential. Inclusion Ireland's work is underpinned by the values of dignity, inclusion, social justice, democracy and autonomy.

## **2. Introduction**

Transport consistently arises as a major issue in the lives of persons with disabilities. Here in Inclusion Ireland, we frequently hear of the many barriers people face using Ireland's transport system, both in rural and urban areas. Transport emerges as a key factor in determining whether persons with disabilities can be active participants in their community. It affects people's opportunities to gain and maintain employment, continue their education, access community services and have a social life.

It is important the National Transport Authority's (NTA) new strategy statement from 2018 -2022 continues to include the provision of safe,

accessible and affordable transport services for persons with disabilities as one of its priorities.

In the NTA's previous strategy plan in 2015 – 2017<sup>1</sup>, it was inserted as one of the main objectives in priority one of the plan. This plan outlined the intention to develop "an effective and safe transport system...so that most people, including those with a disability or mobility impairment, are within easy reach of a reliable public transport service".

However, while the inclusion of the above objective is welcomed, it is important that the new strategy goes further. It must ensure that transport is not just "within reach" of persons with disabilities but is accessible and that all people can avail of the services on an equal basis.

### **3. Key issues**

#### **Public Sector Duty**

Section 42 of the Irish Human Rights and Equality Commission Act 2014<sup>2</sup> places a positive duty on public sector bodies to have regard to the need to eliminate discrimination, promote equality, and protect human rights, in their daily work. The Public Sector Duty applies whether the service is provided directly by the State, or through a non-state actor.

The Department of Transport stated in its 2016 Strategy that the department will "address our commitments under the Irish Human Rights and Equality Commission Act 2014, including initial assessment of human rights and equality issues relevant to our functions, services and employment policies."

---

<sup>1</sup>National Transport Authority (2015). Statement of Strategy 2015-2017.

<sup>2</sup> Irish Human Rights and Equality Commission (2016). The Public Sector Duty

The Equality & Rights Alliance says that “the public sector duty requires public bodies to consider the human rights and equality impact of their policies, services, procedures and practice and to ensure that the promotion of equality and human rights becomes a core part of the way in which the organisation operates and conducts its business, rather than an add-on or a reaction to incidents of discrimination or human rights violations that arise<sup>3</sup>.

### **Consultation with people with disabilities**

It is important that persons with disabilities are consulted with when it comes to planning for transport services. Inclusion Ireland frequently hears through our advocacy work, of the many barriers people face on a daily basis on transport services. Persons with disabilities feel they are not listened to and that any planning and design of services does not adequately take into account their experiences.

These experiences are supported by the key findings from a recent research report on the lived experiences of disabled people<sup>4</sup>. This report looked specifically at transport. It included: persons with disabilities having a say in the planning, design and running of transport services, the need for all transport to be integrated and accessible; and the need for communication about changes in services to be improved well in advance.

The views of people with disabilities on transport were captured at a recent Inclusion Ireland consultation:

---

<sup>3</sup> ERA (2015). A New Public Sector Equality & Human Rights Duty Paper 3 of series: Setting Standards for the Irish Equality March 2015

<sup>4</sup> National Platform of Self-Advocates (2016). *Our Lived Experiences of Housing and Transport: A Report on the Research Findings of the National Platform of Self-Advocates and Centre for Disability Law, NUI Galway*

### **Transport: What people said**

- We would like to see better infrastructure in local areas so that people with disabilities can avail of public transport and travel with greater ease.
- We want all buses, trains and taxis in Ireland to have fully accessible wheelchair ramps for people with disabilities.
- We want all private transport operators to take bus passes in the future as at the moment only public operators provide this.
- We would like to see timetables and transport information being much more accessible and easy to read throughout Ireland's transport network for people with disabilities.
- We would like to see future planning of transport infrastructure place more importance on people with disabilities, listening to what they have to say.

### **Community Life**

Accessible transport is vital to enable people with disabilities and older people in general to get around their community and across the country, to attend work and to generally participate in the life of the community. It is a key driver of inclusion in the community.

Findings from the intellectual disability supplement to the Irish Longitudinal Study on Ageing (IDA-TILDA) indicate that the majority of older people with intellectual disabilities are dependent on others for transport to participate in community life<sup>5</sup>. Participants reported that this was the biggest barrier to participating in social activities.

The need for accessibility in transport encompasses the whole journey experience – from accessible timetables and information to accessible

---

<sup>5</sup> McCarron, M; Swinburne, J; Burke, E; McGlinchey, E; Mulryan, M., Andrews, V., Foran, S., McCallion, P. (2011). *Growing older with an intellectual disability in Ireland 2011: First results from the Intellectual Disability Supplement to the Irish Longitudinal Study on Ageing*. Dublin: School of Midwifery and Nursing, TCD.

public transport infrastructure, disability aware staff and accessible parking.

## **Accessibility**

Recent figures indicate that more than one in four people with disabilities do not use public transport due to accessibility reasons; nearly half of Bus Éireann's fleet is not deemed accessible and only 5% of licensed vehicles were deemed accessible in 2015.

The Workplace Relations Commission published a ruling in May 2017 upholding the requirement for disabled passengers to give 24 hours' notice to Bus Éireann should they wish to travel. In their statement, the WRC argued that "is reasonable and proportionate and fulfils the objective of ready accessibility for the generality of passengers with a disability who need to avail of the service<sup>6</sup>".

In 2011/12 the Department of Transport undertook a review of its Sectoral Plan and published a Revised Sectoral Plan for Accessible Transport. This plan outlined progress made and measures needed to increase monitoring and enforcement of existing accessibility provisions. It also included possible initiatives to improve the availability and accessibility of travel information available to persons with disabilities.

## **Transport schemes**

Two schemes established to support people with disabilities to access transport, the Mobility Allowance and Motorised Transport Grant, were discontinued in 2013. Private transport is a significant extra cost for households with a disability and this decision has placed people at an even greater risk of social exclusion. Plans for a new Transport Support Scheme were announced shortly after this but have not been put in place to date.

---

<sup>6</sup> Irish Examiner (04.04.17). *People with disabilities 'second-class' citizens when it comes to public transport.*

The Department of Health is progressing the Health (Transport Support) Bill which will replace the discontinued Motorised Transport Scheme. The Bill will 'provide for a scheme to make individual payments as a contribution towards transport costs to persons with severe disabilities on a low income who cannot access public transport'. The Bill is listed for priority legislation in the Government's 2017 spring/summer session.

## **Employment**

Transport frequently comes up as a major barrier for persons with disabilities gaining and maintaining employment in their communities. Measures that would enable persons with disabilities to keep their entitlement to free travel when taking a job have not been introduced. Some changes have been introduced with Make Work Pay resulting in people on long term disability payments able to keep their free travel pass for 5 years on taking up work. However, more needs to be done to enable people who are working to readily use transport services.

## **4. Conclusion**

While it is welcomed that the NTA are placing an emphasis on providing a transport system that is readily available for persons with disabilities, the lived experience of people suggests there is a lot more that needs to be done. A national transport strategy is needed that listens to the voices of persons with disabilities in its planning, design and implementation stages.

The lived experience of persons with disabilities indicates there are major issues with transport that will not simply be solved by having an objective that just brings transport services to "within reach" of people.

The physical accessibility of buses and trains remains a big problem for persons trying to access their communities. This lack of accessibility has clear negative impacts on people's ability to access their communities and be active members in these communities. This has been compounded by the removal of previous transport schemes in 2013. These schemes have yet to be replaced with the cost of paying for private transport placing significant strain on households with a disability.

By making a commitment to the Public Sector Duty and taking proactive steps to promote equality and human rights, the National Transport Authority could listen to the experiences of persons with disabilities and attempt to combat the inequalities they face on transport services. Only by taking an approach which includes the voices and experiences of those with disabilities will any meaningful progress be made in achieving an inclusive transport service.

## **5. Recommendations**

- Develop a strategy to deliver an accessible and integrated transport system for people with disabilities, across urban and rural areas as a matter of urgency
- Perform an assessment of human rights and equality issues and produce a statement that fully reflects the public sector duty. That involves taking proactive steps to actively promote equality, protect human rights and combat discrimination going beyond simply avoiding potential discrimination acts against employees and service users.
- Consult with people with disabilities in the planning, design and evaluation of public transport policy and systems
- Advance work on replacing the Mobility Allowance and Motorised Transport grant schemes