

HR 09

Ymchwiliad i hawliau dynol yng Nghymru

Inquiry into Human Rights in Wales

Ymateb gan: Sefydliad Cenedlaethol Brenhinol y Deillion

Response from: Royal National Institute of Blind People

7 February 2017

1. About RNIB Cymru

1.1. RNIB Cymru is Wales' largest sight loss charity. We provide support, advice and information to people living with sight loss across Wales, as well as campaigning for improvements to services and raising awareness of the issues facing blind and partially sighted people.

1.2 We welcome the opportunity to provide evidence to this inquiry into human rights in Wales. There are currently 106,000 people in Wales living with sight loss. The number of people with sight loss is set to increase dramatically in the future, as the population ages. It is predicted that by 2020, the number of blind and partially sighted people in the UK will rise to over 2,250,000. By 2050, that number will double to nearly 4 million.

1.3 This submission emphasises, in particular, the importance of preserving progress made in recent years on ensuring the accessibility of products, services and websites to people with disabilities in the UK. The submission focuses on issues within the inquiry's scope of particular relevance to blind and partially sighted people.

2. The impact of the UK's withdrawal from European Union on human rights protection in Wales

2.1 There are a number of EU directives and regulations that have led to improved protection for people with sight loss. These include assistance to be provided for disabled people when travelling (including by air, sea, and coach), and, a requirement that the packaging of medicinal products must include Braille labelling. RNIB Cymru is therefore very concerned that the equalities and human rights agenda could suffer from the UK's exit from the EU.



Yn cefnogi pobl
â cholled golwg
Supporting people
with sight loss

RNIB charity nos. 226227,
SC039316 and 1109
RNIB rhifau elusen 226227,
SC039316 a 1109

2.2 EU Accessibility Act:

2.2.1 RNIB Cymru is seriously concerned that the UK's exit from the EU could result in Welsh citizens missing out on benefits that the EU Accessibility Act could bring.

2.2.2 Under the Act, disabled people in the UK could benefit from: more accessible products and services in the market; accessible products and services at more competitive prices; fewer barriers when accessing education and the open labour market; and more jobs available where accessibility expertise is needed.

2.2.3 Domestic legislation on the accessibility of products and services is inadequate. RNIB Cymru believes that there is a lacuna in domestic legislation (the Equality Act 2010) on the accessibility of manufactured goods, in particular, which has meant that blind and partially sighted people have been discriminated against in their access to certain products.

2.2.4 For example, the accessibility of set-top television boxes is not covered by the Equality Act 2010. The main providers of these boxes have therefore been reluctant to make changes to their products (to the extent that they have not even been prepared to build access features into new technology). RNIB has invested significant charitable funds into demonstrating to providers that it is both possible, and cost-effective, to make the boxes accessible, but mainstream providers have not been persuaded. We believe that this makes it essential that requirements under the EU Accessibility Act apply in the UK after Brexit, to remedy such issues.

2.2.5 RNIB Cymru believes that the UK Government should continue to engage with EU member states on the draft legislation, and ensure that requirements set out by the Act are incorporated into domestic legislation after Brexit. However, there is no guarantee that this will happen and this risks depriving blind and partially sighted people of their right to freedom of expression and access to information.

2.3 EU Web Directive:

2.3.1 In October 2016 the European Parliament approved an EU Web Directive, which will make the websites and mobile apps of public sector bodies more accessible. It is a crucial step forward towards a fully inclusive digital society.

2.3.2 The majority of people with sight loss frequently experience barriers in accessing information, including online and when using apps. The majority of websites or apps are currently not accessible, despite international guidelines on how to do this being available for over 15 years. With an increasing reliance on digital channels, this is a significant issue. Thus people with sight loss, in particular, would benefit from the EU Web Directive.

2.3.3 Article 9 of the UN Convention on the Rights of Persons with Disabilities obliges Member States to take appropriate measures to ensure access for persons with disabilities, on an equal basis with others, to inter alia information and communication technologies, including the internet. The EU Directive provides a necessary framework for doing this. If the requirements under the Directive cease to apply in the UK after our exit from the EU, RNIB Cymru believe that the rights of people with sight loss could be denied.

2.4 Air travel:

2.4.1 RNIB Cymru is concerned that Brexit will affect the ability of blind and partially sighted people to access air travel independently, as relevant EU regulations may cease to apply. We believe that it is vital that the Government incorporates the provisions of Regulation (EC) No 1107/2006 of the European Parliament and of the Council of 5 July 2006 concerning the rights of disabled persons and persons with reduced mobility when travelling by air, into domestic legislation.

2.4.2 The Regulation provides for assistance at the airport for disabled people, and sets out the principle of non-discrimination (including an effective duty to make reasonable adjustments on-board aircrafts). Without this, people with sight loss may be excluded from travelling independently by air.

2.5 Bus travel:

2.5.1 It is essential that requirements set out in Regulation (EU) No 181/2011 on bus and coach passengers' rights, are incorporated into domestic legislation. The Regulation requires all bus drivers and bus terminal staff to attend disability awareness training, and was due to come into force in the UK in 2018. The requirements are vital to ensuring that bus travel is accessible to blind and partially sighted people.

3. The impact of the UK Government's proposal to repeal the Human Rights Act 1998 and replace it with a UK Bill of Rights

3.1 It remains difficult to assess the impact of repealing the Human Rights Act 1998 and replacing it with a UK Bill of Rights, due to a lack of information. However, RNIB Cymru is seriously concerned that this could lead to a loss of vital legal protection for disabled people.

4. Public perceptions about human rights in Wales, in particular how understandable and relevant they are to Welsh people.

4.1 Human rights are relevant to all of us, but especially to people with sight loss who may face additional barriers because of their disability. These barriers take many forms - physical barriers like inaccessible buildings and facilities, information barriers like not having timely access to printed or online information in a format that they can access, and cultural barriers like stigma or abuse. However, it requires people to invest significant confidence, energy and time to challenge such things. Fear of the cost of litigation may act as an additional barrier. It is our experience that few people with sight loss challenge breaches of their rights.

4.2 Disabled people must be entitled to the effective fulfilment of all human rights, without discrimination, as enshrined by the UN Convention on the Rights of People with Disabilities. It is crucial that Welsh Government their moral duty and must have the political will to make this happen.

5. Further information

For further information, please contact Tess Saunders, Policy and Campaigns Officer.

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