



TravelWatch NorthWest Conference

Buses and Equality



Equality and
Human Rights
Commission

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 @ehrc

Buses and Equality

- The EHRC
- Our Legal Support Project
- The law
- Case studies
- Questions

The Equality and Human Rights Commission

- The regulatory body responsible for enforcing the Equality Act 2010
- We aim to help organisations achieve what they should, not catch them out if they fall short
- We may use our legal or enforcement powers when it is the best way to achieve change, such as:
 - to clarify the law, so people and organisations have a clearer understanding of their rights and duties
 - to highlight priority issues and bring them to the top of the agenda
 - to challenge practices that cause significant disadvantage, sometimes across a whole industry or sector

The Legal Support Project for Transport

The Legal Support Project for Transport

What are the aims of the project?

- increase access to justice for people who have experienced discrimination related to age and / or disability in the provision of transport. We will do this by providing advice and support to resolve complaints
- learn more about the barriers disabled people and older people face in accessing transport
- find out whether service providers are taking steps to meet the needs of disabled and older people.

The Legal Support Project for Transport

- Support with discrimination complaints to a transport operator, ombudsman or other complaints body
- This includes:
 - taxis and minicabs
 - buses and coaches
 - trains and trams
 - subway or underground services
 - hire vehicles
 - recovery vehicles
 - boats and ferries (land-based services only)
 - booking and other communication with operators
 - access to transport premises
 - tour operator transfers to resorts

The law - access to buses

The law - access to buses

Standards for vehicles with more than 22 passengers

- Buses to comply from 2017 and coaches to comply from 2020.
- The regulations cover:
 - wheelchair spaces
 - boarding equipment
 - signs
 - priority seats
 - handrails
 - colour contrast
 - etc





The law - access to buses

EU law

- Right to transport (no refusal on grounds of disability, no extra cost)...
...unless safety reasons / design of vehicle
- Staff to have disability awareness training
- Compensation for mobility equipment
- Information for passengers, and complaint handling

The law - access to buses

Equality Act 2010

- Duty to make reasonable adjustments
- Direct discrimination
- Indirect discrimination
- Harassment
- Victimisation
- Discrimination arising from disability.

Case studies

Woman says she was 'belittled and humiliated' for needing seat on First Bus



FOUR IN FIVE DISABLED PEOPLE FEEL ANXIOUS ABOUT USING PUBLIC TRANSPORT. SAYS STUDY

Discrimination: 'I can't take your guide dog, I've got an allergy'

Nine journeys in one day expose 'sham' of National Express 'accessible' coaches

Discrimination against disabled passengers on our buses is a new low for the UK

Disabled mum 'told she couldn't board bus' AFTER ruling in favour of wheelchair users

Case study 1

- A passenger with a visual impairment asks the driver to tell her when the bus has reached the stop she wants to go to, because the bus is not equipped with automatic announcements.
- Although it would be a reasonable adjustment for him to do this, the driver refuses.
- He gets angry, and speeds away from the stop, causing her to fall. He humiliates the passenger by shouting at her once she is in her seat, and again when she is getting off the bus. This is likely to be unlawful harassment.

Case study 2

Paulley v Firstgroup plc

- Mr Paulley, a wheelchair user, was not allowed to board a bus because the wheelchair space was occupied by someone with a pushchair, who refused to move.
- The main issue in the case was whether the bus company had made reasonable adjustments to its “first come, first served” policy.
- The company’s policy of requiring a driver to simply request a non-wheelchair user to vacate a wheelchair space without taking any further steps was unlawful.
- The Supreme Court said if a driver’s request to move is refused, he or she should consider further steps to persuade the non-wheelchair user to vacate the space.



“We need to make every single thing accessible to every single person with a disability”
- Stevie Wonder

Thank you

Any questions?