

Accelerating Accessibility Policy Work Programme: Interim Update

How to achieve full accessibility in Aotearoa New Zealand – a pathway forward

Stakeholders have provided perspectives on:

- how to define “full accessibility”
- the challenges and opportunities of different approaches
- whether legislation is needed
- what domains any standards for accessibility might cover.

Our Opportunity

Accessibility means all New Zealanders living independently and participating fully in all areas of life with confidence and dignity

- More than a million New Zealanders have visible and invisible disabilities.
- Accelerating accessibility benefits many other people including seniors, carers of young children, people for whom English is a second language, and people with temporary injuries, as well as their friends and families.
- Accessibility is about navigating more than physical environments. It's also about access to services like public transport, entertainment, banking, and information and communication.
- The Access Alliance has developed a description of what Aotearoa New Zealand would look like if it were the most accessible country in the world.

What do stakeholders think about accessibility?

The Ministry of Social Development and the Access Alliance worked together to host discussions with a range of stakeholders to listen to their perspectives on accessibility

Key themes:

- No common understanding of 'full accessibility'.
- There is support for change.
- The problem we are aiming to address is multi faceted.
- There was no support for staying with the status quo.
- Stakeholders provided feedback on how we should frame the way we think about and measure accessibility.
- A large cultural and attitudinal shift, as part of meaningful change, is needed.
- Some agreed markers of success are inclusiveness, flexibility, and a holistic, people-centred approach.
- Stakeholders support government involvement being a combination of legislation, awareness raising and educational action.

Clear support for legislation, coupled with awareness raising and education

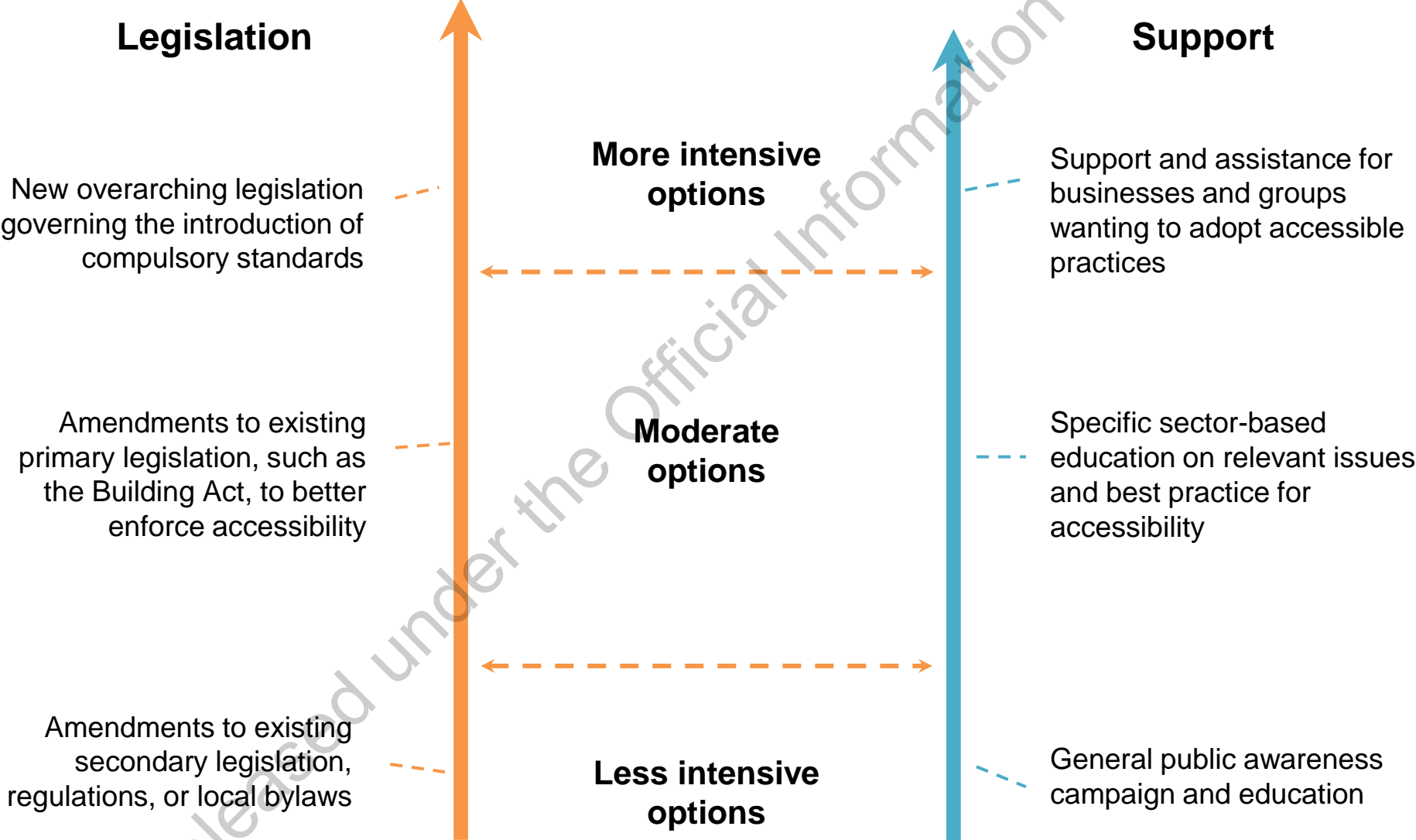
- Stakeholders support government involvement being a combination of legislation, awareness raising, and education.
- Legislation is a powerful driver of behavioural change.
- Stakeholders support some form of legislation, for these reasons:
 - the compulsion of law can drive change
 - legislation would demonstrate we are serious
 - legislation would help organisations do the right thing
 - new overarching legislation would overcome the issue of different pieces of legislation that don't interact well.

Legislation, coupled with awareness raising and education

Stakeholders thought without legislation, there will be no substantive progress, but it needs to go hand in hand with considered design, awareness raising and education for organisations and business

- Business told us that “it’s about creating an environment to progress the organisations in the right direction. New Zealand isn’t quite inclusive for all communities yet.”
- Legislation alone will not solve all issues and will not mean everyone is in support.
- Legislation can take a number of forms:
 - amendments to primary legislation
 - amendments to secondary legislation, regulations, or local bylaws
 - new overarching legislation.
- Legislation needs to be accompanied by support for people and businesses. This could include:
 - general public awareness and/or educational campaigns
 - a segmented approach, tailored to specific audiences
 - support for businesses or organisations to make change.

Options for change can be a mix of legislative and other approaches and can reinforce each other



Policy work will focus on refining domains of accessibility and examining overseas approaches

Over the next six months the Ministry of Social Development in consultation with the Access Alliance will work to:

- agree the domains of accessibility to frame and measure accessibility
- examine how other jurisdictions have approached legislating to mandate accessibility (see examples on page 8), taking into account current Law Foundation-funded research into accessibility (due for completion in March 2020). The research aims to provide a model legal framework for New Zealand, and will assess the impact of any new legislation on existing legislation.
- identify the range of possible options for legislative levers that could be applied (see diagram on page 7).

I will report back further in April 2020.

Draft domains			
Transportation	Housing	Physical environment	Information and communication
Social and civic participation	Employment	Education	Services to the public (includes health)

Overseas examples

Ontario, Canada

- The Accessibility for Ontarians with Disabilities Act 2005 (AODA) specifies four accessibility domains. Mandatory standards under each domain are gradually developed and introduced by regulation.
- Standards are developed by co-design reference groups, including disabled people, industry experts and officials.
- Once developed, a standard is referred to the responsible Minister for approval (and a standards committee later reviews). This process acts as a safeguard.
- Five codes and standards have been set so far. AODA seeks to reach a fully accessible Ontario by 1 January, 2025.
- There is widespread support for Ontario's model both within the province and from abroad.

Norway

- The Anti-Discrimination and Accessibility Act of 2008 made lacking accessibility a form of discrimination.
- The Act includes safeguards against discrimination and an obligation to use universal design principles.
- The Act refers to sector legislation as well as specific regulations.
- Many of the Act's provisions become enforceable through regulations specifying detailed accessibility requirements.
- Like Ontario, there is an end goal of 2025.
- This has been accompanied with a widespread cultural shift, where inaccessibility is met with fines and bad publicity.

Next steps

The Ministry of Social Development will work to clarify feasible options for a policy approach that combines legislative change with education and awareness raising, and support for organisations and businesses in close consultation with the Access Alliance.

- This will involve:
- identifying priorities and key elements to include in the policy approach
- agreeing on accessibility domains to frame and measure accessibility (see page 6)
- looking at the performance of existing regulatory mechanisms to determine what shortfalls exist and need to be resolved (taking into consideration the legal research underway)
- considering implementation issues
- estimating quantifiable costs, and the long-term benefits and cost savings
- assessing risks and mitigations.

Accessibility barriers in action

s9(2)(a)

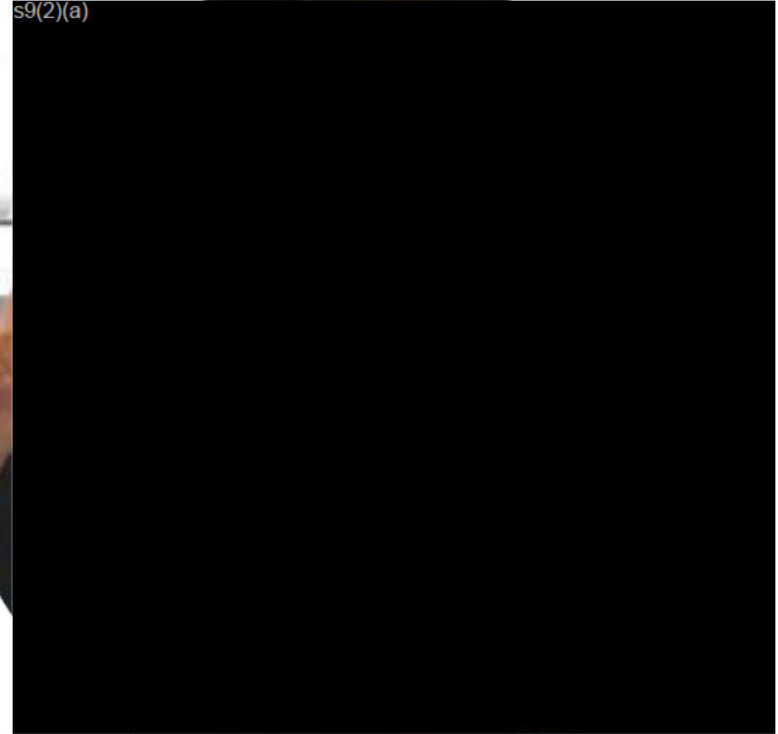
- s9(2)(a) has cerebral palsy - a physical disability that affects muscle control, reflex, posture, gait and balance, but not her brain.
- She was told by a teacher while in her teens that she was wasting her time considering being a doctor.
- She used public transport for years before meeting a man with no arms and legs who told her he could drive with his chin.
- When s9(2)(a) became pregnant with her daughter, strangers approached her in the street to ask her how that could have happened.
- At 35 years old she's defied everyone and is a health science student, with a one year old daughter and has learnt to drive.
- What s9(2)(a) wants us to remember is that greater accessibility for people with disabilities is not just about adding ramps and handrails to building entrance ways.
- s9(2)(a) says that "saying disrespectful things impacts me so much more than the aisles not being wide enough in a store."

s9(2)(a)

Accessibility barriers in action

s9(2)(a)

- s9(2)(a) is profoundly deaf. Her husband is using a cochlear implant and her son is hard of hearing.
- Her daughter can hear; however, she has to deal with people treating her differently because she has deaf parents.
- s9(2)(a) faces hurdles every day. For example, when her daughter wants to go to the movies with her, she has to think about what movies have captions so she can enjoy them too.
- Her son uses the train sometimes and he often struggles to hear the announcements. He has to listen very carefully and guess what is being said.
- s9(2)(a) wants more deaf awareness and for people to understand what it is like to be in their shoes.



Accessibility barriers in action

s9(2)(a)

- With 26% of its residents aged over 65, the Kapiti Coast is dealing with issues other communities around the country will soon face.
- What works for older people and wheelchair-bound people also works for parents with pushchairs.
- Obviously as the population ages, there are going to be challenges - infrastructure challenges, and challenges with the way we interact with people.
- A mum with a pushchair should be able to pass by somebody who is in a mobility scooter. If the pathways aren't wide enough then they can't, or there is a risk that they will either have to go off-road, topple over, or all of the above.
- Simply having the right bench in the right shop so people can take a moment to sit down and rest their legs is a simple thing to improve accessibility and make communities age-friendly.
- The World Health Organisation defines an age-friendly community as urban environment that promotes active ageing.
- s9(2)(a) says "I think it's very important the entire community gets its head around this historic wave of people. We've never seen anything like it before. The politicians have got to realise that the more we procrastinate the bigger the problem is going to be because this population explosion at the older end is not going away".