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## What we have done

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### Disability Discrimination Act 2005

#### Responded to the Joint Scrutiny Committee's report on the draft Disability Discrimination Bill

The Government published a [draft Disability Discrimination Bill](#) on 3 December 2003 for pre-legislative scrutiny by a [Joint Committee](#) of both Houses of Parliament. This process is designed to strengthen the proposals contained in future legislation. The Joint Committee published its [report](#) on 27 May 2004 and made 75 recommendations, 12 of which were on transport. The Government's response, outlining those recommendations it has accepted and how it intends to implement them, was published on 15 July 2004.

#### Introduced the Disability Discrimination Bill into Parliament

Following the pre-legislative scrutiny process outlined above, the Disability Discrimination Bill was amended to include those recommendations of the Joint Committee which the Government had accepted. In order for the Bill to become law, it was then introduced into Parliament via the House of Lords on 25 November 2004. More information on the stages of this process can be found [here](#).

The Bill received [Royal Assent](#) to become the [Disability Discrimination Act 2005](#) on 7 April 2005.

### Part 3 of the Disability Discrimination Act 1995

[Part 3](#) covers access to goods, services and facilities. It is a civil rights provision and the duties which it places on service providers have been introduced incrementally in three stages:

- Since **December 1996** it has been unlawful for service providers to treat disabled people less favourably for a reason related to their disability.
- Since **October 1999** service providers have been required to make "reasonable adjustments" for disabled people, such as providing extra help or making changes in the way they deliver their services.
- Since **October 2004** service providers have had to make other "reasonable adjustments" to the physical features of their premises to overcome barriers to access.

Transport infrastructure including stations, airports and ports, is already covered by these provisions but there is a specific exemption for "any service so far as it consists of the use of any means of transport" or, in other words, the transport vehicle itself. See [What we are doing](#) for more information about this exemption and how we intend to remove it.

## **Published guidance**

The duties service providers are already under are outlined above. These already apply to the owners and operators of transport infrastructure including stations, airports and ports, and the Department for Transport has published guidance to help the industry address access issues. [Inclusive Mobility](#), which was published in November 2002, outlines best practice on access to pedestrian and transport infrastructure.

## **Consulted on removing the transport exemption**

Transport services are currently exempt from the Part 3 duties. The removal of this exemption was one of the recommendations made by the Disability Rights Task Force (DRTF) in its report *From Exclusion to Inclusion*. The DRTF was set up by the Government in 1997 to look at the Disability Discrimination Act 1995 and make recommendations on how it could be improved to provide additional protection for disabled people.

The Government accepted the DRTF's recommendation in its [Towards Inclusion](#) report and, following initial [consultation](#) on policy proposals in November 2002, measures enabling us to give effect to the recommendation were included in the Disability Discrimination Bill, now the Disability Discrimination Act 2005. Further consultation on draft regulations to give effect to these measures has now been completed (see [What we are doing](#) for further information).

## **Transport Select Committee Hearings**

The [Transport Select Committee](#) (TSC), a committee of Members of Parliament tasked with scrutinising the Government's transport policies, held a hearing into Disabled People's Access to Transport on 19 November 2003. They took evidence from Tony McNulty MP, Parliamentary Under Secretary of State for Transport, the Disabled Persons Transport Advisory Committee, the Disability Rights Commission and the Leonard Cheshire Foundation and produced a [report](#) with 12 recommendations. Many of the Committee's recommendations were designed to inform pre-legislative scrutiny of the draft Disability Discrimination Bill. The Government's [response](#) to the TSC outlined its intended actions.

The Select Committee held a further hearing in December 2004, one year on from its original inquiry, to see what progress had been made. Evidence was taken from the Disabled Persons Transport Advisory Committee, the Disability Rights Commission, Mencap, the Association of Train Operating Companies, Merseytravel and Arriva (bus operators). Charlotte Atkins MP, Parliamentary Under Secretary of State for Transport, represented the Department for Transport.

The Committee's [report and recommendations](#) were published on 4 March. The Government will respond in due course.

## **Part 5 of the Disability Discrimination Act 1995**

Part 5 enables the Government to make regulations requiring all new land-based public transport vehicles to be accessible to disabled people, including those who need to remain in their wheelchairs.

### **Introduced accessibility regulations**

Accessibility regulations requiring all new trains and buses and coaches with more than 22 passengers used on local or scheduled services to be accessible to disabled people, including wheelchair users, have already been introduced and we have announced our policy proposals for taxis. Further information on the regulations, other Part 5 provisions, and what we are doing to make public transport more accessible in general, can be obtained by clicking on the relevant mode of transport from our [main menu page](#).

### **Consulted on amending the Rail Vehicle Accessibility Regulations**

Another Disability Rights Task Force (DRTF) recommendation was to set an "end date" by which all rail vehicles should meet rail vehicle accessibility regulations and to address refurbishment of existing rolling stock. We consulted on those proposals in November 2003 along with a number of other changes to the rail provisions. As a result, measures have been included in the Disability Discrimination Act 2005 to allow us to implement those changes which include:

- setting an "end date" of no later than 1 January 2020 by which all rail vehicles must comply with accessibility regulations;
- extending powers so that accessibility regulations can be applied to rail vehicles that are being refurbished;
- introducing a compliance certification regime; and
- amending the way accessibility regulations are enforced.

We intend to consult on draft regulations which will give effect to these changes in due course.

**For related documents, pages and internet links, see the column on the [right](#).**