# /var/folders/rh/nk6kxx_52x7040y7pq7z6fvw0000gp/T/com.microsoft.Word/WebArchiveCopyPasteTempFiles/d48RgAAAAASUVORK5CYII=

# Get on board

## A new legal duty to make all rail journeys fully accessible.

With the slow pace of progress in making transport accessible, it’s now time for the law to be on the side of disabled people.



## About Leonard Cheshire

Leonard Cheshire is one of the UK’s leading charities supporting disabled people. We support individuals to live, learn and work as independently as they choose, whatever their ability, and to play our part in creating a fair and inclusive society. Led by people with experience of disability, we are at the heart of local life —providing opportunities, choice and support in communities around the globe.

## What is the issue?

“As soon as I had to start using a wheelchair, I started to have anxiety. I had to get used to the idea that I just couldn’t go everywhere I used to go.”

Kathy

We all should be able to get to work and to visit friends and family as we choose. Accessible public transport is central to enabling people to connect and live full and independent lives. But the lack of accessible rail travel in Britain means that many disabled people are not able to participate fully in society. Disabled people can face obstacles at every stage of their train journey. This includes the process of booking tickets, a lack of available information when on route as well as physical accessibility of train carriages. Our new analysis shows that 38% of stations do not having step-free access in Britain.[[1]](#footnote-1)

As well as physical access issues when travelling by train, there are other barriers faced by disabled people when using public transport. Inadequate levels of staffing and insufficient training of staff, a lack of awareness and enforcement of disabled people’s rights as well as poor availability of information when using public transport are all important issues that also need to be addressed.

“My local station isn’t always manned. Purchasing a ticket on a machine isn’t always possible with a visual impairment, so unless the ticket office is open I have no way to buy a ticket.”

Emily

Everyone should be able to catch the train to get to work or school, visit loved ones, take up hobbies and meet friends. Journeys should be accessible from end to end – that means being able to get into the station, onto the train, off the train, and out of the station the other side.

For so many disabled people, not being able to access public transport will have a determining impact on whether they feel able to participate fully in the wider world. Disabled people tell us that opportunities in education and employment have been out of reach due to transport problems related to their disability, forcing them to turn down job offers, missing interviews or not taking up a training course.[[2]](#footnote-2) Not being able to access public transport can cut people off from the outside world. Over half of disabled adults in the UK say they have experienced negative consequences as a result of public transport that did not accommodate their disability.[[3]](#footnote-3)

* 22% of disabled people said that inaccessible transport made them feel isolated.
* 21% said it had a negative impact on their mental health.
* 18% said they were unable to keep active.
* 15% said they were unable to go out with family or friends.

A third (33%) of disabled adults in the UK report having experienced problems as a result of their disability not being accommodated when travelling by train and almost one in five (19%) who have not used a train say this is because it wasn’t accessible for someone with their disability or health condition.[[4]](#footnote-4)

“I’m put off using the train by the extra time and effort it takes. My local station is less than 5 minutes from my home – but it is totally inaccessible. The nearest accessible station is a 25-minute drive away. At the end of a long day when I suffer from fatigue it is infuriating to have to go past my local station and face a 25-minute car ride back.”

Alison

Leonard Cheshire has been campaigning for equal access to public transport for disabled people, monitoring the government’s performance and progress towards realising their commitments and identifying the gaps in provision. We also want to help the government to meet its targets and secure positive and lasting change for disabled people.

Our new research demonstrates the slow pace of change to date in making the much-needed adaptations to stations so that disabled people are able to use their local train station. We are calling for the government to demonstrate a greater level of ambition, increased commitments and a rigorous and transparent evaluation of progress to make sure that disabled people can expect the same equal access to public transport as everyone else. In order to deliver the change that disabled people need to live independently, and for the commitments in the Inclusive Transport Strategy to be realised, a legally binding duty for all train journeys in Britain to be fully accessible by 2030 should be put in place.

## The Inclusive Transport Strategy and the 2030 target

“By 2030 we envisage equal access for disabled people using the transport system, with assistance if physical infrastructure remains a barrier.”[[5]](#footnote-5)

The government already has put in place the Inclusive Transport Strategy, introduced in July 2018, providing a blueprint for how it wants the transport industry to move forwards in improving accessibility. The Strategy refers to the government’s aspiration that, by 2030, all major transport hubs and terminals on both public and private transport networks will meet the needs of disabled people, including changing facilities, straightforward signage, audio and visual messaging and sufficient space to navigate. There are new provisions on passengers’ rights such as establishing the Rail Ombudsman, an independent body to investigate complaints in a fair and open way to try and reach a resolution without going to court. It also includes a requirement for new rail franchise bidders to commit to providing enhanced disability awareness training for staff and improving availability of rail accessibility data.

### Access for All

Access for All is the major source of government funding for improvements to railway stations, with the objective to improve access to - and within – stations, as well as to all platforms.[[6]](#footnote-6) The government has committed to providing Access for All funding until “at least” 2024.[[7]](#footnote-7) Instead of this fragmented approach, a continuous line of progression is needed with appropriate forward planning.[[8]](#footnote-8)

Although it is clear that there has been some welcome progress, our new research shows that greater ambition is needed to deliver the swift and widespread changes to station infrastructure across the country that disabled people need. At the current rate of progress, it will take over 50 years for rail stations to be fully accessible in Britain.

## Leonard Cheshire’s new research and analysis

Access for All has been in operation for nearly 20 years, yet progress has been painfully slow with too many stations across the country remaining inaccessible for disabled people. Our new research shows that, across Britain, 38% of train stations do not have step-free access. This compares with 40% in November 2018 when Leonard Cheshire undertook a similar review of accessible stations.[[9]](#footnote-9)

* 38.5% of stations in England do not have step-free access.
* 47% of stations in Scotland do not have step-free access.
* 21% of stations in Wales do not have step-free access.

**Projected timeline for accessible transport:**

* **2030: Current government target.**
* **2070: Current rate of progress in making train stations accessible.**

Our new research shows that, currently, an average of 19 stations are completed per year as a result of Access for All funding in Britain.[[10]](#footnote-10) According to the rate of current progress, in order for the government to extend step-free access to all stations by January 2030, an average of 97 would have to be completed per year.[[11]](#footnote-11) At the current rate of completion of step-free stations as a result of Access for All funding, we estimate that it would take approximately 50 years for all train stations in Britain to be made accessible.[[12]](#footnote-12) This means that some disabled people will have to wait until 2070 until they can use their local train station, 40 years after the government’s stated aspiration for accessible public transport.

## The change we are calling for: a legally binding duty that all train journeys in Britain will be fully accessible by 2030.

*“It is not reasonable to wait this long for trains and stations to be accessible. My friends and I have been campaigning for over 11 years for our station to be made accessible. Three of my friends with progressive MS who campaigned alongside me have died in the time it has taken rail companies to decide to do nothing. The Government may have decades more to wait - some of us aren't so fortunate.”*

* Alison

In order to implement the government’s stated intention that by 2030 all disabled people will have equal access to the public transport system, we are calling for **a new legal duty to make all rail journeys in Britain fully accessible by 2030.**

For this provision to be effective and deliver a faster rate of progress, the following changes must also be secured:

* Adequate funds must be identified and allocated to ensure that all train stations are made step-free. The next Comprehensive Spending Review must include a sufficient funding package as well as a commitment for future spending until 2030.
* A comprehensive implementation plan and timeline must be established within one year of the new law being passed that sets out how the 2030 target will be achieved and binding provisions to be secure by the end of the new parliament so that meaningful progress is made and that the government is accountable to its commitments.
* The implementation plan should identify the responsibilities held by each main component of the rail system to deliver the target and with a clear timeline. The plan should ensure that other related government strategies are aligned with it, eg. National Infrastructure Strategy.

### Current legislative framework

The central UK legislative framework related to equal access to public transport for disabled people is found in the Equality Act 2010 as well as EU legislative instruments.[[13]](#footnote-13) The Equality Act established the Public Sector Equality Duty which applies to all public sector organisations and other organisations exercising public functions, including Department for Transport, Office for Rail and Road and Network Rail.[[14]](#footnote-14)

The Disability Discrimination Act 2005 states that all trains must be accessible by disabled people by January 2020 and the Rail Vehicle Accessibility Regulations outline the standard requirements for meeting the needs of disabled passengers.[[15]](#footnote-15) This includes providing access for wheelchair users, the size and location of handrails, handholds and control devices, providing audio-visual passenger information systems (PIS), priority seating and other equipment. However, recent developments have seen approximately 800 train carriages expected to fail these standards. At least eight rail companies are seeking permission from the Department for Transport (DfT) to continue running non-compliant trains from 1st January 2020.[[16]](#footnote-16)

### Why is a legal change needed?

Introducing legislation to implement progress to achieve the 2030 target would mean that the transport system would be made fit-for-purpose in accommodating disabled people. The gaps in step-free access illustrate that Equality Act powers are not currently effectively ensuring that disabled people can expect equal treatment when accessing trains and are failing to provide equal access for disabled people to public transport. A legal change would make the government accountable to its commitment to reach the 2030 target and make the public sector equality duty in the Equality Act a meaningful expectation.

Alongside the new legal framework, sufficient resources are needed to make the 2030 target achievable and comprehensive financial modelling should be undertaken to cost the changes needed to roll-out step-free access across Britain. In Scotland[[17]](#footnote-17) and Wales[[18]](#footnote-18), where some transport powers are devolved, Transport Scotland[[19]](#footnote-19) and Transport for Wales[[20]](#footnote-20) should also commit to enacting a legal duty to implement the objective to deliver accessible transport by 2030 across Britain.

With a new government now in place it is essential that a sufficiently ambitious plan to achieve positive change for disabled people is secured. The new Conservative government must ensure that their plans to “‘level up’ opportunity through better infrastructure, education and science reflect the needs of disabled people.[[21]](#footnote-21) The highly-anticipated, upcoming release of the findings of the Williams’ Rail Review findings means that we have a unique opportunity to implement bold measures that will enable disabled people to live independently and have the same access to the wider world as everyone else.

## Contact

Sharlene McGee, Policy Manager

E: sharlene.mcgee@leonardcheshire.org

T: +44 (0) 203 242 0237

www.leonardcheshire.org

1. Leonard Cheshire has conducted analysis of station accessibility from information provided by the Network Rail website. Accessed in October 2019. [↑](#footnote-ref-1)
2. Findings from Leonard Cheshire’s research conducted with ComRes in 2018. For more information: <https://www.comresglobal.com/polls/leonard-cheshire-disability-uk-disabled-adults-survey-hate-crime-section/> [↑](#footnote-ref-2)
3. 51%, Comres (2018). [↑](#footnote-ref-3)
4. ComRes 2018. This refers to disabled people’s experiences of rail travel over the previous year, during 2017 – 2018. [↑](#footnote-ref-4)
5. UK Government, Inclusive Transport Strategy (July, 2018). <https://www.gov.uk/government/publications/inclusive-transport-strategy> [↑](#footnote-ref-5)
6. Access for All is the main funding mechanism for making improvements to railway stations to make them more accessible. Launched in 2006 to address the issues faced by disabled passengers and passengers facing mobility issues when using railway stations in Britain, Access for All has been supported by all governments since then. The funding is used to create a step-free, accessible route form the station entrance to the platform and can include providing lifts or ramps. [↑](#footnote-ref-6)
7. Inclusive Transport Strategy (2018). [↑](#footnote-ref-7)
8. A smaller portion of the funding would be made available to small schemes at less busy or rural stations where small improvements could go a long way to improving access. [↑](#footnote-ref-8)
9. Leonard Cheshire has undertaken data analysis of the provision of step-free access in train stations in Great Britain. This data was compiled using information on the National Rail website as of October 2019. The stations were mapped by region using the ONS National Statistics Postcode Lookup database which can be accessed at https://www.ons.gov.uk/methodology/geography/geographicalproducts/postcodeproducts In 2018 Leonard Cheshire released research analysing stations’ step-free access in Great Britain showed that over 40 per cent of all railway stations in Great Britain do not have step-free access available for disabled people. [↑](#footnote-ref-9)
10. 19.4 stations. This is the average number of stations per year to be completed in the period April 2019 – March 2024 (the current Network Rail Control Period 6) as a result of Access for All funding. Total number of stations with works ongoing from previous periods (24) and number of stations with funding commitments to works during the current control period (73). [↑](#footnote-ref-10)
11. 96.7 stations. This is the average number of stations to be completed per year in the period November 2019 to January 2030 for all stations to be made step-free. Total number of stations without step-free access (983) divided by the number of years between November 2019 and January 2030 (10.16). [↑](#footnote-ref-11)
12. 50.7. This applies the average rate for Control Period 6 given that the number of stations which are not step-free as of October 2019 is 983. [↑](#footnote-ref-12)
13. This is particularly the case regarding the law as it relates to railways, specifically Directive 2008/164/EC, which applies Europe-wide standards of rail accessibility; and Regulation 1371/2007/EC on rail passenger rights and obligations. [↑](#footnote-ref-13)
14. Train operating companies, including those operating UK franchises, are not subject to the Public Sector Equality Duty. However, Section 20 of the Equality Act, sets out a Duty to make Reasonable Adjustments which does place an obligation upon all train operators to take reasonable steps to address accessibility issues and asserts that a disabled person should not face a substantial disadvantage in comparison to non-disabled people (Equality Act 2010, Part 12 Disabled persons: transport, Chapter 3). [↑](#footnote-ref-14)
15. The regulations have applied to all new rail vehicles entering service in England, Scotland and Wales since 31 December 1998. [↑](#footnote-ref-15)
16. https://www.itv.com/news/2019-11-07/train-companies-to-miss-accessibility-deadline/ [↑](#footnote-ref-16)
17. The Scottish Government is responsible for the letting and management of the ScotRail franchise and for providing the strategic direction, and funding, for the maintenance, renewal and expansion of Network Rail owned rail infrastructure in Scotland. [↑](#footnote-ref-17)
18. The scope of our research data only extends to Great Britain to reflect the rail structures of Network Rail and so Northern Ireland is not included. [↑](#footnote-ref-18)
19. Transport Scotland, established on 1 January 2006, acts on behalf of Scottish Ministers to let and manage the ScotRail franchise. It is responsible for setting the high-level strategy for the maintenance and enhancement of the Scottish rail infrastructure by Network Rail. [↑](#footnote-ref-19)
20. Transport for Wales is a wholly owned, not-for-profit company, established on 1st April 2016 to provide support and expertise to the Welsh Government in connection to transport projects in Wales. [↑](#footnote-ref-20)
21. The Queen’s Speech, 14th October 2019 https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\_data/file/839370/Queen\_s\_Speech\_Lobby\_Pack\_2019\_.pdf [↑](#footnote-ref-21)