



Accessibility outside employment

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Definitions

- Accessibility versus reasonable accommodation?



UNCRPD

Preamble

Recognising the importance of accessibility to the physical social economic cultural environment, to health and education and to information and communication, in enabling persons with disabilities to fully enjoy all human rights and fundamental freedoms



Discrimination – Article 2

Discrimination on the basis of disability means any distinction, exclusion or restriction on the basis of disability which has the purpose or effect of impairing or nullifying the recognition, enjoyment or exercise on an equal basis with others of all human rights and fundamental freedoms in the political, economic, social cultural, civil or any other field...



Article 9

1. To enable persons with disabilities to live independently and participate fully in all aspects of life, States Parties shall take appropriate measures to ensure to persons with disabilities access on an equal basis with others to the physical environment, to transportation, to information and communications including information and communications technologies and systems and to other facilities and services open or provided to the public both in urban and in rural areas. These measures, which shall include the identification and elimination of obstacles and barriers to accessibility shall apply to, inter alia:



Article 9

- (a) buildings, roads, transportation and other indoor and outdoor facilities, including schools, housing, medical facilities and workplaces;
- (b) Information, communications and other services, including electronic services and emergency services



Article 9

- States Parties shall also take appropriate measures:
- (a) to develop, promulgate and monitor the implementation of minimum standards and guidelines for the accessibility of facilities' and services open or provided to the public;
- (b) to ensure that private entities that offer facilities and services which are open or provided to the public take into account all aspects of accessibility for



Article 9

- (c) To provide training for stakeholders on accessibility issues facing persons with disabilities;
- (d) to provide in buildings and other facilities open to the public signage in Braille and in easy to read and understand forms;
- (e) To provide forms of live assistance and intermediaries, including guides, readers and professional sign language interpreters to facilities accessibility to buildings and other facilities open to the public
- (f) To promote other appropriate forms of assistance and support to persons with disabilities to ensure their access to information
- (g) To promote access for persons with disabilities to new information and communications technologies and systems including the internet
- (h) to promote the design, development , production and distribution of accessible information and communications technologies and systems at an early stage so that these technologies and systems become accessible at minimum cost



European Context

Public procurement Directives:

- Wherever possible technical specifications should be defined so as to take into account accessibility criteria for people with disabilities or design for all users



Discrimination and Accessibility

- Proposed Directive on goods and services
- “anticipatory duty to make reasonable accommodation”



The UK Experience

- Equality Act 2010 – previously the Disability Discrimination Act 1995
- Anticipatory duty to make reasonable adjustments in services, education and private clubs
- *Allen v Royal Bank of Scotland*
- *Nemorin v London Metropolitan University*