

**PRESS RELEASE**

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## **DISABLED PEOPLE IN SCOTLAND REPORT NO IMPROVEMENT TO PHYSICAL ACCESS**

Five years on from changes to the Disability Discrimination Act (DDA) requiring physical access improvements to be made to property, new research by Capability Scotland commissioned to mark today's anniversary of those changes, shows that disabled people in Scotland are three times as likely as non-disabled people to report that there has been no improvement in physical access.

Responses from carers, disabled and non-disabled people to two surveys commissioned by Capability revealed that uneven pavements, a lack of drop kerbs and a failure to provide ramped access to buildings are persistent problems. Indeed, despite acknowledgement of some positive improvements in shops, work places and other buildings, carers were twice as likely as non-disabled people to state that things had remained the same.

The research also showed that whilst only a third of non-disabled people recognised the use of disabled parking bays by non-disabled people as a problem, half of disabled people and carers highlighted this as a major issue. Figures that are particularly significant in light of today's introduction of the Disabled Persons' Parking Places (Scotland) Act.

Alan Dickson, Capability's Chief Executive said: "Although access to the physical environment is improving for disabled people, these results show that there is still important work to be done. Capability is in a unique position to highlight these issues through our research into the views and opinions of both disabled and non-disabled

people. Gathering this knowledge is a vital part of our work in supporting disabled people to achieve full equality and have choice and control in their lives.”

To mark today’s anniversary of the changes to the DDA, Capability contracted TNS BMRB to place four questions in their Omnibus, Scottish Opinion Survey to find out if any tangible improvements had been made to physical access. The survey saw responses from over 1000 adults across Scotland, 20% of whom were disabled.

In parallel with the TNS Omnibus, Capability surveyed their 1 in 4 poll panel, Capability’s unique focus group of over 400 disabled people from across Scotland, to identify specific accessibility problems. The results of the 1 in 4 poll confirmed the TNS findings and offered more detail on the precise problems disabled people still face.

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## **NOTES TO EDITORS**

Capability Scotland campaigns with, and provides services to, disabled children and adults across Scotland, supporting them to achieve equality and have choice and control in their lives.

### **TNS BMRB Omnibus Scottish Opinion Survey**

The TNS BMRB Omnibus Scottish Opinion Survey is a monthly poll of Scottish adults in which organisations can insert questions on a variety of subjects. This year, Capability inserted four questions into the survey which dealt specifically with access to the physical environment.

### **Capability’s 1 in 4 Poll**

Capability's 1 in 4 Poll was established in 2000 and is so-called because one in four households in Scotland lives with disability. The 400 members of the 1 in 4 poll panel all have personal experience of disability and respond to 3-4 surveys each year on issues that relate to disability equality.

Our 1 in 4 poll findings have been instrumental in getting laws passed which give disabled people equal human and civil rights. They have paved the way for positive change through campaigning, education and information. The 1 in 4 poll gives a real voice to the issues impacting the lives of disabled people across Scotland.

The poll covering physical accessibility closed on Thursday 24<sup>th</sup> September 2009.

### **DDA Part III**

The 1995 Disability Discrimination Act aims to protect disabled people against discrimination in all areas of their lives.

In October 2004 the act was extended through Part 3 so that, for the first time, service providers were required by law to make reasonable adjustments to both the fabric of their buildings and their policies and practices which otherwise might discriminate against disabled people.

Part 3 of the Disability and Discrimination Act says that it is unlawful for service providers to discriminate against disabled people. A service provider discriminates if:

- It treats a disabled person less favourably for a reason relating to that person's disability and without justification (the 'less favourable treatment duty')
- It fails to make reasonable adjustments for a disabled person and without justification (the 'reasonable adjustments duty').

The reasonable adjustments duty applies to:

- Any practice, policy or procedure that makes it impossible or unreasonably difficult for a disabled person to make use of a service

- The provision of auxiliary aids and services that would enable or facilitate the use of a service by a disabled person

For more information please see:

[http://83.137.212.42/sitearchive/drc/the\\_law/legislation\\_codes\\_regulation/dda\\_chronology.html](http://83.137.212.42/sitearchive/drc/the_law/legislation_codes_regulation/dda_chronology.html)

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