# **RNZFB Board Position Statement on the Accessibility for New Zealanders Bill**

# **Issue**

The Government’s Accessibility for New Zealanders Bill (the Bill) does not go far enough. The Bill needs to be broadened and strengthened to include enforceable accessibility standards, an independent regulator, a barrier notification system and a disputes resolution process. Getting the Bill right has huge potential to advance the human rights of people who are blind, deafblind or have low vision. The consequences of getting the Bill wrong will take decades to unwind. Getting the Bill wrong risks alienating people who have waited too long for change.

# **Statement**

The RNZFB Board believes that the Bill fails to:

* ensure that people who are blind, deafblind or have low vision are included in society and can actively participate in all areas of life.
* deliver tangible improvements for people who are blind, deafblind, have low vision, or who have print disabilities.
* create the conditions to make New Zealand fully accessible and inclusive over time.

# **Issues with the Bill**

* It doesn’t have credibility with the community it purports to advance because it ignores the discrimination that people who are blind, deafblind or have low vision experience on a daily basis.
* It lacks a vision statement that sets an ambitious goal and deadline to remove barriers for people who are blind, deafblind or have low vision.
* It does not include non-enforceable or enforceable standards.
* It states that the Minister will arrange for independent reviews to assess whether the functions, duties, and powers set out in the Bill adequately give effect to the purpose of the Bill. The purpose of the Bill is to accelerate progress towards a fully accessible New Zealand where disabled people, tāngata whaikaha and their families or whānau, and others with accessibility needs have an equal opportunity to achieve their goals and aspirations. It’s difficult to know how progress will be achieved without accessibility standards and enforcement mechanisms.
* It partially delivers on five of the Access Alliance’s thirteen principles[[1]](#footnote-1). The principles set out the minimum requirements for accessibility legislation.
* It does not support the Government to give effect to its commitment to Article 9 of the UNCRPD in domestic legislation. Under the Convention the Government must take “appropriate measures” to “develop, promulgate and check the implementation of minimum standards and guidelines for the accessibility of facilities and services open or provided to the public, including those provided by private entities.”

**Concerns about the Accessibility Committee (the Committee)**

* The Bill enables the Committee to develop a work programme that outlines the accessibility barriers that they will advise the Minister about. This duplicates decades of work. Barriers that disabled people face are already acknowledged in many areas of government policy or strategy. These policies and strategies include the United Nations Declaration on the Rights of Disabled Persons (UNCRPD), the Disability Strategy, the Accessibility Charter and the establishment of Whaikaha – Ministry of Disabled People.
* The Bill enables the Committee to make recommendations to the Minister about the prevention or removal of accessibility barriers by specified entities. Ministers and entities can choose to delay action or ignore it entirely.
* The Bill enables the Committee to annually report on progress made by Ministers and specified entities in implementing the Committee’s recommendations. It’s unclear what further action can be taken if recommendations have been delayed or ignored.

**Background**

It’s estimated that currently 180,000 Kiwis are blind, deafblind or have low vision, and the numbers are forecast to grow to 225,000 by 2028[[2]](#footnote-2).

Biased attitudes underestimate the potential of people who are blind, deafblind or have low vision. In addition, people with vision loss experience every day barriers, including inaccessible:

* information, communication and technology
* built environment
* education, training and employment
* banking, and other legal and financial transactions
* housing
* transportation – public and private
* health systems
* social support and social welfare systems
* broadcasting and other media content
* customer service – including hospitality and retail
* political and democratic processes

Over many decades, advocates who are blind, deafblind or have low vision have worked tirelessly to remove barriers and to reduce discrimination on the grounds of disability. People have high hopes that this time they’ll see tangible improvements in their lifetime.

Whilst the majority of concerns about the Bill are about people with vision loss, there’s also concern that the Government has missed an opportunity to support business and to grow the economy. When people abandoned a retail website because of the barriers they found, that means lost business. The “Click away Dollar” of lost business in New Zealand is estimated to be between $395 - $522 million[[3]](#footnote-3).

Businesses want to open their physical and digital doors to more customers with access needs. But many organisations find it hard to become accessible without clear accessibility standards.

The Bill does not recognise that our population is ageing. There are currently over 800 000 SuperGold cardholders, with around 60,000 people joining each year[[4]](#footnote-4). Older people are a valuable market which is growing in size and spending power. The total value of seniors’ expenditure by seniors is projected to rise from around $20.7 billion in 2016 to around $42.4 billion in 2031[[5]](#footnote-5).

A recent survey found that 97.5% of New Zealand websites have accessibility problems[[6]](#footnote-6). New Zealand has non-enforceable web accessibility and usability standards. Although Government Departments have signed up to the Accessibility Charter, many failed to comply with the web accessibility standards[[7]](#footnote-7). This bill does not address digital barriers across a range of areas of life. There is a growing trend towards the use of visual interfaces such as onscreen menus and touch screens on a wide range of mainstream equipment and technology. This equipment is not accessible to people who cannot see the visual display or locate trigger points on the touch screen.

# **What the RNZFB Board and Blind Low Vision NZ will do**

* Make submissions to the Social Services and Community Select Committee on strengthening and broadening the scope of the Bill.
* Encourage individuals and organisations to make submissions.
* Continue to lobby all political parties to commit to broaden and strengthen the Bill.
* Collaborate to accelerate New Zealand’s accessibility system.

# **What the RNZFB Board and BLVNZ wants Government to do**

Amend the Bill to:

1. Make it easy for people to report and resolve access barriers.
2. Guarantee that public money will not be used to create barriers.
3. Provide for non-enforceable and enforceable accessibility standards to be developed and implemented. The standard development process must be co-designed with people who are blind, deafblind or have low vision. The standards development process must take account of new and emerging technologies.
4. Create an independent enforcement and regulation regime to accelerate accessibility.

1. [Click here to read the principles](https://www.accessmatters.org.nz/the_accessibility_act) – Partially delivers on Principle 1 (The Act applies to all), Principle 5 (The Act sets policy), Principle 8 (The Act will charge government with the responsibility to lead, educate, train, inform and review), Principle 10 (The Act is made real through regulations) and Principle 13 (The Act has real force and real effect) [↑](#footnote-ref-1)
2. Moore, David; Rippon, Rebecca; and Niemi, Malin. *Vision Rehabilitation in New Zealand*. 27 February 2019. Sapere Research Group. Available on request from [jzidov@blindlowvision.org.nz](mailto:jzidov@blindlowvision.org.nz). Page 14, Section 4.4. [↑](#footnote-ref-2)
3. Purple Dollar estimate for New Zealand based on Purple Pound Research from the UK. Peter Chou. July 2022. Unpublished. [↑](#footnote-ref-3)
4. https://supergold.govt.nz/partners/partner\_information and for other references see: <https://www.parliament.nz/en/pb/hansard-debates/rhr/document/HansS_20200311_052650000/8-question-no-8-seniors> [↑](#footnote-ref-4)
5. <https://www.msd.govt.nz/documents/about-msd-and-our-work/newsroom/factsheets/budget/factsheet-supergold-card-2019.pdf> [↑](#footnote-ref-5)
6. Accessibility in Aotearoa, Access Advisors, Published 17 September 2021. <https://accessadvisors.nz/accessibility-in-aotearoa/> . Accessed 24 August 2022. [↑](#footnote-ref-6)
7. One example out of many - Covid-19 tracing app 'unusable' for blind and those with low vision. RNZ. 26 May 2020. <https://www.rnz.co.nz/news/national/417526/covid-19-tracing-app-unusable-for-blind-and-those-with-low-vision> [↑](#footnote-ref-7)