# Framework to accelerate progress towards accessibility in Aotearoa New Zealand

The Ministry of Social Development is leading, in collaboration with the Access Alliance, the programme of work to improve accessibility in New Zealand.

Cabinet considered a paper from the Minister for Disability Issues to the Cabinet Social Wellbeing Committee, about a framework to accelerate progress towards accessibility. Cabinet confirmed the Committee’s decision to accept the paper’s recommendations.

Here is the executive summary of the paper and the full list of recommendations.

## Executive summary

**1.** Accessibility matters because it is a pre-condition to disabled people realising their rights and being able to participate fully in society on an equal basis with others, including civic participation (e.g. voting) and in employment, social and education opportunities. Progress in removing barriers to accessibility in key life areas has been slow in recent years, and accelerating accessibility is a complex task. Accessibility is not well understood or applied, largely due to a fragmented regulatory system, responsibility spread across many central and local government agencies, and a lack of incentives or compulsion in the system to do better.

**2.** Disabled people are already disproportionately disadvantaged, and the barriers faced by disabled people were even more pronounced during the COVID-19 response. While COVID-19 has presented additional challenges for disabled people, it has also created unique opportunities to accelerate work to address barriers and improve accessibility in New Zealand, while supporting overall recovery efforts. Maximising these opportunities will support a shift toward a more accessible New Zealand, bringing with it numerous social and economic benefits.

**3.** My preferred approach to accelerating accessibility is through a new legislative accessibility framework. This framework will focus on prevention and removal of barriers to ensure disabled people can participate and access the same opportunities on an equal basis with others. The framework will provide mechanisms for a policy work programme, including standards development within domains of accessibility[[1]](#footnote-1); education and awareness raising; and reporting, monitoring and compliance functions. This approach is flexible, sends a strong signal that change is needed, and provides more certainty and durability in the long term.

**4.** I recognise there are risks in progressing too quickly at a time when agencies and businesses are under pressure in various ways. It will be important to navigate carefully and take the opportunity to influence new ways of operating and working differently, particularly in employment, to ensure disabled people are not left out or further disadvantaged. It will be important that stakeholders, in particular the business community, understand the benefits rebuilding in an accessible way from the outset brings in relation to costs; that change will be progressive; and that the focus will be on new initiatives.

**5.** I propose that this legislative framework and corresponding systems and measures are implemented progressively over time, supporting preparedness and the ability of businesses to gear up to respond to new regulatory requirements proposed. Built in review periods will enable regular check-ins to see how well the system is working. This phased implementation and monitoring should support effective mitigation of trade-offs and risks that are involved in progressing such an ambitious programme of change.

**6.** Significant commitment and some cost will be involved in accelerating accessibility. While we can learn from similar jurisdictions overseas, more work is needed to establish costs in a New Zealand context, and to progress detailed design of the new framework proposed. This further work will be carried out between now and early 2021, and I propose to report back further with a detailed legislative framework for Cabinet approval in May 2021.

**7.** Collaboration and socialisation of this policy proposal will be a crucial aspect of the further work planned prior to May 2021. This will include collaborating with the Access Alliance on the design of the framework and discussing the policy proposal with the business community throughout the design process, to ensure the framework can succeed. I recognise that this may be difficult during the recovery period, but will be necessary to meet a May 2021 report back date. I am therefore also seeking agreement to the timing of that consultation taking place from late 2020 to early 2021.

## Recommendations

**8.** It is recommended that the Committee:

**1. Note** that accelerating accessibility in Aotearoa New Zealand is a significant, complex task affecting all New Zealand society, and therefore needs to be progressively realised

**2. Note** that government thinking about how to recover from COVID-19 and build a more productive, sustainable and inclusive economy needs to consider how we address the rights, needs and concerns of disabled people

**3. Note** that maintaining the momentum of accessibility work will continue to address the disproportionate disadvantage experienced by disabled people, exacerbated by recent COVID-19 impacts

**4. Note** that accelerating accessibility offers a unique opportunity to support an inclusive economic recovery and make New Zealand a global leader, through encouraging new smarter ways of working that design for accessibility from the outset, and encourage uptake of new accessible universal technology

**5. Note** thatmy intended policy approach to accelerating accessibility is a new legislative framework that can act as a vehicle for progressive implementation of a new system of accessibility over time

**6. Note** that the legislative framework would sit alongside awareness raising, education and training, and provide mechanisms for:

**6.1** a policy work programme to accelerate accessibility

**6.2** the establishment of regulatory systems for areas of accessibility where none currently exist, including the creation of standards within specific domains of accessibility

**6.3** the progressive review of existing legislation and standards that relate to accessibility

**6.4** Ministerial-appointed advisory councils to make recommendations on accelerating accessibility within domains

**6.5** institutional arrangements to support a new accessibility system

**6.6** reporting and monitoring, including review periods of the framework

**6.7** compliance and enforcement

**7. Agree** that any new framework should set accessibility as a high-level concept (rather than a detailed, prescriptive definition) about the prevention and removal of barriers, so people can independently access the public spaces, built environments, goods, products or services they need to fully participate and be included in society

**8. Note** that the focus of a new accessibility framework will be on disabled people, acknowledging that it will bring benefits to a range of other groups, including older people, carers and Māori

**9. Note** that my intended approach:

**9.1** sends a strong signal to society about the need for change, and about the value of and commitment to, accessibility

**9.2** provides the flexibility to implement a progressive approach over time, so governments can set priorities to resource accessibility measures, and obligated parties have time to develop, understand and adopt efficient or innovative approaches to meeting regulatory requirements

**9.3** provides more certainty in the long term, and is the most likely instrument to change behaviour and address problems, as it will provide clear statutory guidance and ‘lift the bar’ on what is expected

**9.4** can sit well alongside other accessibility work being undertaken

**10. Note** that accelerating accessibility will require long-term commitment and will require funding, but further work is required to establish costs in the New Zealand context

**11. Agree** to Ministry of Social Development officials progressing further work on detailed aspects of the legislative framework, in consultation with relevant agencies and stakeholders, including on costs, institutional and administrative arrangements, development of accessibility domains and standards, and giving effect to the Treaty of Waitangi

**12. Agree** to officials working with key stakeholders to identify and maximise new opportunities presented within the COVID-19 context for a greater focus on accessibility in future, which will include consultation with business and other stakeholders on details of the final proposal as they are developed

**13. Agree** that consultation with the business sector on the legislative framework proposal can proceed from late 2020 until early 2021, to inform my final report back in May 2021

**14. Note** that I intend to propose that an Accessible Aotearoa New Zealand bill be introduced to the House during 2021

**15. Invite** the Minister for Disability Issues to report further in May 2021, seeking Cabinet agreement to a complete policy proposal to accelerate accessibility.

1. Domains of accessibility are life areas that standards on accessibility can cover. The CRPD lists four: physical environment; transportation; information and communications; and services to the public. [↑](#footnote-ref-1)