# **RNIB’s Response to Inclusion London's Call for Evidence for the public examination of the UK under the United Nations Convention on the Rights of Disabled People (CRDP)**

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About RNIB:

We are the Royal National Institute of Blind People (RNIB), the UK’s leading sight loss charity and the largest community of blind and partially sighted people. Every day 250 people begin to lose their sight. RNIB has a crucial role to play in creating a world where there are no barriers to people with sight loss. We want society, communities and individuals to see differently about sight loss.

About sight loss

There are around 340,000 people registered blind or partially sighted people in the UK and an estimated two million people are living with sight loss that affects their daily lives. Sight loss is a spectrum, and every eye condition affects someone’s sight differently. For example, glaucoma affects peripheral vision, and cataracts cause cloudy vision. This means that one size does not fit all when making things accessible. Different people will rely on different things – sound, sight, or touch – to varying degrees to understand their environment and get around. To help, it is vital that the right adjustments are in place, such as inclusive infrastructure and design.

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## Article 9 – Accessibility

The Digital Divide

We need to increase blind and partially sighted people’s access to technology, information, and digital services, particularly through digital channels. Digital enables blind and partially sighted people to live more independently, stay better connected and engage with the world, so it is essential more people can use it confidently.

But we need to overcome some significant barriers to increase digital take up. Blind and partially sighted people lag behind the rest of the UK in take up and will continue to do so, if we don’t do more to support them.

This is unacceptable. Not only are the benefits of digital potentially even greater for people with sight loss, now that so many essential goods and services are provided via a digital first strategy, there is a major risk of widening the digital exclusion gap. This is not just about internet access, but accessibility, participation and having the digital capability to thrive.

Everyone can benefit from using technology in their daily lives, but blind and partially sighted people benefit disproportionately.

People with sight loss are twice as likely to be digitally excluded when compared to the general population.

If current trends continue, over the next six years, nearly all people across the UK will be online, yet it will take an additional eight years before nearly all people with sight loss are online.

Blind and partially sighted people equipped with digital knowledge and skills could take advantage of the benefits of technology such as improved communication, access to information and access to services.

Effectively tackling barriers associated with the factors of age and knowledge is likely to reduce the divide and speed up the adoption of technology by blind and partially sighted people, but the role of both digital exclusion and digital capabilities must be considered as a sector-wide strategy is developed.

The number of adults who don’t have access to the internet, have either never used the internet or have not used it in the last three months, described as “internet non-users” or the digitally excluded, has been declining over recent years.

Since 2011, this number has almost halved. But in 2018, there were still 5.3 million adults, 10 per cent of the UK adult population, in this situation (1). The proportion is higher for people with sight loss, even after controlling for age, at around 19 per cent (13). Without controlling for age, roughly 38 per cent of the total population with sight loss have never used the internet or have no internet access.

This is strongly linked to age. The numbers of people aged 18-49 who don’t use the internet are extremely small, and people with sight loss in this age group appear to be just as likely to use the internet as people in the general population. Older people are much more likely to not use the internet, with 63 per cent of people with sight loss aged 75 plus not using or having access to the internet (compared to a UK average of 52 per cent for the same age group).

The key barriers to technology take up identified by blind and partially sighted people were:

* Knowledge, confidence and ability to use technology
* Cost of connection, devices and assistive technology
* Concern about safety and the ability to stay protected online
* Inaccessible websites and apps
* Availability, accessibility and expertise of mainstream technology providers

Source: [Sight loss and technology briefing – how blind and partially sighted people can bridge the digital divide](https://www.rnib.org.uk/sites/default/files/APDF%2520Sight%2520Loss%2520and%2520Technology%2520Briefing.pdf) RNIB Published August 2021

## Article 16 – Freedom from exploitation, violence and abuse

#### **Crime against visually impaired women and girls**

The risk of crime amongst disabled women and girls is significantly higher than the general population. For example, according to the Office for National Statistics, women who are disabled are more than twice as likely to be victims of domestic abuse and nearly twice as likely to be sexually assaulted compared to the general population.

Source: [Office for National Statistics 2019: Disability and Crime](https://www.ons.gov.uk/peoplepopulationandcommunity/healthandsocialcare/disability/bulletins/disabilityandcrimeuk/2019)

This is no different for women and girls who are blind or partially sighted. Useful research by the University of Leicester on hate crime included reference to a woman with a visual impairment. Within this there is reference to worry about being vulnerable when using a white cane in public.

Source: [University of Leicester - The Leicester Hate Crime Project](https://le.ac.uk/hate-studies/research/the-leicester-hate-crime-project/our-reports)

Women’s Aid makes a mention of blind women who are victims of domestic abuse, explaining that they are usually targeted more because they have need for care from their partner/the perpetrator of the abuse.

Source: [Women's Aid Briefing for Report Stage and Third Reading of the Domestic Abuse Bill](https://1q7dqy2unor827bqjls0c4rn-wpengine.netdna-ssl.com/wp-content/uploads/2020/07/Women27s-Aid-Briefing-for-Domestic-Abuse-Bill-Report-Stage-and-Third-Reading.pdf)

Additionally, several news articles suggest that females with a visual impairment are more likely to experience assault in public and feel left out of popular campaigns to end sexual assault of women (e.g. #MeToo).

Source [As A Disabled Woman, I'm Harassed On The Street Daily – Where's My #MeToo Movement? | HuffPost UK](https://www.huffingtonpost.co.uk/entry/disabled-woman-me-too_uk_5d3eaee2e4b0db8affaadf12)

Article 29 – Participation in political and public life

### **Voting experiences for blind and partially sighted people**

Blind and partially sighted people experience a unique set of challenges when voting. The practical act of voting - making a cross in a specific location on a piece of paper - is fundamentally a visual exercise.

Over the years we have heard of the frustration and humiliation that blind and partially sighted people experience when they are unable to vote independently and in secret. In practice, the majority of the 350,000 blind and partially sighted people in the UK currently find it impossible to vote without having to share their vote with a companion or presiding offer in the polling station, often finding they have to name the candidate they want to vote for out loud.

As a result, despite it being nearly 150 years since the Ballot Act guaranteed the right to vote in secret, three quarters of blind and partially sighted people are unable to exercise this right. Figures from UK elections in May 2021 found 4 in 5 blind people felt they were unable to vote both independently and in secret. (1)

Our survey respondents have given many examples of the impact this has:

* “The voting booth was right beside the queue for the check in desk; it wasn’t closed off and I had to verbalise my choice to my partner. When telling her which candidate I wanted, a person waiting in the queue beside the booth audibly sighed. I don’t feel I get privacy in my vote.”
* “The lady had to read out the candidates to me and point out the one I wanted to vote for. It was slightly humiliating... Don’t get me wrong – the ladies were lovely and kind but it wasn’t secret or independent.”
* “My helper disagrees with my vote and I have no way to be sure she voted as I wished… “
* “As it stands, it’s a totally humiliating experience from start to finish, no assistance offered at any stage, with people there just making assumptions that everyone can see.”
* “I usually have my partner with me to help, which makes things easier, but today I was alone which made me realise just how dependent I am on others. Very negative from start to finish.”

In 2019, a judicial review found the Government’s current provisions to support blind and partially sighted voters unlawful, with the judge describing existing provisions as “a parody of the electoral process” because of the inability for voters to review the ballot paper independently using equipment provided and then make their mark. For this reason, we have been working with the Cabinet Office for two years now on the development of a new way to vote independently, which could be prescribed instead of the tactile voting device alone. In the model which has been agreed upon, and the Cabinet Office were originally planning to introduce in time for 2021 elections before plans were halted by procurement difficulties, blind and partially sighted voters would be given an audio player alongside the TVD to read out the names on the ballot paper, meaning there was no need for an assistant or presiding officer to help by reading out the candidates.

This way of voting was trialled in polling stations in Norfolk in the May 2021 elections. Satisfaction rates among those who used it (a small sample because of the scope of the trial) were 91%, compared with 39% among blind and partially sighted voters across the rest of the country with access to the tactile voting device alone.

Source: [RNIB Turned out Report 2021](https://www.rnib.org.uk/sites/default/files/Turned%2520Out%2520Report%25202021.pdf)

**Proposed changes of provision in The Elections Bill 2021**

**Diminished legal protection for blind and partially sighted voters**

While we welcome the Elections Bill’s stated ambition to make voting more accessible for disabled people, we’re extremely concerned that the wording in the proposed legislation is inadvertently reducing the legal protections for blind and partially sighted people.

Currently, the Representation of the People Act 1983 says:

(3A) The returning officer shall also provide each polling station with-

(a) at least one large version of the ballot paper which shall be displayed inside the polling station for the assistance of voters who are partially-sighted; and

(b) a device of such description as may be prescribed for enabling voters who are blind or partially-sighted to vote without any need for assistance from the presiding officer or any companion

The Elections Bill replaces sub-paragraph (b) with:

(b) such equipment as it is reasonable to provide for the purposes of enabling, or making it easier for, relevant persons to vote in the manner directed by rule 37.

This weakens the guarantees for blind and partially sighted people in two ways:

1. Individual Returning Officers, instead of the Government, will now make the decision as to what to provide, creating a postcode lottery of provision. This will introduce uncertainty and anxiety amongst blind and partially sighted voters as they won’t know what to expect at polling stations or what they are entitled to.
2. The introduction of the word “reasonable” means that a Returning Officer could decide they don’t think the provision of a tactile voting device, or other such equipment to enable an independent vote, is reasonable.

In addition, the loss of the words “without any assistance” means there is less clarity that the right to an independent and secret vote is afforded to blind and partially sighted people.  
  
Having read explanatory notes behind the Bill and additional evidence from government, we surmise this particular change has been proposed in order to:

1. Address a concern that as the template is prescribed in law it is difficult to change and likely to become outdated
2. Address a concern that the tactile voting device does not work
3. Ensure voters with other disabilities also receive adaptations they require
4. Allow for innovation to support disabled voters

The tactile voting device is not prescribed in statute; the legislation instead makes reference to “a device of such description as may be prescribed”. Instead it is prescribed in regulations and as such should be relatively simple to update in light of technological developments. We therefore disagree that removing this protection is proportionate based on the impact it would have on blind and partially sighted voters.

As detailed above, we wholeheartedly agree that the tactile voting device alone does not work as a method to ensure an independent vote, which is why we have been collaborating with the Cabinet Office on alternative solutions that could be prescribed instead, and we had jointly settled on an audio player used alongside the tactile voting device as a solution. However, in the revised wording proposed, an individual returning officer could in theory decide that even the tactile voting device is not ”reasonable” to provide, lessening the accessibility of voting even compared to today.

It is therefore essential that whatever solution is prescribed is done so at national level. RNIB and the Cabinet Office already experience difficulties in communicating to polling stations that the tactile voting device is required, and voters frequently report being told it is not available. We had plans to counter this by retraining staff with the introduction of the audio player with the Electoral Commission and Cabinet Office. Moving the decision regarding what adaptations to provide to returning officer level would result in even more of a patchwork of provision and make it very difficult for blind and partially sighted people to know what to expect and to obtain the adjustments they need, damaging the ability to vote independently even further.

While the Equality Act already requires returning officers to make reasonable adjustments in the polling station, we recognise it could well be useful to reiterate this again in law.

We believe concerns about rigidity of wording and improving accessibility of voting for other disabled people would be addressed with a very small change – supplanting the words “a device” with “equipment” so the law reads like this:

(3A) The returning officer shall also provide each polling station with-

(a) at least one large version of the ballot paper which shall be displayed inside the polling station for the assistance of voters who are partially-sighted; and

(b) **equipment** of such description as may be prescribed for enabling voters who are blind or partially-sighted to vote without any need for assistance from the presiding officer or any companion

And then inserting the Government’s proposed clause as additional protection for other disabled voters:

(c) such equipment **as it is reasonable** to provide for the purposes of enabling, or making it easier for, relevant persons to vote in the manner directed by rule 37.

This small change avoids being overly prescriptive and allows for future solutions that may be developed for disabled voters, without compromising the legal protections for blind and partially sighted people today.

This change still allows for innovation for all disabled voters. Even under the current legislation with a prescribed solution that sets out a minimum standard on provision, the Cabinet Office was able to provide additional advice to returning officers ahead of elections in December 2019, clarifying that they may wish to permit blind or partially sighted voters to use magnifiers or mobile phone apps to assist in voting as a reasonable adjustment under the Equality Act. As such, there is no restriction in law on local innovation by returning officers beyond the minimum standard to support disabled voters, indeed the Equality Act already obliges them to make reasonable adjustments for all disabled people.

Source: Written Evidence for the Elections Bill Committee RNIB

## Article 20 – Personal Mobility

Walking journeys are of fundamental importance in ensuring blind and partially sighted people can live their lives with as much independence as possible. However, recent – and sudden – changes to the layouts of our towns and cities and the way we travel have impacted on the safety of people with sight loss to get around independently and their confidence to do so.

Our research shows there are a range of factors at work – from new street designs to e-scooter trials – and we call on local authorities, transport operators, designers and the Department of Transport to work with us to ensure our streets are truly inclusive.

In May 2020, we surveyed more than 480 blind and partially sighted people and asked them about their experiences of walking journeys and what made them easier, or more difficult.

“I live alone and obviously don’t drive so walking is essential for me to get anywhere. Even if only to the bus stop or tube station, if I can’t walk outside I basically lose my independence.”

Blind and partially sighted people have fewer transport options available to them. Driving or cycling independently is not an option, so walking is even more important. Whether walking down the street to get a taxi, a walk to the bus stop, or a trip on foot to the town centre, being able to make walking journeys is fundamental, as our respondents told us. Walking is key to maintaining independence, getting exercise, staying connected with family and community, and accessing work, and key services such as healthcare.

* 96 per cent of respondents told us it’s important to them to be able to make walking journeys independently, without a sighted guide.
* 73 per cent said they rely on being able to make walking journeys for independent travel.
* 78 per cent told us walking journeys were their only, or main, form of outdoor physical exercise.

People also told us of the key issues that were important for them to help them get around safely. In the main, these fell into three key themes:

* Avoiding moving vehicles;
* The importance of kerbs and crossings; and
* The hazards of cluttered pavements.

When these issues are not fully addressed, streets can become inaccessible, putting people at risk of injury or loss of life. Even near misses or the perception that areas are inaccessible can damage confidence and mental health, affecting independence and significantly reducing opportunities for exercise. These can have the effect of making people more reliant on sighted guides or taxis to get around, and mean they avoid going to certain areas or even stay at home.

“I’ve had a lot of issues with having to avoid some routes. This has made me more dependent on taxis and other public transport, as it’s just not possible to safely walk to these places”

Source : [Seeing streets differently: How changes in our streets and vehicles are affecting the lives of blind and partially sighted people](https://www.rnib.org.uk/sites/default/files/Seeing%2520Streets%2520Differently%2520report%2520RNIB%25202021.pdf)

## Article 26 – Habilitation and rehabilitation

In December 2013, the Association of Directors of Adult Social Services (Adass) re-issued its position statement on visual impairment rehabilitation in the context of personalisation.

The statement said in part:

“Unlike generic reablement programmes, visual impairment rehabilitation is a specific intervention”, and that such interventions “cannot necessarily reach a successful conclusion within a six-week timeframe”.

The 2014 Care Act also took this approach in full in its [statutory guidance](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/366104/43380_23902777_Care_Act_Book.pdf). The Adass guidance as cited in section 22 of the guidance, and paragraph 2.61 of the guidance, on prevention, also reiterates both the specialist nature of visual impairment rehabilitation and the time-limited, but not time prescribed, approach to its intervention.

The Adass guidance adds: “Local authorities should consider securing specialist qualified rehabilitation and assessment provision…Certain aspects of independence training with blind and partially sighted people require careful risk management and should only be undertaken by a fully qualified Visual Impairment Rehabilitation Officer (ROVI).”

Sight loss affects people of all ages, but as we get older we are increasingly likely to experience sight loss.

Source: [Economic impact report](https://www.rnib.org.uk/professionals/knowledge-and-research-hub/research-reports/general-research/economic-impact-sight-loss)

One in five people aged 75 and over are living with sight loss and one in two people aged 90 and over are living with sight loss. Adults with learning disabilities are 10 times more likely to be blind or partially sighted than the general population.

Source: [The Estimated Prevalence of Visual Impairment among People with Learning Disabilities in the UK - Eric Emerson & Janet Robertson](https://www.rnib.org.uk/sites/default/files/Learn_dis_small_res.pdf)

Despite the high prevalence of sight loss in these groups of society, whereas there may be some thirty occupational therapists, and up to forty or fifty social workers, the average number of rehabilitation officers per authority is three. According to a Freedom of Information Act request by the RNIB in 2015, there were some forty local authorities that had, at most, one worker. A benchmarking exercise by the Welsh Local Government Association in 2006 recommended a good practice ratio of one full-time equivalent ROVI to every 50,000 of the population. The population of most London boroughs, some of which only employ one ROVI, is about 200,000.

The referral rates for someone being identified as blind or partially sighted in a typical local authority will be around 200 per year. Around 120 of these will be formally registered via the *statutory* Certificate of Vision Impairment (CVI). The Care Act guidance says (22.16) that “upon receipt of the CVI the local authority should make contact with the person within two weeks” to arrange their inclusion on the council’s register of sight-impaired people. Where there is appearance of need for care and support, the council “must arrange an assessment of their needs in a timely manner”.

In his article for Community Care,  [“Visual impairment workers face crisis despite Care Act 2014’s emphasis on their role”,](https://www.communitycare.co.uk/2015/04/02/visual-impairment-workers-face-crisis-despite-care-act-2014s-emphasis-role/) Simon Labbett, chair of the Rehabilitation Workers Professional Network, wrote:

“I would suggest there is a workforce crisis of service-threatening proportions. Visual and dual sensory impairment specialists have seen their skills marginalised. This is partly because of a poor understanding of how blindness affects physical function and wellbeing and partly because sensory teams have been lost in favour of reablement teams, where some managers may feel inclined to skill-up generic workers on inadequately short courses.”

Source: [Visual impairment workers face crisis despite Care Act 2014’s emphasis on their role](https://www.communitycare.co.uk/2015/04/02/visual-impairment-workers-face-crisis-despite-care-act-2014s-emphasis-role/)

## Article 24 – Education

In the UK, there are more than 41,000 children and young people supported by local authority vision impairment (VI) specialist education services. Children and young people with VI need to be taught a range of independent learning, mobility, everyday living and social communication skills. Research shows that children with vision impairment who learn these skills are much more likely to achieve better long-term outcomes, successfully transitioning to independent adulthood. To learn these skills, children with vision impairment need direct, high quality specialist support.

RNIB’s research, however, has found that specialist VI provision is under significant pressure. In 2020 we found just under half of local authorities in England had cut or frozen VI education services budgets compared to the previous three years. Our research also showed that despite more children and young people with sight loss requiring and accessing specialist support, qualified teachers of children with vision impairment (QTVI) posts have been lost and caseloads have increased.

[Source: Bhangoo and Edwards, 2021, “Left out of Learning: Local authority education provision for children and young people with vision impairment in England: 2020”,RNIB. Available from [Local authority VI education service provision for children and young people with vision impairment in 2020 - RNIB - See differently](https://www.rnib.org.uk/health-social-care-and-education-professionals/knowledge-and-research-hub/research-reports/education-research/local-authority-vi-education-service).]

We are also concerned that many young people with vision impairment leave school inadequately prepared for the workplace. A recent study by VICTAR, for example, found the search radius for employment of some young people with sight loss was restricted as they had not been sufficiently supported while in school to apply mobility and orientation skills to new contexts and, as a result, were not confident in travelling to unfamiliar places.

Source: Hewett, Graeme, McLinden, Chattaway and Keil, 2021. Lost in Transition? The post-school experiences of young people with vision impairment.Vision Impairment Centre for Teaching and Research. Available from <https://www.birmingham.ac.uk/Documents/college-social-sciences/education/victar/lost-in-transition.pdf>]

Our research found that young people with vision impairment aged 16 to 25 are twice as likely to be not in education, employment or training (NEET) compared to other young people of the same age.

Source: Hewett and Keil, 2016. Investigation of data relating to blind and partially sighted people in the quarterly Labour Force Survey: October 2012 – September 2015. RNIB. Available from: <http://www.rnib.org.uk/knowledge-and-research-hub-research-reports/employment-research/labour-force-survey-2015>]

COVID-19 has had an enormous impact on children and young people with a vision impairment. Alongside the difficulties of accessing educational materials and specialist support, there has been a big increase in concerns raised by parents, carers, and young people themselves regarding the need for emotional support.

## Article 27 – Work and employment

Overcoming barriers to employment is one of the biggest challenges faced by people with sight loss, with only one in four registered blind and partially sighted people of working age in employment.

Source: Slade, Edwards, 2015. My Voice 2015. RNIB. Available from <http://www.rnib.org.uk/myvoice>]

Despite improvements in technology and innovations like screen readers and smartphones, this figure has not changed in a generation. RNIB’s recent survey showed the disability employment gap for blind and partially sighted people is around double that for other disabled people.

Source: Employment facts and stats 2020.RNIB.Available from [Employment research - RNIB - See differently](https://www.rnib.org.uk/professionals/knowledge-and-research-hub/research-reports/employment-research)]

A recurring challenge for blind and partially sighted people is that information such as job adverts, information on training schemes, and forms is rarely in an accessible format. The lack of materials available in large print or braille restricts the number of jobs some blind and partially sighted people can apply for. Under the Equality Act, employers have a legal duty to make reasonable adjustments for their employees. However, our research tells us that people who are blind or partially sighted are still not receiving adequate provision. Our recent research showed that 23% of employers said they were not willing to make adaptations to employ someone with a visual impairment despite legal obligations under the Act.

Source: Slade, Edwards, and Crawley, 2020. Employment for blind and partially sighted people in 2019. RNIB. Available from [Employment research - RNIB - See differently](https://www.rnib.org.uk/professionals/knowledge-and-research-hub/research-reports/employment-research)]

Our research also found misconceptions about employing someone with sight loss, with half of employers thinking there may be additional health and safety risks in the workplace for the employee if they were to employ a blind or partially sighted person. Our research also highlighted that one-third of people with sight loss who are not in work said the biggest barrier to them getting a job was the attitude of employers.

Source: Slade, Edwards, and Crawley, 2020.Employment for blind and partially sighted people in 2019.RNIB. Available from [Employment research - RNIB - See differently](https://www.rnib.org.uk/professionals/knowledge-and-research-hub/research-reports/employment-research)]