



Comments from Intac about the Proposal for a Rail Safety and Transport Bill Consultation

(September 2025)

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All our documents are available in hard copy in 14pt type size as standard. We also provide word and pdf versions of our documents on our website – www.imtac.org.uk. In addition we will provide information in a range of other formats including:

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About Imtac

The Inclusive Mobility and Transport Advisory Committee (Imtac) is a committee of disabled people and older people as well as others including carers and key transport professionals. Its role is to advise Government and others in Northern Ireland on issues that affect the mobility of Deaf people, disabled people and older people.

The aim of Imtac is to ensure that Deaf people, disabled people and older people have the same opportunities as everyone else to travel when and where they want.

Imtac receives support from the Department for Infrastructure (herein after referred to as the Department).

Comments about the consultation process

The Committee has two specific comments about the consultation process which we would like the Department to use to inform future consultations.

Firstly, the bulk of the consultation period ran over the two summer months when members and staff are less available due holidays and other commitments. It is poor practice to issue important consultations in the mouth of the summer period. We received several other consultations at the same time, limiting our capacity to respond in the detail we would like to each. Consultation undertaken under such circumstances is counterproductive as Government diminishes the opportunity to gain valuable feedback from stakeholders.

Secondly, several Imtac members require documentation in other formats including hard copies of the consultation documents. Alternative formats must be made available as soon as possible following requests, otherwise the recipient is disadvantaged compared to other potential responders. We have made several recent requests for consultation documents in other formats where the speed of response was unacceptably slow. We recommend that all Departments review how they process all such requests for alternative formats and make changes to ensure requests are met and documents are issued within a reasonable timescale.

Comments on the consultation proposals

The Committee welcomes the opportunity to comment on the proposal for a Rail Safety and Transport Bill. We understand the strong rationale for the legislation and broadly support the need to modernise rail regulation and enforcement in Northern Ireland.

Imtac also broadly welcomes the specific proposals for inclusion in the Bill with some reservations. This includes the proposals for an Independent Rail Regulatory Body, proposals for enforcement powers and the various powers for the Department to make regulations. We believe it is an important component of putting both our railways and passengers on an equal footing to elsewhere on these islands.

The Committee does have a number of reservations. Whilst the consultation makes clear how the new system of regulation and enforcement will be resourced, there is no explanation of where the expertise to run the new body will come from. Such expertise will be vital to the success or otherwise of the new framework. Imtac welcomes a regulatory body independent of Government. However, for the Committee it is equally important that the regulatory body is independent of operators. Linking to the previous reservations we have experience of working with regulators perceived as too close to the industry they regulate, with a reliance on expertise from the industry often cited as an explanation for this. Any new regulatory framework must avoid these perceptions if it is to have credibility.

Imtac's particular focus is on the rights of passengers. We therefore very much welcome the proposal to:

“Provide powers for the Department to make regulations regarding the rights and obligations of passengers and the responsibilities of railway undertakings towards passengers using the railway.”

The Committee has for some time been highlighting the disparity in the obligations placed on rail operators in Great Britain (GB)¹ compared to Translink in relation to protecting passengers and passenger rights. This includes specific requirements on operators around accessible and assisted travel. All operators in GB are required to have an Accessible

¹ To see what is required of train operators in GB visit

<https://www.orr.gov.uk/monitoring-regulation/rail/passengers>

Travel Policy (ATP) which sets out the level of service and plans for improvement. It includes the requirement for operators to provide assistance to travel and a specific requirement to provide accessible alternative travel where, for example, stations are inaccessible. ATPs are regulated and enforced by the Office of Road and Rail (ORR).

No such requirements currently exist in Northern Ireland. Although Imtac has been successful in securing greater accessibility requirements on Translink through the revised Public Service Agreement between the Department and Translink, too much of the responsibility for making changes rely on the goodwill of Translink. This is perfectly illustrated by the continued refusal of Translink to implement a commitment to clear alternative accessible travel policy despite the Committee making numerous recommendations².

There are other anomalies in terms of regulation and passenger rights between here and GB that must be addressed. This includes the provision of rail replacement buses. As the ORR has clarified³, the law requires vehicles used to deliver these services to comply with Public Service Vehicle Accessibility Regulations (PSVAR). Many vehicles used in Northern Ireland do not meet these requirements and are therefore operating unlawfully. Despite Imtac having raised concerns the Department has done nothing to resolve the issue. In GB the Department for Transport (DfT) introduced a temporary exemption scheme for operators, allowing the operation of non-compliant vehicles. Imtac is likely to advise against any similar exemption scheme here as accessibility requirements have been in place for over two decades on new vehicles and there is a good second hand market for compliant vehicles.

The above illustrates that disabled people are currently disadvantaged by the lack of clarity around regulation and enforcement of rail services in Northern Ireland. Imtac recommends that these issues are addressed by the new regulatory and enforcement arrangements. We further recommend that the Department work with Imtac and others in developing these changes and mandate the regulatory body to work with Imtac during the ongoing implementation and enforcement of these changes.

² See for example <https://www.imtac.org.uk/comments-imtac-footbridge-access-lambeg-railway-halt>

³ <https://www.route-one.net/operators/psvar-likely-to-be-required-in-rail-replacement/>

Conclusion

The Committee broadly welcomes and supports the proposals to legislate to update and modernise regulation and enforcement on our railways. We look forward to working with the Department and others as the proposals are progressed to ensure we maximise the benefits of changes for Deaf, disabled and older people.