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KNPD files court application against MFA

The Kummissjoni Nazżjionali Persuni b'Diżabilità (KNPD) filed an application in court against the Malta Football Association (MFA) for failing to provide adequate access to the Ta' Qali National Stadium's Enclosure Side. By failing to provide access for all facilities MFA is in breach of the Equal Opportunities (Persons with Disability) Act of 2000 (Cap.413) (EOA). KNPD is the entity responsible for safe-guarding the rights of disabled people and the implementation of the provisions of the EOA.

In an application filed before the First Hall, Civil Court, KNPD stated that it had received numerous complaints about the lack of accessible features required by law for persons with disability in the stadium's Enclosure Side. The stadium is a public building and therefore obliged to provide these features. KNPD also asserted that MFA failed to take remedial action to improve the access to the national stadium's most commonly used part despite the extensive correspondence and efforts at mediation (including an on-site visit) and a judicial protest filed before the said court. These actions were taken in effort to resolve the situation and ensure compliance.

While the stadium's Millennium Stand is accessible, it is hardly ever opened for local top-flight games. In fact, given the attendance for local games, the older Enclosure Side is used to host both sets of supporters as well as the VIP stand. The Enclosure Side's entrance, stands and facilities are not accessible for persons with restricted mobility. Moreover, the Enclosure Side has roofing which protects spectators from the elements, while the Millennium Side does not.

The inaccessibility persists notwithstanding the obligations laid upon the service provider in the light of the EOA which was enacted over 13 years ago, the United Nations' Convention Regarding the Rights of Persons with Disability which Malta ratified in November 2012, as well as outstanding MEPA requirements in respect of Access for All.

After taking into consideration MFA's non-compliance with existing legal obligations, KNPD exhorted the court to order the MFA, Malta to comply with its legal requirements and render facilities, including the entrance, stands, cafeteria and sanitary facilities accessible to all, including persons with restricted mobility.

Should MFA fail to comply, KNPD requested the imposition of a daily fine upon MFA until the situation is satisfactorily resolved.

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