

Weekly Poll – Face Coverings Legal Requirement

Each week Disability Equality Scotland send out a poll question to our members on a topical issue. For the week beginning 5 July 2021, we asked a question about the continued use of face coverings.

Results

Question 1. Do you think face coverings should remain a legal requirement in certain settings, such as shops and public transport?

- YES – 80% (373 respondents)
- NO – 20% (94 respondents)

Comments

We provide verbatim comments where appropriate to illustrate strength of feeling or personal experience.

Legal Requirement

In Scotland, face coverings became mandatory in summer 2020 on public transport, shops, most indoor public places and indoor communal areas within workplaces. On 13 July 2021, the First Minister Nicola Sturgeon announced that face coverings will remain in place ‘for some time to come’. The majority of respondents (80%) believed face coverings should remain a legal requirement in order to provide an extra level of protection when COVID-19 restrictions are eased across the country.

“Yes to keeping the regulations. Wearing face coverings simply means you care for your fellow human beings and want everyone to be as safe as possible. Be kind and wear a covering where appropriate.”

“Face coverings are a really easy way to keep individuals safer from contracting COVID-19 as well as those around them. As a nation, we have become used to wearing face coverings and I do not believe it is any great hardship to continue to wear them in enclosed spaces such as public transport, shops, churches and hospitality settings when not actively eating/drinking.”

“I feel the wearing of coverings must remain mandatory in all confined and poorly ventilated public settings where people are in close proximity and there is a greater risk of cross infection (shops, public transport, planes, ferries, cafés, pubs, sports facilities, etc.)”

“Everyone is fed up with the restrictions, but to feel a bit safer face coverings should be used in supermarkets, especially where food is being on show and handled.”

“I would not use public transport if the face covering requirements were removed. I wouldn’t feel safe.”

COVID-19 Cases and Variants

There were a number of concerns raised by respondents with regards to the increase in COVID-19 cases, with Scotland recently recording the highest infection rates in Europe. Concerns were also raised about the threat of new and possibly more dangerous variants of the virus.

“COVID-19 infections were at an incredibly high rate and lots of people haven't had two jabs yet. Even if they have, some people remain at risk. To

remove protections such as face coverings is beyond madness. It's criminal reckless endangerment and a flagrant abuse of human rights.”

“Given current rising numbers in this third wave it would be grossly irresponsible to stop using face coverings.”

“With variants of COVID-19, wearing face coverings is safer until more people are double vaccinated (or at least everyone willing) because people who are double vaccinated can still be a carrier, and the vaccine isn't 100% effective anyway.”

“It is too soon to remove the need for face coverings to be worn. The Delta variant is spreading quicker.”

“We are a long way from having proven immunity, even after the vaccinations. A small variant in the virus could plunge us right back to the situation of high levels of hospitalisation. By removing or reducing the level of precautions we could very quickly find ourselves in the situation of needing yet another national lockdown.”

“There is still too much prevalence of the virus to do away with face coverings yet.”

High Clinical Risk

There was recognition of the continued risk COVID-19 poses to disabled people, particularly those with compromised immunity who are unable to get vaccinated. At Disability Equality Scotland, we recently co-signed an open letter with more than 80 disabled people, unpaid carers and equalities groups to ask for clarification on what measures will be implemented to ensure disabled people remain safe when restrictions are eased. Some respondents believed it was important that face coverings remain

mandatory in public spaces to protect those at greatest risk from COVID-19.

“As someone who is medically unable to be vaccinated, face coverings will definitely make me feel more secure going out.”

“It is vital to help protect shielding and elderly people who could be more susceptible to new variants regardless of being vaccinated.”

“For those of us who have suppressed immune systems and are particularly vulnerable to infection, it is important that face coverings remain in place.”

Employees

A portion of respondents believed that face coverings would provide an extra level of protection for public transport and shop workers who will likely interact with a large number of people each day. Some unions and medical experts believe that face coverings must remain mandatory in certain public settings. The Unite union which represents public transport workers has said ending the requirement to wear face coverings on public transport would be “an act of gross negligence”. The Union of Shop, Distributive and Allied Workers (Usdaw) raised concerns about the prospect of an increase in abuse, threats and violence towards retail workers who attempt to enforce their own face covering policy. The British Medical Association (BMA) stated that face coverings should remain a requirement to help “stop spiralling case numbers having a devastating impact on people’s health, the NHS, the economy and education”.

“Face coverings are an absolute must. Let’s be clear. The so-called ‘Freedom Day’ is not a day of freedom for many disabled people, for the clinically vulnerable, for millions still not vaccinated (including children), for

transport and retail workers at risk from those refusing to wear a face covering and for so many more.”

“A basic measure to protect key workers and others. Not a lot to ask.”

“Face coverings are necessary to protect workers and members of the public.”

“Very important to protect bus and train workers.”

Exemptions

It is important to remember that not everyone can wear a face covering and some people are exempt due to a disability or health condition. When face coverings became mandatory during the summer 2020 we were concerned by reports of disabled people being verbally abused by members of the public when not wearing a face covering. In some cases, disabled people were deterred from going out and accessing essential food and supplies because of the fear of being confronted for not wearing a face covering. In response, at Disability Equality Scotland we have administered the distribution of the Scottish Government face covering exemption card. The aim of the project is to give disabled people confidence and something tangible to show if challenged, as well as raising awareness of exemptions. More information about the face covering exemption card can be found at: www.exempt.scot.

“I'm exempt, but unfortunately took a lot of abuse from passengers and drivers on transport early on. Only with the thanks of Disability Equality Scotland, when they gave me an exempt card it eased. Also, I was asked to leave two retail premises, because I didn't have a face covering, I'm now taking legal advice regarding this.”

“There must continue to be acceptance for those who genuinely cannot wear face coverings.”

“Mandate for abuse of hidden disabilities. Grabbing, shouting and threatening people on buses and in shops.”

“I am concerned for and have seen discrimination against those who are legally-exempt.”

A portion of respondents who are exempt from wearing face coverings believed that removing the legal requirement would potentially mean that they are less likely to be singled out and abused by members of the public.

“This is a difficult one because if it’s a legal requirement, it means that non-disabled people seem to feel it’s all right to castigate someone who doesn’t have a face covering and that might not happen if it’s not a legal requirement.”

“Since face coverings came into use, I have waited on the day it ended not because I use them as I am exempt but where I wouldn’t be stared at by others.”

Personal Choice

A minority of respondents (20%) believed that face coverings should no longer be a legal requirement in enclosed public spaces. In England, the wearing of face coverings is soon to become a personal choice when lockdown restrictions ease there on 19 July. Prime Minister Boris Johnson said, “As we begin to learn to live with this virus, we must all continue to carefully manage the risks from COVID and exercise judgement when going about our lives”.

“I believe it is an infringement upon the liberty of choice. People can choose to wear one if they feel at risk. As can they choose to sanitise their hands or maintain an interpersonal distance that they discretionarily feel is optimal.”

“It remains my opinion that face coverings should be voluntary, not mandatory, and they never should have been made mandatory by law. The wearing of face coverings helps only to create a state of fear, not a feeling and physical implementation of safety, for every member of the public.”

“It's got to be up to the individual to assess the situation and make up their own mind whether to wear a face covering or not.”

“I think face coverings send out a message of fear. My face covering was sent to Nicola Sturgeon with a message written across it stating: ‘I’m done!’”

Some respondents stated they would still continue to wear a face covering if the legal requirement was removed.

“I think that face coverings should remain in place until March next year so that we are through the winter period. If they removed the requirement in Scotland I would continue to wear a face mask in many public places”

“A really simple and effective public health measure; even if it does not continue to be law to wear a face covering, I fully intend to do so for a long time yet.”

Conclusion

The majority of respondents (80%) believed that face coverings should remain a legal requirement in Scotland. There were emotive comments from disabled people who believe that face coverings are a necessary

safety precaution when in enclosed public spaces such as shops and on public transport. There were concerns about the recent high number of cases of COVID-19 and the threat posed by new and more dangerous variants of the virus. This is of particular concern to people who are clinically at risk from becoming seriously ill from COVID-19. There was recognition of the need to ensure that workers remain safe when interacting with large numbers of the general public on a daily basis. Some people who are exempt from wearing face coverings reflected on their experiences of being subjected to abuse and harassment for not wearing a face covering. A minority of respondents believed that the wearing of face coverings should be a personal choice. This contrasted with respondents who stated they would continue to wear a face covering regardless of it being a legal requirement.

About Disability Equality Scotland

We are a national charity working to make life more accessible, equal and inclusive for disabled people in Scotland.

We promote access in its widest sense, including access to the built and natural environment and access to the same opportunities as are enjoyed by others in our communities thus promoting a life of dignity, respect, choice and independence. This extends beyond physical access to include access to information, access to inclusive communication and inclusion in decision-making, whether with planners over inclusive design or transport providers about accessible travel.

We represent the views of individuals with any type of impairment, as well as disability organisations and groups who share Disability Equality Scotland's values.

We are also the umbrella organisation for all disability Access Panels in Scotland and the principal provider of support and guidance to the Access Panels presently representing disabled persons at a local level throughout Scotland. Access Panels are committed to improving access and equality in its widest form, which means access to the physical environment, Education, Housing, Health, Transport, Leisure & Recreation and Social Justice amongst other areas.

We are membership led. If you are an individual or an organisation, you can [join our membership](#) for FREE and help to further our aims. We work to influence the policies of the Scottish Government, which affect how disabled people live and we work to encourage others to be inclusive and informed in their attitudes towards disabled people.