

# Why Is Web Accessibility Necessary

**Presented by Ferrick Chu  
Equal Opportunities Commission  
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# Some Basic Concepts

## Impairment (缺損)

Any loss or abnormality of psychological, physiological, or anatomical structure or function.

## Disability (殘疾)

Any restriction or lack of ability to perform an activity in the manner or within the range considered normal for a human being.

## Handicap (障礙)

A disadvantage for a given individual, resulting from an impairment or disability, that limits or prevents the fulfillment of a role that is normal, depending on age, sex, social and cultural factors, for that individual.

# Some Basic Concepts

## Equalization of opportunities

The process through which the general system of society, such as the physical and cultural environment (e.g. housing, transportation, healthcare, ICT, education, work opportunities, recreational facilities and social life, etc.) are made accessible to all.

# Examples of Barrier

- **Blind** – text readers & Braille output devices cannot read information presented in graphic or photographic format
- **Low vision** – cannot read small fonts and low-contrast materials
- **Hearing impaired** – cannot access materials available in audio format only

# Other Considerations

- People with disabilities (PWD) have, on average, higher unemployment rate and lower incomes.
- PWD may not have access to the most updated equipment and software. So, even if access is technically possible, a page may not provide reasonable access in practice for PWD and other low income groups (e.g. aged, poor, ethnic minorities, etc)

# Sound Business Sense

- Large number of PWDs
- Aging population
- More people can buy products from you
- Develop brand loyalty
- Customers win, retailers win and shareholders win
- Avoid unnecessary law suits

# Disability Discrimination

## Direct Discrimination

- Less favourable treatment
- On the ground of disability

## Indirect Discrimination

- Set same requirement / condition
- Not justifiable
- Disparate impact on PWD

# Disability Discrimination

## Fields covered

- Provision of goods, services & facilities
- Employment
- Education
- Government
- Access to premises
- Clubs & Sporting Activities
- Disposal & management of premises



# Unjustifiable Hardship

## Interpretation

- Reasonableness of the accommodation
- Nature of the benefit or detriment
- Effect of the disability
- Financial circumstances



# Unjustifiable Hardship

- Demonstrated / not simply assumed
- Stylistic preferences vs functional requirements
- Innovative design not prohibited
- Design must address access requirements directly or provide alternative means

# Target.com (USA)

- The National Federation of the Blind (NFB) raised issues over inaccessibility of Target.com:
  - no **alt-text**
  - contained inaccessible **image maps** and other **graphical features**, preventing blind users from navigating and making use of all of the functions of the website
  - the website **required the use of a mouse** to complete a transaction, blind customers are unable to make purchases independently

# Target.com (USA)

- NFB filed a class-action suit, with 50,000 names
- In September 2006, the Federal District Court sustained the claims against Target.com
- Set the precedent that retailers must make their websites accessible to the blind under the Americans with Disability Act (ADA)
- The legal bill outstripped the cost of the remedial work required

# Formal Investigation (UK)

- Conducted by Disability Rights Commission in 2004
- Tested the home pages of 1,000 sites
- 81% websites failed to satisfy the most basic Web Accessibility Initiative category

# Formal Investigation (UK)

- Key recommendations:
  - educate and train developers
  - mainstreaming special needs of PWD
  - government should raise awareness and facilitate development of best practice guidance
  - should not rely exclusively on automated accessibility testing
  - involve and consult disabled users

# Developments

<b>Country</b>	<b>Legislation/Guideline</b>
<b>Australia</b>	<ul style="list-style-type: none"><li>• Disability Discrimination Act (DDA) of 1992</li><li>• WWW Access: DDA Advisory Notes</li><li>• The Guide to Minimum Website Standards</li></ul>
<b>Canada</b>	<ul style="list-style-type: none"><li>• Canadian Human Rights Act of 1977</li><li>• The Government of Canada Internet Guide</li></ul>
<b>United Kingdom</b>	<ul style="list-style-type: none"><li>• Disability Discrimination Act of 1995</li><li>• Formal Investigation report on Web Accessibility</li></ul>
<b>United States</b>	<ul style="list-style-type: none"><li>• American with Disability Act (ADA)</li><li>• Section 508 of the Rehabilitation Act</li><li>• Assistive Technology Act of 1998</li><li>• Section 255 of the Telecommunications Act of 1996</li></ul>
<b>European Union</b>	<ul style="list-style-type: none"><li>• Accessibility of Public Websites – Accessibility for PWDs: Council Resolutions, 2002</li></ul>

# Advice

- Consider accessibility issues at designing stage
- Audit existing websites
- Improve accessibility
- Set performance standards
- Consult users



# Why Equal Access?

1. Fairness
2. Corporate social responsibility
3. Makes sound business sense
4. Legal requirement

**Thank you!**