

Better Information for Everyone: Disabled People's Rights in the Information Age



The Internet and modern information and communication technologies have revolutionised the lives of disabled people. Blind people can make use of electronic screen readers that read text out loud; Deaf people can view videos with closed-captions. People with motor disabilities who are unable to pick up a book or write can access the web through personally tailored assistive technologies.

For disabled people, the realisation of their human rights depends on the accessibility of information, products and services. While these technological developments have undoubtedly enhanced the accessibility of information for some, others have been left behind. Information and communications in New Zealand are often designed for one kind of end user, who can see and read proficiently in English, has no learning disabilities and is confident using the Internet. This approach results in information that is not accessible to a wide range of disabled people.

A number of individuals and organisations have come to the Human Rights Commission with concerns about access to information and communications. Many of these were about information and correspondence from

government agencies including schools and health providers, which were provided in inaccessible formats, as well as the absence of closed captions, audio descriptions or New Zealand Sign Language (NZSL) interpretations in the promotion of official information on television.

Convention on the Rights of Persons with Disabilities (Disability Convention)

The Convention on the Rights of Persons with Disabilities (Disability Convention) is the defining international standard for disabled people's rights, which New Zealand ratified in 2008. It does not create new rights, but explains government obligations and provides guidance on how to ensure disabled people's rights can be realised.

Articles 9 and 21 of the Disability Convention address the accessibility of information. This includes a requirement that governments provide information in accessible formats and to promote access to communications technologies.

The way ahead

New Zealand has some good standards for web accessibility and a mechanism for monitoring compliance, but lags behind other countries such as Australia and the United Kingdom. More work needs to be done on ensuring and promoting compliance by the wider state sector and private entities. The standards could also be updated to include provision for Easy Read information.

The Commission notes the importance placed on the provision of accessible information in the aftermath of the Canterbury earthquakes. A communications plan for disabled people should ensure that all important information in emergency situations is conveyed in a manner which makes it accessible to all.

In view of the potential costs involved in fully implementing the rights contained in the Disability Convention, compliance is expected to happen progressively depending on the availability of resources. To avoid this being used as a reason for non-compliance, countries must demonstrate that they are making progress using the resources at their disposal effectively, and that they are not implementing regressive measures.

This summary report is the second in a three part series on disabled people's rights. To read the other two on the accessibility of the built environment and political participation, or access the full reports, please contact the Commission (see opposite).

Recommendations

- the Canterbury Earthquake Recovery Authority and the Christchurch City Council provide key information regarding the Canterbury earthquake recovery and rebuild in ways that are accessible to all citizens, including ensuring that all website information conforms to New Zealand Government Web Standards
- the New Zealand Government Web Standards be promoted to ensure compliance by all government departments
- the New Zealand Government Web Standards be made mandatory for Crown entities including district health boards, territorial local authorities and schools
- government departments incorporate the implementation of accessible information guidelines and toolkits into their annual New Zealand Disability Strategy plans and reports.

Human Rights Commission InfoLine

If you have a human rights enquiry or discrimination complaint, call:

0800 496 877 (toll free)

Fax 09 377 3593 (attn: InfoLine)

Email infoline@hrc.co.nz

TXT 0210 236 4253

www.hrc.co.nz

Language Line and NZ Sign Language interpreters available. If you have a hearing or speech impairment, you can contact the Commission using the New Zealand Relay Service. NZ Relay is a telecommunications service and all calls are confidential. www.nzrelay.co.nz

Government information

Correspondence with government agencies

Correspondence from government agencies can contain information about education, taxation, welfare benefits, personal health, and job applications. This is usually sent in printed form, with government agencies tending to argue that print correspondence, individualised to specific names, is more secure and private than electronic communications. Aside from the accessibility issues outlined previously, people in these circumstances are also forced to rely on others to help them understand their private communications.

When individual staff are made aware of such difficulties, compromises can often be negotiated. However, advocating for changes to standard operating procedures requires significant time and skills, and this in itself can leave disabled people feeling singled out and “demanding”. This means that such requests can sometimes seem too difficult a challenge to instigate.

Public information

The Government increasingly relies on the Internet to disseminate and store public information, which can be out of the reach of disabled people, who may not have access to the necessary technology.

Some government departments do provide public information in alternative formats, such as the Ministry of Health which provides all publications, brochures and health education resources in HTML and/or Microsoft Word alongside PDF files. It has also produced Disability Support Service information brochures in Easy Read format and NZSL video clips.

Providing information over the telephone is another option. The Electoral Commission, the Ministry of Health, the New Zealand Transport Agency, and Work and Income all publish key information on the Royal New Zealand Foundation of the Blind's (RNZFB) Telephone Information Service (TIS). Digitised speech is used to narrate this information which RNZFB members can phone in and listen to.

Face-to-face communication

For many disabled people face-to-face interactions will always remain the preferred means of communication with government agencies. There are those who cannot access computers or the internet or who find text information difficult due to dyslexia or a learning disability. Thus, for some disabled people, the increasing reliance on the internet is making life more difficult.

Where the government plans to reduce face-to-face information and services they should consult closely with organisations representative of disabled people to ensure new barriers are not being created.

Private sector services and information

Commercial services

While some commercial services are working to ensure their services are accessible to everyone, there is no legal imperative to do so, and many barriers still exist. For example, companies often send electronic invoices to blind customers in inaccessible PDF formats. Commercial services also appear to be lagging behind in the provision of Easy Read formats, which creates barriers for learning disabled customers.

There have however been significant improvements in the banking services available to disabled customers in recent years, such as the roll-out of talking automatic teller machines and the development of voluntary guidelines to improve accessibility by the NZ Banker's Association.

Mass media

Since 2003, the *New Zealand Herald* has made electronic versions of the paper available to the RNZFB Telephone Information Service. A competitor, Fairfax Limited, also provides the RNZFB with electronic versions of some articles from its papers, but, as with the government information described earlier, these services are only available to RNZFB members.

During the 1990s, Television New Zealand ran a weekly programme of news in NZSL, but this service came to an end some years ago. Television New Zealand Access Services provides closed captions on TV One News bulletins each day and captions many primetime programmes on three TV channels. However, organisations representing Deaf and hearing-impaired people are lobbying for more accessible broadcasting, highlighting the low rates of access to television broadcasting in New Zealand compared with other countries. This includes inaccessible online video content which is significant given the growing provision of broadcasting via the Internet, such as TV on demand.

Diverse accessibility issues

There is a gap in the provision of information to Māori and Pacific people that is both accessible for disabled people and culturally appropriate. Concerns have been expressed at the isolation of many Pacific disabled people and their dependence on family members for access to information. Many Pacific people do not have Internet access and their primary means of getting information is via face-to-face contact. The latter is more successful if carried out in Pacific cultural spaces or with a cultural advocate.

World Wide Web

The Internet has the potential to provide disabled people with cheaper, faster and more widespread access to information.

The international Web Content Accessibility Guidelines (WCAG) provide a comprehensive and authoritative international benchmark for the design of accessible websites. These guidelines do not however address the needs of people with learning or intellectual disabilities, and few websites incorporate Easy Read formats.

From July 2010, public websites created by all core government departments and ministries have had to meet the New Zealand Government Web Standards 2.0, which are based on the international Web Content Accessibility Guidelines.

Government departments and agencies are obliged to assess themselves against these standards once a year. Early assessments show that while agencies are aware of the standards and are making efforts to implement them, full compliance is low.