

# **Australian Communications & Media Authority and the Communications Alliance**

## **2008 Communications Consumer Dialogue**

**22 July 2008  
Sydney**

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& Disability Discrimination Commissioner  
Human Rights and Equal Opportunity Commission**

### **The Accessible future - challenges and strategies to get there**

I acknowledge the traditional owners of the land on which we meet today, the Gadigul people of the Eora nation.

Thanks for the chance to have some input into this conference today.

Powerpoint presentations have become ubiquitous at conferences such as this one. So much so, that one of the skits in the Chasers recent review was on the use of powerpoint presentations. They highlighted the over-use of powerpoints by presenting one in a eulogy to a friend. In keeping with powerpoint theory- you should only have three subpoints because any more are unreadable on the slide- they had positives and negatives about the man who had died. The positives were glowing complements; the three negative points were-

- » Not good at cleaning out the fridge;
- » Obnoxious when drunk; and
- » Dead.

It's appropriate at a conference such as this, where we're catering to the communication needs of all, that rather than me showing you a powerpoint I describe it to you. So, imagine the screen, with a bunch of daleks- you know those little aliens on wheels from the Dr Who series, standing at the bottom of a set of stairs. And the caption reads- Well, that buggers up our chances of world domination.

Now this conference today is about communication rather than domination, but its important for us all, in talking about communication, not to present communications for people with disability as something new or exceptional. Disability (whether temporary or longer term) is a normal part of life affecting one in five Australians. Statistics indicate around 14 percent of the community, or around 2.6 million Australians, have a physical disability of some kind; over 1 million Australians have a significant hearing impairment, with around 30,000 Australians totally deaf; around 300,000 Australians have a substantial vision impairment, with around 20,000 totally blind; and around 2 percent of the population, or 400,000 Australians, have an intellectual impairment.

So making adjustments to accommodate communication for people with disability is a normal part of Australian life- or it should be. But is it? You, as people auspicing the communication of Australians, and communications internationally, need to be

thinking- in design, development and delivery- of catering to the whole population, not just to those who currently don't have a disability. And I say currently, because as the population ages the prevalence of disability increases, so the odds of not having a disability are getting worse for you every day.

I'm not going to talk in any detail today about how you make your particular products accessible- there are people with much more expertise than me who will do that. My message to you is why you should make your products accessible, and why this should be done from the start, rather than as an after-thought once the product hits the market. I'm talking universal design here, making sure that your product range caters to the needs of everyone- not just people with out disabilities- and in the process expanding your market.

Just last week, Australia committed to another one of the drivers for this approach- we ratified the Convention on the Rights of People with Disabilities last Thursday. This convention takes existing human rights and makes them relevant to the 650 million people with disabilities throughout the world. Australia was the 30th country, and one of the first western countries, to ratify the convention.

One of the human rights which the Convention contains is the right to freedom of expression and opinion. The Convention, through Article 21, extends this right to people with disabilities by recognising that it is not a viable right for us without access to information. It requires that ratifying countries ensure that people with disabilities can seek, receive and impart information and ideas on an equal basis with others. It further provides that this will occur through all forms of chosen communication, including-

- » Information provided in accessible formats in a timely manner, and without additional cost;
- » Facilitating the use of sign language and braille;
- » Urging private entities to comply in these regards; and
- » Encouraging availability of such accessible services through the mass media, including the internet.

This is, of course, an international convention, so its not just relevant in Australia. It's relevant in any ratifying country throughout the world where you may be doing business. So there is real value in taking the universal design lessons you learn here in Australia and implementing them overseas.

On the national rather than the international level it is, of course, unlawful to discriminate against people on the grounds of their disabilities. This law, the Disability Discrimination Act, has been in place now for fifteen years. It does require people to lodge complaints if communication and information services are not available to them in accessible formats, but cases such as Maguire v SOCOG demonstrate that the penalties can be substantial if organisations do not comply. In that case, Bruce maguire was awarded \$20,000 damages when SOCOG refused to make the Olympics website accessible, despite findings that to not do so constituted discrimination in breach of the Act. It would have been so much more sensible to spend that \$20,000 on making the website accessible, so that people with disabilities here and overseas could find out about the olympics, and the progress of their champions.

The current Federal Government are - in contrast to SOCOG - very aware of the needs of Australians with disabilities. I am sure Minister Conroy will talk soon in more detail about the investigation into captions and audio description on Australian visual media which they are currently conducting. We're a long way behind our global equivalents such as the US, Canada and the UK in this regard, and I'm hopeful that this investigation will produce positive recommendations to address this disparity in treatment of Australians on the basis of their disability. I congratulate the Government on continuing this initiative, begun by the previous Government, and urge a prompt and positive response to the many submissions already made.

Once we achieve a mindset of including all Australians - not just those without disabilities- then we're well on the way to making universal design a reality rather than just a dream. There will be challenges, but let me conclude with some examples of successful strategies which demonstrate that it is possible.

- » Free-to-air television, who are now delivering around 70 % of programming between 6am and 12 midnight with captions;
- » Pay television who - with a much broader range of programmes and channels, are delivering around 40 % of captioned programmes;
- » Screen Australia, who require any movie they fund to be captioned;
- » Telecommunications providers who have focussed on, and met, specific disability needs;
- » Major banks and financial institutions, who are making or have made ATM's, EFTPOS, internet banking and telephone banking more accessible;
- » Organisations whose websites are W 3 C compliant, and who don't routinely post PDF files to their sites;

And how were these things achieved. Sometimes following DDA complaints, but usually through partnerships with organisations of people with disabilities, with a combination of gentle encouragement and the odd hard shove. Usually with the commitment of senior leaders in the organisation, who realised that it was better to cater for all, not just some, Australians. And with the encouragement of regulators and industry bodies such as the Communications Alliance, ACMA, and the Human Rights Commission sending the message that universal design is not an added extra, or a charitable contribution, its part of the core business of communications.

Unlike the Daleks to whom I referred earlier Australia is not at the bottom of the stairs. We've climbed a few stairs, and we've developed the tools and methods to climb some more. But - bearing in mind the international religious presence we've had in Sydney during the last few days- we've got a long stairway to heaven to climb before Australians with disabilities are communicating on an equal basis with everyone else.

This conference is about defining and overcoming those challenges, and, rather than Daleks and world domination, its about best practise for world communication. So I hope you will leave it better informed, and more committed - on behalf of your organisations - to creating equal communications for all.

Thanks for the chance to speak with you today.