

5 October 2018

Edward Santow
Human Rights Commissioner

By email: tech@humanrights.gov.au.

Our contact: Janene Cootes [REDACTED]

Margot Morris [REDACTED]

Dear Edward Santow,

Re: *Human Rights and Technology Issues Paper (2018)*

The Intellectual Disability Rights Service (IDRS) is a community legal centre that provides legal services to persons with intellectual disability throughout New South Wales. IDRS's services include the provision of legal advice and legal representation in select matters. IDRS engages in policy and law reform work and community legal education with a view to advancing the rights of people with intellectual disability.

People with intellectual disability are a group with the potential to benefit immensely from technological developments. However, they are traditionally a group least likely to gain the full benefits of technology, consistent with the inequality they face in other spheres of their lives.¹ Particular challenges in access to technology for people with disability include:

- Access to easy read online information
- Accessible website design
- Automated phone services
- Education for people with intellectual disability and their families, carers and support workers
- Awareness of assistive technology

¹ Darren Chadwick, Caroline Wesson and Chris Fullwood, 'Internet Access by People with Intellectual Disabilities: Inequalities and Opportunities' (2013) 5(3) *Future Internet* 376.

- Cost of technology

What opportunities and challenges currently exist for people with disability accessing technology?

Easy read webpages

The internet provides an excellent opportunity for accessibility of information. This is essential in accessing employment, participating socially and accessing services.² This is becoming more important as access to information is depending more and more on online content, rather than through direct contact with people over the phone or in person.

In order for this information to be accessible to many people with intellectual disability and/or cognitive impairment, it is important that online content has easy read options. Easy read information has been found to improve comprehension of written content by up to 60% among literate people with intellectual disabilities.³ Easy read involves:⁴

- Using short sentences and short paragraphs
- Using clear everyday language and simple punctuation
- Using non-serif, large font
- Double spacing
- Highlighting important points
- Using drawings, photos and symbols

Website design

² Maria Rosalia Vincente and Ana Jesus Lopez, 'A Multidimensional Analysis of the Disability Digital Divide: Some Evidence for Internet Use' (2010) 26(1) *The Information Society* 48.

³ Inmaculada Fajardo, Vicenta Avila, Antonio Ferrer, Gema Tavares, Marcos Gomez and Ana Hernandez, 'Easy-to-read Texts for Students with Intellectual Disability: Linguistic Factors Affecting Comprehension' (2014) 27 *Journal of Applied Research in Intellectual Disabilities* 212.

⁴ Anderson, J., McVilly*, K., Koritsas, S., Johnson, H., Wiese, M., Stancliffe, R., Lyon, K., & Rezzani, N. 'Accessible written information resources for adults with intellectual disability: compiling the evidence to inform good practice' (2017) *Scope Australia*, available at <www.scopeaust.org.au/wp-content/uploads/2017/09/Accessible-Written-Information-Resources-for-Adults-with-ID-compiling-the-evidence-to-inform-practice.pdf>.

Accessibility is also an issue in website navigation design. This area is improving as smart phone and tablet technology has become more “user-friendly”. To improve accessibility, it is important that websites:⁵

- Have simple navigation with few choices
- Incorporate movement and interaction to encourage interest, including video, animation and sound
- Use voice to narrate text on a page
- Involve people with disabilities to help advise on and test websites

It is important that web designers are aware of the accessibility needs of people with intellectual disability and are trained in how to make their websites more accessible. This should always involve working directly with and consulting people with intellectual disability.

Websites should not replace options to directly call services so that people who struggle to access online content can directly contact an organisation.

Automated Phone Services

The use of automated phone services can be excluding of people with intellectual disability. To make phone services more efficient, many organisations now use automated phone systems to direct calls. However, people with intellectual disability often need someone to listen to and talk to them so that they can apply information to their own circumstances. Of particular concern is Interactive Voice Response (IVR) software, as many people with intellectual disability also have a speech impediment or other difficulty in speaking clearly.⁶ Automated phone systems are barriers to information for people with intellectual disability.

All government organisations and organisations that regularly work with people with intellectual disability must ensure that those who need assistance are able to talk to a ‘real

⁵ Helen Kennedy, Simon Evans & Siobhan Thomas ‘Can the Web Be Made Accessible for People with Intellectual Disabilities?’ (2010) 27 (1) *The Information Society* 29.

⁶ Kate Browne, ‘Press 1 to speak with a machine’, *Choice* (online) 5 September 2014 <<https://www.choice.com.au/shopping/consumer-rights-and-advice/make-a-complaint/articles/tackling-call-centres>>.

person' without having to navigate an on-line application, voice recognition software or numbered options on automated phone answering systems. Some organisations have optional internal guidelines on how to use Interactive Voice Response but there are no standard or mandatory guidelines.

Technology education for people with intellectual disability and their support networks

To get the full benefit of access to technology, it is essential that people with intellectual disability are supported and trained in using technology.

Internet access may be impeded if a person's family members or carers are unaware of the benefits of internet access for learning and social inclusion. They may even perceive the internet as dangerous or unsuitable for people with intellectual disability.⁷ This can be addressed through education and raising awareness of the benefits of internet access for people with intellectual disability.

Education on how to use the internet is generally provided by the person's direct support network: families, carers and paid support staff. Direct support networks may not be aware of the best way to teach a person how to access the internet or how to modify devices to improve access.⁸ For people with intellectual disability, learning a new skill can require a great deal of time and repetition. This may be difficult for families and unpaid carers to provide. For paid supporters, facilitating internet access and computer/tablet use will require adequate staff training which may not be available or prioritised. Training and education on how to improve internet access is needed for both people with intellectual disabilities and their support networks.

The use of assistive technology requires information, instruction, and support that are both accessible and understandable to the person with intellectual disability.⁹ It is common that initial training on how to use assistive technology is provided by trained professionals but

⁷ Darren Chadwick, Caroline Wesson and Chris Fullwood, 'Internet Access by People with Intellectual Disabilities: Inequalities and Opportunities' (2013) 5(3) *Future Internet* 376.

⁸ Ibid.

⁹ F. H. Boot, J. Owuor, J. Dinsmore & M. MacLachlan 'Access to assistive technology for people with intellectual disabilities: a systematic review to identify barriers and facilitators' (2018) 62(10) *Journal of Intellectual Disability Research* 900.

family members provide ongoing support. It is important that family members and carers are comprehensively trained alongside the person with the intellectual disability.

Awareness of assistive technologies

As technology updates quickly, people with intellectual disabilities and their support networks may be unaware of assistive technologies that could help them.¹⁰ This is often a problem for adults with a stable disability who are no longer regularly assessed by a speech or occupational therapist. Increasing knowledge and awareness about assistive technology has been consistently found to be effective in facilitating access.¹¹ NDIS funding for regular speech and occupational therapy assessment for potential new assistive technology would also be necessary.

Cost barriers

The cost of assistive technology is being improved for people with intellectual disability since the rollout of the NDIS.¹² While this is helpful in improving access for those with assistive technology funding included in their plan, there is a gap for those who do not have funding approval for assistive technology or are not on the NDIS. Cost is a significant barrier to people with intellectual disability as only 39 per cent of people with intellectual disability were employed in 2012,¹³ with most people with intellectual disability relying on government pensions and family support.

What should be the Australian Government's strategy in promoting accessible and innovative technology for people with disability?

In particular:

10 Fleur Heleen Boot, John Dinsmore, Chapal Khasnabis, and Malcolm MacLachlan, 'Intellectual Disability and Assistive Technology: Opening the GATE Wider', (2017) 5 *Front Public Health* 10.

11 F. H. Boot, J. Owuor, J. Dinsmore & M. MacLachlan 'Access to assistive technology for people with intellectual disabilities: a systematic review to identify barriers and facilitators' (2018) 62(10) *Journal of Intellectual Disability Research* 900.

12 NDIS 'Assistive Technology', (2017) 1 *Market Insights*.

13 Australian Bureau of Statistics, *Intellectual Disability, Australia* (2012), <<http://www.abs.gov.au/ausstats/abs@.nsf/Lookup/4433.0.55.003main+features452012>>.

(a) What, if any, changes to Australian law are needed to ensure new technology is accessible?

- Updates to Australia's disability standards or an addition to technology standards to include easy read online information and simple website design, particularly in areas of education, government and service providers working with people with intellectual disability
- Consistent Australia-wide regulations or guidelines on automated phone services, particularly Interactive Voice Response
- Options to speak directly to an operator when calling all government services and organisations that provide disability services

(b) What, if any, policy and other changes are needed in Australia to promote accessibility for new technology?

- Promotion and education on the benefits of easy-read, easy-navigation webpages
- Training on the design of accessible website navigation for website designers
- Training and awareness raising on the potential benefits for internet access for people with intellectual disability
- Training programs for people with intellectual disability on accessing the internet. This could be provided through one-on-one sessions or through disability service providers. It could be provided through specialist trainers or by well trained disability support staff
- Training sessions for family members and carers on assistive technology to help them support the person with intellectual disability
- NDIS funding for occupational therapy and speech therapy for adults with intellectual disability to assess potential benefits of assistive technology.

Janene Cootes

Margot Morris

Executive Officer

Principal Solicitor