

# Joe Berry Award 2022

Entry – JBA-22-402

**Topic #4 Freestyle Question #4**

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## Executive Summary

Have you ever thought about how you would access the internet if you were blind? Or if you had a physical disability and couldn't use your hands? It's entirely possible to design and build websites and apps to be accessible and work with assistive technology (for example screen readers which read text aloud, and voice control software that allows you to use your voice instead of a mouse). Yet retailers in Australia are lagging in digital accessibility – and it's having a human and financial cost.

With the COVID-19 pandemic, digital adoption rates have exponentially increased. People with disabilities are more at risk for severe complications from COVID<sup>1</sup>, so when digital products are built without accessibility, it potentially puts lives at risk.

Access to digital products for people with disabilities is essential and considered a human right by the UN. Digital accessibility empowers people – and is a way for organisations to put inclusive values into practice. It also reduces the risk of lawsuits, which do happen, such as the case of Coles vs. Mesnage back in 2014. Finally, it can bring financial benefits by capturing the market share of the 1 in 5 Australians who have a disability.

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<sup>1</sup> Springer, T. (2020). *The Impact of COVID-19 of People with Disabilities*. [Online] Available at: <https://www.levelaccess.com/resources/impact-of-covid-19-on-people-with-disabilities-webinar/> [Accessed 25 Feb. 2022].

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## Foreword

A note on language: As a disabled person, I use both identity-first and person-first language when I'm talking about disability. It's common to use either in Australia – “disabled person” (identity-first) or “person with a disability” (person-first).

## Introduction

Have you ever had a shop door slammed shut in your face? Been refused entry because they don't serve *people like you*? This is a reality for the 1 in 5 disabled Australians in the online retail world – shut out because websites and apps are not accessible.<sup>2</sup>

In this essay, I will be exploring the question “*Why digital accessibility should be a priority for your organisation?*”. Digital accessibility is a relatively new field, so I'll start with some background – outlining the main international standards and human rights charters that support digital accessibility in Australia. Since 2020, the COVID-19 pandemic has accelerated digital adoption – but to what extent are organisations currently prioritising and investing in digital accessibility in retail?

Finally, I'll explain not only the ethical importance of digital accessibility, but why it's a smart financial decision for retail companies.

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<sup>2</sup> Australian Network on Disability. (2019). *Disability statistics*. [online] Available at: <https://www.and.org.au/resources/disability-statistics/> [Accessed 20 Feb. 2022].

## About digital accessibility and disability

The inventor of the World Wide Web, Tim Berners famously said that the power of the web is in its universality. Access by everyone regardless of disability is an essential aspect.<sup>3</sup> This sums up the core principle of digital accessibility – equal access. Can your customers who are blind, have low vision, physical disabilities, cognitive disabilities (and many more) access your website or app?

In Australia – this principle of equal access is reinforced by the 1992 Disability Discrimination Act which prohibits discrimination against people with disabilities in the provision of goods and services. The UN Charter on the Rights of People with Disability specifically mentions ICT access. Access to websites and apps is a basic human right.<sup>4</sup> So how do you know if your digital asset is accessible? Most organisations in Australia rely on an international standard called the Web Content Accessibility Guidelines (WCAG). In addition, user testing websites with disabled people provides invaluable insights.

Disability is part of being human. Most people will experience a disability during their lifetime, which can be permanent or temporary.<sup>5</sup> Some examples of a temporary disability are a broken leg, sprained arm, recovering from surgery or a concussion. The World Health Organisation has a nuanced view on disability, describing how it results from the interaction between people with disability and personal and environmental factors (negative attitudes, inaccessible technology, transport, or buildings, and limited social support).<sup>6</sup>

A person's environment has a significant effect on their experience of disability. Someone who has a mental health condition like bipolar disorder can thrive when working with supportive colleagues and if they have flexibility in their work hours. Yet if those flexible work hours are not allowed, and their manager holds stigmatised and derogatory views about mental illness – this person will likely struggle.

Similarly, when the online retail environment is inaccessible, disabled Australians are disempowered, and blocked from basic daily tasks. This issue has been compounded by the COVID-19 pandemic – as interactions have shifted from in-person to online.

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<sup>3</sup> Berners-Lee, T. (1997). *Accessibility - W3C*. [online] [www.w3.org](http://www.w3.org). Available at: <https://www.w3.org/standards/webdesign/accessibility>.

<sup>4</sup> United Nations (2019). *Article 9 - Accessibility | United Nations Enable*. [online] United Nations. Available at: <https://www.un.org/development/desa/disabilities/convention-on-the-rights-of-persons-with-disabilities/article-9-accessibility.html> [Accessed 23 Feb. 2022].

<sup>5</sup> World Health Organisation. (n.d.). *Disability*. [online] Available at: <https://www.who.int/health-topics/disability> [Accessed 25 Feb. 2022].

<sup>6</sup> Ibid.

## COVID-19 digital acceleration

People with disabilities show massively increased risks for both hospitalisation and infection due to COVID-19.<sup>7</sup> One way to significantly reduce the risk to their health is by using online options instead. If retailers have a digital service and using it can protect people from viral exposure – making sure it is accessible can potentially save lives. During the pandemic, customers have demanded more digital channels. A global survey by McKinsey in late 2020 showed that the number of digital products available has accelerated by seven years in only a few months.<sup>8</sup> However, with this rapid movement towards digital products, digital accessibility has not always been front of mind.

A report from December 2021 found that only 3% of organisations are meeting Digital Accessibility standards in all their employee and customer facing digital assets and services. When filtered for retail organisations, that drops to 0%. However, 90% have made some initial progress – although they are not fully accessible yet.<sup>9</sup> This research also found that organisations which are more accessible are more driven by their culture and values of inclusion, rather than by the risk to their reputation.

Make no mistake though, inaccessible digital products in retail are still a risk to reputation – and this case study will illustrate why. In 2014, a legally blind woman, Gisele Mesnage, sued Coles for disability discrimination, because their online shopping website was not accessible for her to order groceries.<sup>10</sup> It was taking her up to 8 hours to place an order – can you imagine spending an entire day just trying to order basic groceries? Ms. Mesnage commented, “For me, online shopping is a revolution...not only do I want to be part of it, I need to be part of it. It's about independence”.<sup>11</sup>

Coles and Ms. Mesnage reached a settlement where Coles agreed to improve its online shopping website, so it was more accessible for blind customers. It has been

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<sup>7</sup> Springer, T. (2020). *The Impact of COVID-19 of People with Disabilities*. [Online] Available at: <https://www.levelaccess.com/resources/impact-of-covid-19-on-people-with-disabilities-webinar/> [Accessed 25 Feb. 2022].

<sup>8</sup> McKinsey & Company (2020). *How COVID-19 has pushed companies over the technology tipping point--and transformed business forever* | McKinsey. [online] McKinsey & Company. Available at: <https://www.mckinsey.com/business-functions/strategy-and-corporate-finance/our-insights/how-covid-19-has-pushed-companies-over-the-technology-tipping-point-and-transformed-business-forever> [Accessed 12 Feb. 2022].

<sup>9</sup> The Digital Accessibility Journey: Exploring Priorities and Investments in Aus and NZ Organisations. (2021). [online] Infosys. Available at: <https://www.infosys.com/australia/digital-accessibility-journey/digital-accessibility-journey.pdf> [Accessed 24 Feb. 2022].

<sup>10</sup> Casben, L. (2014). *Blind woman launches court action against Coles over its website*. [online] ABC News. Available at: <https://www.abc.net.au/news/2014-11-05/blind-woman-launches-court-action-against-coles-over-its-website/5869874?nw=0&r=HtmlFragment> [Accessed 10 Feb. 2022].

<sup>11</sup> Browne, R. (2014). *Blind woman Gisele Mesnage sues Coles over online shopping website*. [online] The Sydney Morning Herald. Available at: <https://www.smh.com.au/technology/blind-woman-gisele-mesnage-sues-coles-over-online-shopping-website-20141105-11h6zw.html> [Accessed 21 Feb. 2022].

8 years since that case, but it is still often brought up in digital accessibility circles as a warning. Disability discrimination accounts for the highest volume of complaints across the board to the Australian Human Rights Commission.<sup>12</sup>

Reputation is easy to lose, and hard to build back. Yet people will still remember the story of how a disabled woman was once blocked from ordering her groceries. Coles now has a dedicated digital accessibility team, to ensure assets are accessible.

### **Ethical and financial drivers behind digital accessibility**

Investigating the ethics behind digital accessibility means reflecting from a personal viewpoint. You may or may not currently have a disability, but it is extremely likely that you know someone who does. Would you want that person to be able to order online whatever they needed independently (clothes, food, medicines)? To take it one step further, if you became disabled, would you want to have access to order plants from Bunnings, groceries from Coles or Woolworths and essential medicine from your local pharmacy? Things you may not be able to get easily otherwise... Empathy is at the core of this perspective. We are all humans, trying our best to exist in a complicated world – so how can we remove barriers rather than reinforce them?

Aside from having a disability myself, I have friends who are legally blind, Autistic, have mental health conditions, and cognitive disabilities. I want a world for them where they are not limited by someone who chose to code a website inaccessible, or by someone who de-prioritised digital accessibility because they thought it was a “nice to have” feature.

That leads onto the financial drivers behind digital accessibility. Disabled people are consumers, with significant buying power. To ignore this market segment is to ignore financial opportunities. When eCommerce websites are accessible, the number of potential customers is much higher, and the potential sales are much greater.<sup>13</sup> In Jan 2022 in Australia, the total turnover for retail organisations was \$32,491,900,000.<sup>14</sup> That is only one month of turnover. Designing accessible websites can directly lead to more financial revenue when new market share is acquired.

The Centre for Inclusive Design reveals that products and services designed with accessibility in mind have the potential to reach 4 times the number of intended

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<sup>12</sup> Australian Human Rights Commission. (2021). *Annual Report 2020-2021 | Australian Human Rights Commission*. [online] Available at: <https://humanrights.gov.au/our-work/commission-general/publications/annual-report-2020-2021> [Accessed 20 Feb. 2022].

<sup>13</sup> Lazar, J., Goldstein, D. and Taylor, A. (2015). *Ensuring digital accessibility through process and policy*. Amsterdam Elsevier, Mk Morgan Kaufmann.

<sup>14</sup> Australian Bureau of Statistics (2022). *Retail Trade, Australia, Jan 2022 | Australian Bureau of Statistics*. [online] [www.abs.gov.au](https://www.abs.gov.au/statistics/industry/retail-and-wholesale-trade/retail-trade-australia/latest-release). Available at: <https://www.abs.gov.au/statistics/industry/retail-and-wholesale-trade/retail-trade-australia/latest-release>.

customers.<sup>15</sup> Digital accessibility can also have benefits for people without disability. When high-contrast colours are used for an app – it helps people with low vision, but it also makes it easier to see content on a mobile phone in bright sunlight. When captions are used for videos, it makes the audio available for people who are Deaf and hard of hearing, but it also helps people in noisy environments, or if they've forgotten earphones and are on a train trip in a quiet carriage.

When companies don't design their websites and apps to be accessible, customers will often leave, and warn friends and family of the inaccessibility of a particular company. An UK study on disability and ecommerce found that 71% of disabled customers will click away from a website when they experience difficulties using it.<sup>16</sup> Making sure your digital assets are accessible can help retain customers and thereby bring significant competitive advantage.

## Conclusion

In Australian retail, few companies are currently fully meeting digital accessibility standards for their employees and customers. This has a human impact – people are prevented from interacting in the ways they choose. Often online channels are more convenient when you are disabled, but when they are inaccessible it can be extremely frustrating, and in some cases, breach human rights laws.

Digital adoption in retail has been accelerated by the COVID-19 pandemic, as customers demanded more online options to protect their health. When these online options are inaccessible, companies are potentially endangering the health of their disabled customers.

Looking to the future, we need to embed digital accessibility in the way we operate, rather than looking at it as an afterthought – or not looking at all. When making the case for digital accessibility, it is a multifaceted argument – protecting human rights and reducing the risk of lawsuits, aligning your digital products with the ethics of inclusion, and providing significant financial opportunities by capturing an untapped market.

Ultimately, it's about ensuring your friends, neighbours and family can be independent and empowered.

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<sup>15</sup> Centre for Inclusive Design. (2019). *The Benefits of Designing for Everyone Report – Centre for Inclusive Design*. [online] Available at: <https://centreforinclusivedesign.org.au/index.php/the-benefits-of-designing-for-everyone-report/> [Accessed 21 Feb. 2022].

<sup>16</sup> Williams, R. and Brownlow, S. (2020). *The Click-Away Pound Survey 2019*. [online] [www.clickawaypound.com](http://www.clickawaypound.com). Available at: <http://www.clickawaypound.com/downloads/cap19final0502.pdf> [Accessed 15 Feb. 2022].