

## **Local Company Indicted In Discrimination Case...Possible £15,000 Payout**

London, England, May 13, 2004 – The Disability Discrimination Act will have a greater impact on UK businesses in the forthcoming year. Websites are the targets! Not only will the Disabled Rights Commission be carrying out testing on public and private sector websites to publish a “name and shame” report, but also many businesses and organisations could face court battles and fines over web inaccessibility. If you don't want your company to be in the headlines you need to know this information.

There are many legal issues currently raised by the growth in e-commerce and e-learning, but one of the least discussed is that of Web accessibility. As a result of the increased use of technologies and a failure to follow guidelines when designing websites, a large percentage of the Internet remains inaccessible to the disabled community.

Disability can lead to several problems when accessing the Internet. Aside from visual impairments, hearing, and dyslexia, motor problems can also cause a person to encounter difficulties when using a computer.

One in seven people in the UK suffer from some sort of disability. Many businesses unknowingly exclude these disabled customers and thus exclude an estimated £45-50 billion in potential income.

Ironically, the disabled community has potentially the most to reap from embracing the Internet. For instance, home-shopping services such as those offered by Tesco could prove invaluable to a blind housebound person unable to visit the supermarket. They have developed “Tesco Access” (<http://www.tesco.com/access>) and were the first Web site to receive the Royal National Institute for the Blind's 'See It Right Accessible Website' logo. (Sloan, M. 2001)

The issue of accessibility does not just affect users with disabilities. By alienating those without the latest technology, Web sites are also alienating those who access the Web using Wireless Application Protocol (WAP) enabled mobile phones, Personal Digital Assistants (PDAs), or older systems and software. There will be an estimated 743 million people accessing the web via WAP and PDA devices in 2004. (Cahners In-Stat Group)

Under the Act, anyone who is considered a disabled person can claim protection from alleged discrimination. The definition of 'disability' is set out under ss.1-2 and schedule1-2 of the Act and is defined as 'someone who has a physical or mental impairment which has an effect on his or her ability to carry out normal day-to-day activities.' It goes on to say that this impairment must be substantial, adverse and long term. It is therefore clear that the majority of disabilities related with Web accessibility (i.e. hearing and visual impairments, motor problems and mental impairments) come within the realm of the Act. It could also be argued that someone who has learning difficulties, and therefore struggles to read long and complicated passages of text may in certain circumstances be offered protection.

By not becoming web accessible businesses and organisations are potentially excluding a significant section of the population. Additionally, as web accessibility

falls into the realm of the Disability Discrimination Act, they could fall victim to lawsuits and fines.

Some cases to consider:

- The world's first successful action over accessibility cost the awarded the litigant just £15,000 in damages. But the legal costs and subsequent web development ran into the millions. (Barry Maguire vs Sydney Olympics)
- AOL was able to settle a case out of court in an action brought by The US National Federation of the Blind but they continue to be plagued by bad publicity
- The Guardian slated Abbey National plc for poor design and inaccessible web services

"UK business are missing a great opportunity to expand business and increase their reputation if they do not design accessible websites," states Rauf Soloman, Director of UK Webstudio in London. "A company should become knowledgeable of the law as it relates to web accessibility or hire a website company who is capable of handling it all for them."

The more visitors a website has translates to more customers. Making a website accessible to those with disabilities, PDA and WAP devices offers a clear economic advantage. Becoming web accessible could not only mean more profits but could also save thousands of pounds in possible fines and a damaged reputation.

For more information on making your website accessible to valuable contacts and customers *including* training on web accessibility contact: **UK Webstudio**,  
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UK Webstudio are a creative design, development and web marketing agency - providing a complete one-stop web solution. We specialise in producing clean, accessible and customer focused websites for small to large organisations in a vast range of industries including local government and non-profit organisations.

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