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Ontario Public Libraries, Accessibility, and Justice: A Capability Approach

Les bibliothèques publiques en Ontario : une approche de l'accessibilité et de la justice selon les capacités

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Abstract: The Access for Ontarians with Disabilities Act is developing standards for accessibility across the province. The Canadian Library Association has had service standards in place since 1997, so addressing accessibility in Ontario libraries is nothing new. However, public libraries are addressing new challenges to providing service as they transition from non-binding library association policy to binding legislation. This paper outlines a study of accessibility in Ontario public libraries through a capability-approach lens as described by Amartya Sen.

Keywords: Ontario, AODA, accessibility, persons with disabilities, public libraries

Résumé: La Loi sur l'accessibilité pour les personnes handicapées de l'Ontario définit des standards pour l'accessibilité dans toute la province. L'Association canadienne des bibliothèques a commencé à mettre en place des standards de service dès 1997. Par conséquent, aborder la question de l'accessibilité n'est rien de nouveau. Toutefois les bibliothèques publiques font face à de nouveaux défis pour la fourniture des services, alors qu'on passe d'une politique de l'Association qui n'a pas force de loi à une législation. Cet article étudie l'accessibilité dans les bibliothèques publiques de l'Ontario avec une approche selon les aptitudes, telle que décrite par Amartya Sen.

Mots-clés : Ontario, Loi sur les personnes handicapées de l'Ontario, accessibilité, personnes handicapées, bibliothèques publiques

Introduction

Addressing accessibility for people with disabilities is not a new concern for Canadian libraries. The Canadian Library Association has had a policy statement on accessibility in place since 1997. There is, however, a shift happening in Ontario from the guidance of a non-binding library association policy to the rule of binding legislation.

The recent Access for Ontarians with Disabilities Act (AODA 2005) is shaping the idea of what it means to be accessible in the province. The legislation is divided into five parts to be implemented over 20 years (Ontario Ministry of

Community and Social Services 2011). The first aspect—customer service—went into effect in January of 2010. Future components of the legislation cover the topics of the built environment, employment, transportation, and information and communication technologies (ICTs) (Ontario Ministry of Community and Social Services 2011).

The introduction of the AODA has created discussion in Ontario on what it means to be an accessible library and concerns over what future pieces of the legislation will require. Described here is a three-part study of Ontario public library accessibility using a theoretical framework that could be a useful tool for conceptualizing accessibility in public libraries.

Theoretical framework

The framework used here for examining accessibility in Ontario public libraries is Amartya Sen's capability approach. Sen first presented this idea in his 1979 Tanner lecture, "Equality of What?" (1993). In this lecture, Sen proposes that all approaches to justice revolve around measuring the equality of "something," whether it be the equality of happiness, pleasure, income, or wealth. Sen dismisses these approaches as being simplistic and ignoring the complex realities of different people. His approach is based on trying to encompass the heterogeneity of human beings and the large number of variables by which inequality can be judged. To illustrate the inadequacies of traditional income-reliant measures, Sen provides the example of two people who have similar incomes. One is fully able-bodied while the other has a disability that requires special equipment in the form of a wheelchair and a car converted to be accessible. While both have the same income, they vary significantly in their abilities to convert income into achievements (Sen 2009).

As an alternative measure, Sen proposes the capability approach with its focus on concepts he has designated as "functionings" and "capabilities." Functionings are the "various things that [a person] manages to do in leading a life (Sen 1993, 31)"—the well-being and actual achievement of a person. Here the focus is on the reality of an individual or group's ability to do something. Capability is defined as a set of functionings that represent the combinations of beings and doings from which a person can choose and thus refers to the real opportunities she or he has. Here the focus is on how a person's functionings combine to provide her with real opportunities.

A more concrete example is provided in Sophie Mitra's (2006) work using the capability approach to examine education for people with disabilities. She presents the two terms in the form of the following questions: "Do persons with impairments have the opportunity to get an education?" (capability) and "What is the education level of persons with impairments compared to those without?" (functioning) (239).

For Sen, part of the process of each application of the capability approach is developing a list of capabilities and functionings. He provides little guidance on purpose to ensure that the capability approach can be used in a wide range of

situations and be capable of helping address a large number of issues (Sen 2004). Sen does introduce a few basic capabilities; among them is the ability to be an active participant in the community (1979, 218). His only other guidance for developing lists of capabilities and functionings is that they should come from a Habermasian, communicative-action-style approach to democratic deliberation (2009). Of particular concern for the capability approach is that those who will be affected by the outcome should have a say in what is important to consider in policy creation (Terzi 2007).

A broad view of the capability approach as it relates to accessibility provides two significant perspectives. Accessibility viewed through the capability approach presents accessibility issues as a matter of justice. In addition, the focus of the framework is on what people can actually be and do, so the capability approach differentiates token from true accessibility (Sen 2009). Though new to LIS, the capability approach has been used in feminist studies, disability studies, public policy work, and development studies, specifically in looking at disparities of wealth and nutrition.

Research questions

Assigning a full list of capabilities or functionings to assess public library service for people with disabilities is beyond the scope of this paper. Instead, some basic aspects of the capability approach are used to examine Ontario public library service to people with disabilities—namely, the ability to be an active participant in the community, that those most affected by a policy should have a hand in its creation, and that the focus should be on true accessibility. Of particular interest for this study are the following questions:

- How are library policies, procedures, and services for people with disabilities determined?
- What level of service is currently available?
- How is the capability of being an active part of the community manifest in the public library?

Literature Review

The library literature on accessibility is broad, but when the focus changes to research on accessibility, the scope narrows significantly. Library and information science researchers have commented that in the library literature there is a dearth of research on accessibility (Davies 2007; Saumure and Given 2004; Williamson, Schauder, and Bow 2000; Williams, Jamali, and Nicholas 2006) and that it consists mostly of descriptive work that recommends solutions to particular issues (Davies 2007).

Research on accessibility issues in a Canadian library or information context is rare. The majority of the library literature on accessibility comes from the United States and presents the subject from the perspective of the American with Disabilities Act (ADA 1990) and through other United States–focused policy lenses (Hill 2011). This trend is echoed in the broader disability litera-

ture. Kovacs Burns and Gordon (2010) found approximately three times as much literature focused on the US as on Canada.

The US perspective as expressed within the context of the ADA does provide interesting insights into examining accessible library service in Canada. The ADA has been in place since 1990, yet there are still discussions in the library literature about accessibility challenges. Librarians working with the National Library Service for the Blind and Physically Handicapped noted that information technology and human resources were still major challenges to providing service (Bonnici, Matta, and Wells 2009). Additional challenges reside in the areas of collections and services as well as users and policy making. Collections were seen as lacking accessible formats, and there were significant concerns that libraries were not identifying people with disabilities in their communities and were not developing written policies that addressed services to people with disabilities (Khailova 2006). This research highlights some of the challenges US libraries still face more than 15 years after disabilities legislation has been passed and demonstrates a need for research on accessibility issues in libraries as legislation appears and well after it is put in place.

An examination of Canadian library research on accessibility shows a focus on the accessibility of ICTs, particularly as they relate to health information. Website accessibility is a concern for the provision of consumer health information, but testing has shown that around 40% of sites had accessibility errors that could make them difficult to navigate (O'Grady 2005). Along with basic web accessibility is concern that the push to move health information online widens the information gap because large groups of Canadian citizens lack access (Hirji 2004). There has been a push for advocating a rights-based approach to ICT access in Canada (D'Aubin 2007), but there are still access issues. The problems related to the lack of online accessibility and the push to put health information online are compounded by research showing a lack of involvement by people with disabilities in developing Canadian ICT standards (Stienstra 2006).

Another focus of the literature has been comparing US and Canadian policy (Kovacs Burns and Gordon 2010; Griebel 2003; Epp 2006). As the two countries share a border and many similar characteristics, these comparisons make sense. The lack of federal accessibility legislation in Canada sometimes puts it at a disadvantage in the comparisons. Research, as shown above, is rare, but the advocacy literature and descriptive pieces detailing accessibility in Canadian libraries is strong. The journal *Feliciter* seems to be the biggest home to this trend.

There are numerous broad-based studies of library accessibility in the United Kingdom (Heaven and Goulding 2002; Kinnell and Creaser 2001; Harris and Oppenheim 2003; Ryder 2004) and United States (Bonnici, Matta, and Wells 2009; Akin and Ross 2002; Burke 2009; Khailova 2006), but a broad view of accessibility in Canadian public libraries is absent. Part of this absence could be due to the lack of federal legislation, but the recent implementation of the AODA does create a new environment for examining accessibility at the provincial level.

Research

The research consists of a three-part study consisting of a survey of Ontario public libraries, an examination of library websites, and interviews with public library users with disabilities requiring some accommodation. The research focused on the capability approach from two perspectives. First, certain aspects of the research were framed with the capability approach in mind. Second, there was a focus on showing how the capability approach might guide public library staff through some of the challenges to providing service that were discovered during the research.

The survey included both quantitative and qualitative questions, some framed specifically through a capability-approach lens and others based on general accessibility issues. In February of 2011 the survey was mailed to 242 Ontario public libraries selected in a random stratified sampling from the *American Libraries Directory.* 72 surveys were returned for a response rate of 30%. Participation was diverse with respondents from urban (32%), suburban (7%), and rural (61%) libraries.

Library websites from 13 public libraries across Ontario were explored to determine the placement of accessibility information within the structure of the websites. The 13 websites represented rural and urban as well as northern and southern Ontario. In addition, the policies themselves were examined for acknowledgement of the new legislation and its requirements as well as for how the policies addressed the customer service aspect of the AODA.

There were two semi-structured interviews with public library users with differing disabilities. Questions concerned their use and perception of public library services and resources.

Findings

The findings are presented in three sections:

- how libraries are addressing the basic capability of the ability to be a part of the community;
- how libraries are conceptualizing accessibility, particularly if there was a perception of accessibility as an issue that may need to be addressed beyond potentially limited legal mandates; and
- a proposed way to address the uncertainty surrounding needed changes to improve accessibility.

The first two sections relate to seeing how accessibility is addressed in libraries coincide with the capability approach. The last relates to how the capability approach may help address challenges to providing accessible service and concerns by library staff about how to address accessibility.

Part of the community

The ability to be a part of the community was examined through two means. An examination of the location of accessibility information on the libraries' websites and the experiences of public library users and staff provided two perspectives. Policy represents the stated nature of the organization's approach

to accessibility and the perception of the interviewees and survey participants represents the reality.

Policy

During the examination of the libraries' accessibility policies, the focus was on determining inclusiveness by examining the hierarchy under which accessibility information was subsumed and the categorization of that information on the library's website. The more normalized services and information for people with disabilities was presented, the more inclusive the library's approach was deemed.

Some public libraries have chosen to utilize their governing bodies' customer service policies to be compliant with the AODA. Other libraries take the impetus to create their own. Of the 13 websites examined, 11 had their own up-to-date accessibility policies addressing the customer service aspect of the AODA. This speaks of a strong desire to promote accessible services to the community. The remaining two libraries did not have accessibility policies available online, any information addressing accessibility on their websites, or links to the broader municipality or county policies at the time of examination. Examination took place four months after the AODA required public organizations to have in place a customer service policy addressing accessibility.

In website design there is a hierarchy of content. The closer a piece of information is to the first level of the website—the home page—the more important an item is deemed. As websites grow more complex and larger, information gets "buried" and becomes more difficult to find. Most libraries (eight) placed accessibility information on the third level, which requires users to navigate through two links to reach the information. One library placed this information on the second level and two placed it on the fourth level.

Having accessibility information on the website's third level is a strong indication of inclusiveness. The third level is consistent with the positioning of other services to patrons, which adds to the inclusive nature of this level. Placing accessibility information at the fourth level makes the information more difficult to find, and its complete absence removes the ability of community members to easily ascertain what services and resources are available.

How an item is categorized provides additional clues to the approach of the individual library and the possible perception of it by patrons. The libraries' approaches to accessibility were assessed based on the naming conventions of the links leading to accessibility information. Link paths were designated as either community focused or library focused. Community-focused paths were deemed more inclusive than library-focused paths. Community-focused paths used words and phrases like "services," which are geared toward helping users access information useful to them. Library-focused paths used words and phrases like "about the library," which are focused more on describing the library. Community-focused information placed on library-focused websites can make it difficult for users to find the information and may indicate that the information was posted out obligation rather than voluntarily to provide more information to users. Most

of the websites examined (seven) had accessibility information in the services area of the website under community-focused links with names like "services" or "library services." Two websites had the information under library-focused links named "about my library" or "library information." One website exhibited a combination of focuses: The initial link was titled "using your library," but navigating to the information on accessibility required users to follow another link, named "policies"—a considerably library-focused name. As mentioned above, two libraries did not have accessibility information available on their websites.

The structure of most of the library websites shows a trend toward inclusiveness. Placing information on particular services or information related to accessibility at the level of information on other services for users indicates a desire to give equal treatment to services for people with disabilities and services for those of other community members.

Perception

The second aspect of examining the ability to be a part of the community lay in determining the challenges people with disabilities face when they access the library and their perception of the public library they used most frequently. When asked if there were perceived barriers that inhibit use of the library, interviewees and survey participants mentioned both ICTs and the built environment.

ICT criticism often concerned the adaptive hardware, software, and work stations, and enveloped both the physical environment and technology. Adaptive workstations commonly consist of various accessible software and equipment at a designated computer work station. Adaptive software consists of screen readers like JAWS and screen magnifiers as well as other software. Equipment on adaptive workstations commonly consists of a combination of tools such as handheld or frame-mounted magnifiers, amplification equipment, closed-circuit televisions, Braille printers, scanners, page turners, large monitors, and reading machines.

Differing perceptions of the location of the adaptive work station provided an interesting insight into how a desire to be accessible can be perceived as the opposite. The location of the adaptive work station in the library as well as the age of the equipment was noted by one participant. In her library the adaptive work station was tucked away in a corner, far removed from other public-services computers. The isolation of the adaptive work station made the interviewee feel disconnected from the rest of the library's patrons. In addition, some of the equipment was outdated to the extent that it was difficult to use effectively. A library staff member from a different library mentioned the reasoning behind the decision to situate the adaptive workstation away from other public services: The work station was positioned in a separate area in case the person who used it wanted to work in a quiet environment. The patron and library manager perceive the same phenomenon from vastly different perspectives. The same patron noted that another library she used did not have a screen reader available for use, which negated her ability to use the computers and thus

the catalogue in the library. Instead, she used the library's OPAC from home using her own screen reader before venturing to the library.

The physical environment also provided challenges and was a topic of concern for both library users and staff. A wheelchair user expressed a concern about magazine shelving being difficult to access and a desire for wider aisles and "looser corners" for wheelchairs. A library staff member commented on the physical challenges of her library, saying, "We are a multilevel building. No elevator. Persons with assistive devices for walking need to exit through the upper level and walk down the sidewalk to get to lower level for washrooms."

Beyond the gaps identified by patrons with disabilities and library staff, there may also be an unconscious bias that service to people with disabilities is beyond the regular scope of library services. Segmenting those who require accommodation from those who do not can result in certain perceptions, like that which is reflected in the following response from one participant: "We don't have enough sources to even serve the abled population!" While the sentiment expresses a frustration at an overall lack of resources, it can be perceived as somewhat derogatory and exclusionary. That same phrase would not likely be used to distinguish the difficulties of providing resources for children as well as for adults.

The layout of the libraries' websites and the positioning of accessible services information suggest an effort is being made to incorporate services for people with disabilities into the community. Even the negative situations outlined above represent no real ill will on the part of public libraries but simply a lack of resources and the presence of other barriers that help deter people with disabilities from feeling a part of their communities in public libraries. In some cases there is an attempt to address a challenge, but upkeep can become an issue. Adaptive software and equipment are often significant expenses and, unfortunately, the web-design world moves at a much faster development pace than the adaptive-design world, which is inherently reactive. Some of the difficulties outlined above may be addressed in the upcoming components of the AODA. Until that time, there will be some significant impediments to creating a sense of community in the public library for people with disabilities.

Looking more broadly than the legislation

Using the capability approach requires a focus on the plurality of people's experiences and allows examination of an individual's or specific group's experiences. Such a framework requires a notion of true (as opposed to token) accessibility. It requires looking beyond the letter of the law and considering the potential flaws of legislation. The capability approach allows the examination of different types of access issues and the ability to notice significant disparities.

As an example particular to Canada, there is a difference in the available resources for people with visual disabilities versus those for people who have vision but are print disabled. In Canada there is no national library service charged with providing materials in accessible formats to people with disabilities. The Canadian National Institute for the Blind (CNIB) is a charitable organization

that provides accessible materials and resources for people with vision impairments. As its mandate deals with vision impairment, the organization has certain limitations to providing direct access to its collection to people who do not have visual disabilities.

The CNIB has, however, taken steps to provide service to people beyond those with visual disabilities and to the broader category of those who have print disabilities through the Visunet Canada program. In Ontario, individual library systems can partner with the CNIB to join the program. Partner libraries are charged a cost-recovery fee necessary to expand the CNIB collection to serve the libraries' community (Paterson 2003).

Libraries that become a part of Visunet Canada provide a needed service to people who would otherwise have fewer resources, and they are helping to fill a gap in service to people in participating provinces. Sixty-four per cent of survey participants indicated that their library had a partnership with the CNIB. Of those, 15 had entered into the partnership within the last six months. New CNIB partnerships show a strong desire by libraries to increase the resources available for a vulnerable population that may otherwise remain not covered by legislation.

Along with a nuanced approach to print disability, the capability approach requires going beyond legislation that may overemphasize particular disabilities. There is a perception that the AODA focuses much more on those with physical disabilities than those with mental disabilities. As one participant noted,

Making public libraries accessible for all is a must! We have 100s or 1000s of mentally disabled patrons and AODA barely addresses their needs. Even the most physically accessible library will see more mentally disabled than physically disabled on any given day. Another example of how poorly served the mentally disabled are.

That the AODA provides little guidance for addressing the needs of people with mental disabilities creates a significant gap in library services unless addressed beyond the scope of the legislation. A solution to this particular challenge is beyond the scope of this paper, but the fact that this challenge is on people's minds shows there is a desire to look beyond the limits of the legislation. As shown above, many public libraries have already acknowledged the importance of looking beyond the legislation. A conscious use of the capability approach could strengthen this perspective.

Participation of those with disabilities

A basic component of the capability approach concerns who participates in policy making. Sen (2004) states that the process should be communicative and that those who are most affected by the policy should be significant participants in determining policy focus. In the language of the capability approach, this idea translates into an understanding of the functionings and capabilities important for people with disabilities in the community that could be supplemented or supported by library service. Of consideration here is the participation of people with disabilities in the creation of library policies, approaches, and services that affect them.

The survey participants seemed uncertain about the services and resources that might be needed to support the people with disabilities in their communities. There was also concern about what the future might hold as the next four components of the AODA become law. The focus of the participants' comments was the legislation, specifically how various aspects of accessibility would be defined and what changes might be needed for libraries to come into compliance with the legislation. Some of the participants' libraries were very proactive and have long-standing disability service policies and approaches, while others were waiting to see what legislative demands will be made before moving forward.

As the legislation will determine the legal definition of what *accessible* means in different contexts and what accommodations are required by law, this latter approach makes sense. But what has not been a part of the majority of these libraries' approaches is a dialogue with their communities. A dialogue concerning what services and resources are necessary to address the needs and wants of those with disabilities in the community would be a significant step in resolving this uncertainty. It would also put the community members with disabilities in a place of power in developing policy directed toward them.

At the provincial level, the AODA includes individuals with disabilities and disability interest groups in the decision-making bodies, so the overarching framework for the legislation does include the perspective of people with disabilities. At the local level of the public library and its community, however, this participation is absent. When asked if the library had done any local surveys to try to identify people with disabilities in the community, 91% of survey respondents said no.

At the same time, some survey respondents indicated that they were unsure about their communities' needs and requested in their survey responses guidance on what kinds of accessible software, hardware, or other adjustments they could make. One participant noted a desire to provide more services but also a gap in the library's knowledge of community needs: "We serve the needs of the disabled who are currently using the libraries but I am sure there are more who would use our services if we were better equipped." Another expressed confusion by saying, "[We] need someone to say, 'Here are the best products.'"

Other respondents seemed to be disconnected from any impetus to determine the needs of people with disabilities in the community: "not aware of anything people want.... Most patrons with disabilities don't require major accommodations. Don't know about disabled who don't use the library." Along the same lines, a different participant presumed it was the individual community members' responsibility to initiate the accessibility conversation: "More changes would be made if asked for."

The AODA will be a significant factor in developing library services, but identifying and connecting with people in the community with disabilities is a vital way to determine what services or resources would be valued. Integrating a capability approach to accessible services could also help change the perspective of those who believe that accessibility should be a patron-initiated event. The capability approach, as it requires the participation of those most affected by

the outcome of the policy or program, would be of immense use in helping to resolve some of the uncertainty outlined above.

Discussion

The capability approach can provide greater insight than there currently is into public library service for people with disabilities. The framework provides a broad perspective that demands looking beyond possible limiting legislation, and it positions accessibility as a matter of justice. Through an active approach to policy creation and an understanding of some of the shortfalls in current library service, Ontario public libraries are making significant strides toward including people with disabilities in the community of the library. The values of the capability approach—particularly the need to differentiate true accessibility from token accessibility—provide strong insights into the needs of public library service. The survey participants showed an understanding beyond the limits of the legislation. Many libraries are looking beyond the limitations of the legislation and instituting partnerships to provide a broader level of service to groups that may not be the focus of the disabilities legislation. There are still significant barriers, some due to the limitations of the current built environment or available technology, but others that are more human oriented in how accessibility is conceptualized.

This research has made a few connections between public library service to people with disabilities and the capability approach as outlined by Sen. To further develop the use of this framework for public library service provision, the library community and community members need to work together to develop a list of capabilities and functionings specific to public library service.

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