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February 12, 2019

The Honourable Yonah Martin, Senator
The Senate
Ottawa, Ontario, Canada K1A 0A4
martin@sen.parl.gc.ca

Re: Bill C-81: Accessible Canada Act - ASL and LSQ Recognition

Dear Senator Yonah Martin:

The Executive of the Deaf Wireless Canada Consultative Committee (**DWCC**) is writing on behalf of its 26 ASL & LSQ users/members residing in eight different provinces.

By means of an introduction, DWCC is a standing committee of the Canadian Association of the Deaf-L'Association des Sourds du Canada (**CAD-ASC**) and is a group of Deaf, Deaf-Blind, and Hard of Hearing (**DDBHH**) consultants, analysts and committee volunteers across Canada. Its nonpartisan mandate is to advocate for equality for DDBHH in wireless telecommunications as in:

- Fair, uniform, cost reasonable wireless data plans for ASL and LSQ users
- Transparent and clear advertisement of plans offered
- A decreased disparity of wireless product and service provisions within the companies
- Promotion and availability of wireless software applications (apps) that ensure functional equivalency
- Accessible wireless emergency service provisions in Canada

We originate from and represent consumers from the 357,000 culturally Deaf who use ASL or LSQ, 3.21 million of Hard of Hearing Canadians ([CAD-ASC](#)), and/or 69,700 Deaf-Blind Canadians ([National Deaf-Blind Month/JuneFest](#)).

We are pleased to hear that Bill C-81 has reached the Senate of Canada. Even after countless efforts by the CAD-ASC and volunteers to have American Sign Language (**ASL**) and Langue des Signes Québécoise (**LSQ**) recognized as official languages of Deaf people of Canada, Bill C-81, Accessible Canada Act, passed in the House of Commons **without ever mentioning our languages**. Bill C-81 must be amended to reflect this recognition.

How would ASL and LSQ recognition benefit DWCC members who participate in federal government activities - for example when interacting with the Canadian Radio-television Telecommunications Commission (**CRTC**)? This recognition would enable these members (and by extension all DDBHH in Canada) to receive information, communication, and services from the federal government in ASL / LSQ.

Since 2015, DWCC members participated in, at a minimum, eleven CRTC proceedings focusing on telecommunications accessibility for DDBHH Canadians. They shared and discussed the lived experiences as DDBHH telecommunication consumers. They also made recommendations how functional equivalency for these consumers may be achieved - in other



words, how DDBHH consumers may use wireless services on an equal footing with their hearing peers. However, their participation in these proceedings has unfortunately **not** been fully barrier-free. To be more specific, the panelists still struggle to this very day when participating in CRTC proceedings including public hearings on an equal footing with their hearing counterparts.

1. Information

CRTC proceedings are released only in English and French - not in ASL / LSQ and that in and of itself poses a language barrier to DDBHH Canadians. ASL is distinct from English with its own grammar, syntax and idiomatic expressions. The same concept also applies to French / LSQ. DDBHH ASL / LSQ users, therefore, cannot follow or participate in these vital CRTC proceedings and inform CRTC how the telecommunication industry may better serve them as DDBHH consumers.

ASL and LSQ recognition in Bill C-81 would put in motion a requirement for ASL and LSQ videos of Key Information about released Notice of Consultations for telecom proceedings to allow groups such as DWCC to participate.

2. Communication

CRTC typically holds public proceeding hearings for five business days – open to everyone and anyone. Simultaneous English / French interpretation is provided throughout the whole public hearing. CRTC traditionally provided English / ASL interpreters and **CART** (Communication Access Real-time Translation) only for the half day when DDBHH panelists made their presentations in ASL. DDBHH panelists, therefore, were forced to miss all subsequent presentations. Members of the public were free to come and go anytime and anywhere during those five days of the public hearing.

CRTC traditionally expected DDBHH Canadians to follow a typical day in a public hearing by depending on English / French transcripts made available the next day. Problems with this practice include:

- The transcripts do not capture the emotional context behind the words spoken during the public hearing. DDBHH therefore missed this vital information when preparing subsequent documents (as in “final submissions”) for consideration by CRTC.
- The transcripts do not allow DDBHH Canadians to “hear” the evidence presented at the public hearings at the same time as their hearing peers.
- The transcripts do not allow DDBHH Canadians to informally approach other panelists to exchange information or opinions as their hearing counterparts do.
- The transcripts do not allow members of the public to approach DDBHH panelists with their feedback on the information DDBHH panelists brought forward to CRTC.
- The transcripts do not allow DDBHH panelists to track (and respond) in real time how other subsequent panelists reacted to the information they themselves brought forward earlier.
- Even the disseminated videos produced by the CPAC of the participating parties in CRTC proceedings are not available in ASL / LSQ – the languages used by many DDBHH, nor are closed-captioned.



Recognition of ASL / LSQ as the official languages of Deaf people in Canada will resolve all the issues listed above and will permit DDBHH Canadians to fully participate in CRTC public hearings on an equal footing with their hearing peers with the appropriate and adequate provision of ASL and LSQ interpreters and CART. Such recognition would mean there will be no denial of interpreting and CART services requested when DDBHH inform CRTC of their participation in such proceedings.

3. Services

Members of the public may directly contact CRTC in English or French with questions, comments or complaints. CRTC does not have staff fluent in either ASL or LSQ to receive similar calls from DDBHH Canadians. In contrast, DDBHH Americans have been since 2001 contacting the Disability Rights Office (**DRO**) of the Federal Communications Commission (**FCC**) in the United States should they wish to express their telecommunication concerns or opinions in ASL.

As an aside, the Commission for Complaints for Telecom-television Services (**CCTS**) has staff fluent in English/French (but not ASL / LSQ) to resolve disputes between telecommunications service providers and their consumers.

These service-related issues would be resolved once Bill C-81 is amended to recognize ASL and LSQ as the official languages of Deaf people in Canada.

NEXT STEPS

In April 2010, Canada ratified the United Nations (UN) Convention of Rights of Persons with Disabilities (CRPD). CRPD **Article 2** puts spoken and sign languages on equal footing. CRPD **Article 21** expects nations to allow their DDBHH citizens “*to seek, receive and impart information and ideas on an equal footing*” with their hearing counterparts.

The [UN CRPD Concluding Observations in Initial Report of Canada](#) also recommended that Canada:

“39. (a) Recognize, in consultation with organizations of deaf persons, American Sign Language and Quebec Sign Language (Langue des Signes Québécoise) as official languages...”

Bill C-81 was originally designed to break down barriers for Deaf people and persons with disabilities to ensure an accessible and inclusive country for everyone living in Canada. However, Bill C-81 needs to be amended (as mandated by CRPD Articles 2 and 21 and by the UN CRPD Concluding Observations) by recognizing ASL and LSQ as the official languages of Deaf people in Canada. Once that amendment is made, everyone including the DDBHH will access information, communications, and services at the federal level on equal footing with their hearing counterparts.



Once this recognition is enshrined in Bill C-81, Canada will proudly join 45+ countries ([WFD](#)) who already afforded such recognition to their own sign languages.

May we count on your support for such an amendment to have ASL and LSQ recognized as the official languages of Deaf people in Canada?

Please do not hesitate to contact us at lisa@deafwireless.ca should you have questions or require clarification.

Thank you,

Lisa Anderson-Kellett, Chair
Deaf Wireless Canada Consultative Committee
Burnaby, British Columbia

On behalf of the following undersigned:

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cc: Frank Folino, President
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