



# BRITISH COLUMBIA VIDEO RELAY SERVICES COMMITTEE

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September 28, 2014

John Traversy  
Secretary General  
CRTC  
Ottawa, ON K1A 0N2

**Re: Response to CRTC Telecom Notice of Consultation CRTC 2014-188-1 and 2014-188-2**  
**File: 8665-C12-201403287**

Dear Mr. Traversy,

The BCVRS Committee would like to express its appreciation and thanks for the affirmative decision CRTC made on provisions of Video Relay Services in Canada announced in Telecom Regulatory Policy (TRP) 2014-187 on April 22, 2014. Thank you.

The BCVRS Committee commends the Interim Board of Directors of the VRS Administrator for providing their proposal in four languages. Providing the proposal in ASL and LSQ is an excellent example of providing culturally and linguistic access for Deaf citizens. Following the Interim VRS Board's example, in the future, we look forward to further information being provided in ASL and LSQ in the same depth by the CRTC for issues that would have Deaf and hard of hearing interests.

The BCVRS is responding to CRTC's Telecom Notice of Consultation (TNC) 2014-188, by sharing the views collected at our Town hall meeting held on August 20, 2014. Thirty Deaf community members were physically present at the meeting. In addition to this, 149 viewers joined via live streaming. Comments and questions from the viewers on live stream were relayed via Facebook and Twitter.

The BCVRS Committee acknowledges the many organizations who took part in the historical intervention of CRTC Telecom TNC 2013-155. We would like to note, however, that BCVRS was not mentioned in Telecom Policy CRTC 2014-187, and we feel we should be recognized in this important policy document.

The BCVRS has been in existence for seven years with the sole purpose of bringing VRS to British Columbia, Yukon, and Canada. We have led several Canadian-wide efforts: letter campaigns, petitions, two national rallies, and several meetings with the BC-Yukon CRTC Commissioner, as well as consulted with Ms. Jade Roy regarding the provision of ASL and LSQ interpretations for the one week hearings in Gatineau. BCVRS was instrumental in providing leadership in the national movement for the provision of VRS services in Canada. For specific examples of where BCVRS should have been mentioned, in TRP 2014-187 please see **Appendix A** at the end of this document.

Sincerely,  
Lisa Anderson-Kellett, Communications Officer  
BCVRS Committee

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# **Part I: TOWN HALL Response to TNC 2014-188-1**

## **1.1 Introduction:**

The British Columbia Video Relay Services Committee (BCVRS), established in 2007, is a grassroots, wholly volunteer-based committee that consists of Deaf people and their allies.

The BCVRS already participated in the hearings CRTC 2013-155 File numbers: 8665-C12-201303536 and 8665-C12-200807943 as a Community group who has diligently worked to gather and relay the views of our often “unheard” Community.

BCVRS has recorded the following feedback from our members at our town hall meeting on August 20, 2014 regarding the Proposal.

## **1.2. The Board of Directors**

*1.2.1.* Interpreter representatives should be full voting directors on the Permanent Board and not as a non-voting Permanent Invitee as per the Interim Board’s proposal, which was submitted to CRTC on July 25th, 2014. Interpreter representatives should be an Active member of AVLIC, the body that sets the national standards for professional sign language interpreting.

*1.2.2.* It is BCVRS’s position that AVLIC should have a voting representation on the Board. Although, we note that in the TNC 2014-188, the feedback received at the town hall, as well as gathered by BCVRS Committee members from international sources, strongly indicate that Deaf consumers in other countries that operate VR Services regretted not having representatives from the national interpreting association involved in the process. The BCVRS members feel strongly that interpreters should be participating in the Canadian VRS Administrator Board because without interpreting feedback, many issues dealing with working conditions, health and safety concerns and professional standards cannot be adequately addressed by the VRS service alone.

*1.2.3.* It is our position that any real, or perceived, conflict of interest issues could be addressed by having interpreter directors’ be directed to abstain from voting on matters having to do with financial compensation or selection of the VRS service provider. These guidelines should be included in the development of the bylaws of the VRS Board.

*1.2.4.* It is BCVRS’ position that the Interpreter Director be required to be an active member in good standing with the Association of Visual Language interpreters of Canada (AVLIC).

## **1.3. VRS Administrator Board Member Selection Process**

*1.3.1.* BCVRS members are in support of the selection process for Deaf and Hard of Hearing directors for at least the initial stages. We suggest that the proposed selection process should be reviewed after 2 years of operation.

*1.3.2.* It is BCVRS’ member’s position that there are established and published criteria, such as curricula vitae, for those wishing to become Director on the VRS Administration Board. Our members felt that candidates to the Board should demonstrate they have the skills and abilities to contribute to the board.

*1.3.3.* The BCVRS members agree that the permanent board should decide on what committees should be established or staffing needs to be created for the best interests of VRS in Canada.

*1.3.4.* BCVRS is in support of the proposed term timelines.

## **1.4. VRS Administrator Proposed Board Quorum and Voting Procedures:**

*1.4.1.* BCVRS members agree to the proposed quorum requirements, but there is a strong desire to ensure that there are attendance guidelines and requirement for Directors, clearly stated in the Administrator’s By-laws.

## 1.5. Additional comments regarding CRTC TRP 2014-187

BCVRS members had additional concerns that are not related to the establishing the Structure and Mandate of the Video Relay Service Administrator (TNC 2014-188) but related to issues raised in the VRS implementation. BCVRS members felt that information from TRP 2014-187 and Mission Consulting Recommendations should be considered in the discussions of the new VRS Board.

Specifically, BCVRS members are concerned that:

*1.5.1. "No specialized wireless packages are to be included as part of VRS Services."* (TRP 2014-187, item 84). Many members expressed concerns that to use VRS on a mobile platform would quickly exhaust service packages and therefore Deaf persons cost would be higher than a hearing mobile user. Members felt that to ensure functional equivalency, a special rate or service package should and would need to be established. A recommendation is that there are provisions of specialized wireless plans, at affordable rates, to accommodate access to VRS while on the move.

*1.5.2.* Deaf people who use video connections have a unique concern as opposed to hearing people with voice plans that do not have the same concern. Video requires the use of more data, over a wireless connection, therefore it is BCVRS' recommendation that the community, with CRTC's assistance, and perhaps the Canadian Administrator of VRS as well, to work collaboratively with wireless and internet companies, to develop mandated and customized wireless and internet packages especially for VRS users.

*1.5.3.* Education & Public awareness needs to be included in the VRS Administrator's mandate. During the Telus trials, the VRS service provider was not mandated to provide education or public awareness to our customers. Our members felt it would be more appropriate for the VRS Administrator to provide the education and public awareness as opposed to the VRS provider.

*1.5.4.* In reference to TRP 2014-187 (page 25, #137), we dispute with the following statement "For example, the CAD submitted that it is well-positioned to target its education and outreach efforts regarding the benefits of VRS to the Deaf Community, as that is part of its mandate."

The CAD, which is primarily a volunteer organization, has insufficient capacity to take on this particular responsibility. The CAD has several serious national issues such as education of the Deaf, the lack of services for Deaf senior citizens and health care accessibility to address. The BCVRS recommends that a position be created within the Canadian Administrator of VRS for the purposes of providing education and outreach which will meet the CRTC's requirements. You will find at [cad.ca/deaf\\_issues.en.php](http://cad.ca/deaf_issues.en.php), the list of issues and positions the CAD is currently involved in addressing.

*1.5.5* BCVRS strongly recommends that there be a process for complaints within the VRS Administrator, to act similarly as the Commissioner for Complaints for Telecommunications Services (CCTS) does for wireless customers, in the steps toward complaint resolution of VRS issues. For example, suggested staff of the VRS Administrator to aid in the collection of complaints and reports for the evaluation of VRS in Canada in 2015-2018. Perhaps one of the staff positions of the VRS Administrator to have this responsibility of collecting complaint reports and conduct resolutions.

*1.5.6.* Deaf Blind persons also need to be included in the process. Establish a permanent advisory committee to the VRS Administrator board to be composed of members of the following groups: Deaf-Blind persons, immigrant Deaf persons, hard of hearing (who may advise on VCO access) and First Nations people.

## Part II. Responses related to TNC 2014-188-2

The above (Part I) responses are the views collected at the August 20<sup>th</sup> Town hall. The following comments are in response to the answers provided to the CRTC from the Interim CAV Board and additional documents provided by the interim board.

### 2.1. Incorporation title.

We are responding to the pre-incorporation title in abbreviation manner in *Articles of Incorporation form 4001 in box #1* of the form, 'Corporate name', the BCVRS feel "CAV" and "ACS" are not culturally and linguistically appropriate in both ASL and LSQ, and do not reflect the representation of the VRS' true intent. We recommend the full use of abbreviations in ASL/LSQ, and English/French which are "CAVRS" and "ACSRV," which we will use thereafter.

### 2.2. Registered Office Location.

BCVRS has serious reservation with Ottawa becoming the site of the "registered office of the Corporation as stated in the Canadian Administrator of VRS, Inc. By-Law No.1, (page 4, item 5) titled "Registered Office". We believe there is a potential CAVRS-ACSRV becoming Ontario-centric, rather than Canada-centric. We recommend that it be located elsewhere in Canada, perhaps with multiple offices that are equipped with videoconferencing equipment for meetings and communications.

### 2.3. Terminology of primary staff position.

2.3.1. Clarification is needed in the CAVRS By-Law No. 1 in its definitions of the terminology, Executive Director (ED) and Chief Executive Officer (CEO) as referenced in the Definition list (page 2, Item (q)) and under Duties of Officers, (Page 18, item 75). The title "Executive Director" can be confused with the other Director positions on the Board as mentioned in Section "Board of Directors" (page 9, Item 27); therefore it is our view that the term "CEO" clarifies the position as a staff appointed under the leadership of the Board.

### 2.4. Staffing in the office.

2.4.1 In the process of establishing an office(s) and hiring staff, it is strongly recommended that employment equity standards be followed in order to ensure qualified Deaf and Hard of Hearing individuals are encouraged to apply. It is essential that all staff members be culturally and linguistically competent in languages of the Canadian Deaf and Hard of Hearing population. It is important that all Directors and staff are chosen based on their skills, abilities, and demonstrated capacities and not as symbolic gesture based on reputation or professional position. Furthermore this value should be demonstrated by any VRS company bidding to provide services in the fall of 2015 and beyond.

2.4.2 The BCVRS is in support of CAVRS' recommendation of having Chief Executive Officer, and the position of office manager/coordinator/receptionist.

2.4.3 In response to the CRTC's required reporting in TNC 2014-188-1, we are in support of these additional positions to support the reporting needs on privacy, financial accountability, educational outreach, IT management, and Sign Language issues;

- i. "Complaint Resolution Officer/Specialist" receiving, addressing and reporting all various complaints and issues from all consumers – private and public, mainstream Canadian public, Deaf and Hard of Hearing persons. Must collect and provide reports on types of complaints and work with the CAVRS on resolutions.

- ii. “Analyst Officer” to assess statistics in all departments to ensure that the reporting for CRTC and the stakeholders of the National Contribution Fund is clear and accurate. Must have strong skill and qualifications in MS Excel and visual charting, infographics, and information mapping applications. Work closely with above complaint resolution staff for reporting purposes.
- iii. “Outreach Officer/Specialist” responsible for educating various institutions (public and private), the Canadian public, as well Deaf and Hard of Hearing communities including Deafblind, First Nations and immigrants, on the purpose and awareness of VRS and 911 options (mandated by the CRTC). Liaise and communicate with Telecommunication service providers (TSPs) to have them help advertise and develop PSA’s - Public Service Advertisements to raise awareness of VRS in Canada and such.
- iv. Sign Language Interpreter Officer/Specialist” – monitoring quality assurance, and addressing issues/ that occur during implementation, development, maintenance and enhancement of interpreting services through training and workshops. Networking with interpreter programmes across Canada. Ensuring health and welfare of interpreters (i.e. preventive measures for Carpel Tunnel Syndrome and mental/physical fatigue). Providing reports to CAVRS and CRTC.
- v. “Director of Technology” (IT Officer/Specialist) – a highly skilled and qualified technical expert that oversees the technical aspects of the VRS industry. Responsibilities includes, and not limited to, selection of the neutral platform candidate (1), interoperability, deployment of VRS solution to VRS provider(s), set out the data privacy policy, and network connectivity (2). Responsible to develop a checklist of requirements to be used by the Board to identify the most likely candidates for platform and VRS services provision.

## **2.5. Interpreters as Permanent Invitees.**

2.5.1. In reference to the CAVRS Bylaw No. 1 documentation, the BCVRS supports an increase in the number of seats from 7 to 9 (page 4, item 6) in the Membership of the Corporation, for the purpose including interpreters as voting Directors.

2.5.2. In reference to the CAVRS Bylaw No. 1 documentation, the title, “Permanent Invitees” (page 12) should be revised and changed to “Interpreter Directors,” throughout the entire document.

2.5.3. In reference to the CAVRS Bylaw No. 1 documentation, the paragraph at the bottom after item 38 (d) should also have definition of “Member” revised as well as to reflect the change.

2.5.4. BCVRS strongly recommends the inclusion of interpreters as Directors because of their unique position and knowledge of both cultures and languages they are bridging. Their contribution is invaluable as they bring expertise in the profession; in the monitoring the health and safety of interpreters as well as the professional standards required for competent VRS interpreters. BCVRS also recommends there be clear guidelines that state Interpreter Directors do not have voting privileges related to potential financial gains (i.e. rates) and the selection of VRS companies.

## 2.6. Veto

2.6.1 In reference to the CRTC TNC 2014-188 (page 4, item 8) where it states, The Commission is of the preliminary view that “*neither the members from sign language user organizations nor the members from TSPs are to have majority representation or the ability to veto any decision,*” the BCVRS agrees that no party should have majority representation or a veto, but we are concerned that there is no process in the bylaws to remove a Director who is not fulfilling their duties.

2.6.2 Reference to CRTC TNC 2014-188, Appendix: Detailed information from Bell Canada et al. (page ii, item 6) - “Bell Canada et al. submitted that certain vetoes regarding costs shall belong to TSPs collectively.” This appendix is contrary to the CRTC TNC 2014-188 on page 4, item 8 (above preceding paragraph). BCVRS disagrees that the TSPs have “certain vetoes” power including costs. The statement is too vague and open to interpretation.

## 2.7. Sign Language Interpretation

2.7.1. Reference to CAVRS’ Provisional Board’s response to CRTC TNC 2014-188 dated September 5<sup>th</sup>, 2014, requesting further information, the BCVRS is adamantly opposes the following statement, “we do not believe that it would be appropriate to have a requirement set out in the By-law for sign language interpretation to be provided at all meetings, whether meetings of the Members, the Board of Directors, committees or advisory panels.” (Ref: CAV DM#2200593, dated 5 Sep 2014). We believe in full, clear and unrestricted communication accessibility at all above mentioned meetings. We cannot assume that all Directors, be fluent in either or both in ASL or/and LSQ. Additionally, we need to consider the needs of Deaf-blind persons that may be involved. Therefore, we are in agreement with CRTC’s recommendation in, TNC 2014-188-1. It is also recommended that any professional interpreters provided for these meetings be members in good standing of AVLIC.

## 2.8. Board Composition

2.8.1. The BCVRS recommends Jonathan Daniels become part of the permanent CAVRS Board, representing the TSPs. We found Mr. Daniels to be professional and transparent with us when we met him in Gatineau at the CRTC hearings. We feel he will represent both sides very well and clearly possess the ability to moderate challenging discussions that may occur during the CAVRS board meetings.

## Part III: CONCLUSION

The BCVRS would like to comment that even though CRTC has produced and published the document *Broadcasting and Telecom Regulatory Policy CRTC 2009-430: Accessibility of Telecommunications and Broadcasting services*, it is our view that there is a lack of enforcement and promotion to ensure all telecommunication and internet service providers to make their programs fully accessible. For example, providing quality closed captions, automatically providing interpreters for public hearings and making their documents accessible in ASL and LSQ. We feel it is necessary to create an Accessibility Office within the CRTC structure that will oversee and promote accessibility within the Telecommunications and Broadcasting industries.

Respectfully submitted by the BCVRS Committee:

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Jodi Birley  
Ava Hawkins  
Nigel Howard

Susan Masters  
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## APPENDIX A

### *Where BCVRS should have been mentioned in CRTC Telecom Policy 2014-187*

To demonstrate the national leadership and long history BCVRS has had with the VRS in Canada issues, please review the introduction Mrs. Lisa Anderson-Kellett shared to the Commissioners in **Transcript of Proceeding, Volume 4, 24 October 2013 line numbers 5809-5820**. You may also check out our website, **bcvrs.ca**

- **CRTC 2014-187 (Page 6, item 22), and (Page 19, item 101)**. Discussed about non-specialized platforms, ie. Skype. This is where Mr. Nigel Howard answered Commissioner Shoan's questions and specifically responded with the examples coming from his experience with Skype in Australia. This is where BCVRS should have been mentioned not as "Some parties..."

Reference: Please see where Nigel specifically answers Commissioner Shoan's question in **Transcript of Proceeding, Volume 4, 24 October 2013, line number 5491**, and thereafter, Nigel responds and elaborates about the Australian experience, in line **5943** and **5944**. **CRTC 2014-187 (Page 17, item 88)**

- "The Commission notes that the speed of conversation for VRS is approximately 150 words per minute, compared to 170 words per minute for voice calls ..."

BCVRS wonders why our video production, "What If... the Quest for VRS in Canada, wasn't mentioned, if there was such an impact on the Commissioners Duncan, at the hearing for 2013-155, who begins quoting with, "that's certainly the most impactful presentation that I have witnessed. You have certainly made your point..." Please reference to the **Transcript of Proceeding, Volume 4, 24 October 2013, lines 5681-5863**

- **CRTC 2014-187 (Page 25, items 136 & 137)**: BCVRS was one of the parties that agreed that education and outreach could be effectively conducted, more specifically during the 2013-155 hearings, according to **Transcript of Proceeding, Volume 4, 24 October 2013, lines 5921-5925**, it was Ms. Lisa Anderson-Kellett, who mentioned that in her presentation at hearing, therefore BCVRS is the one that brought up several points based on our trial VRS users experience in relation to education and outreach.

**Transcript source:** <http://www.crtc.gc.ca/eng/transcripts/2013/tt1024.html>

**\*\*\*End of Document\*\*\***