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VIA EMAIL DISTRIBUTION and GC KEY

January 29, 2024

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Secretary-General
Canadian Radio-telecommunications and Telecommunications Commission (CRTC)
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and

The CRTC Public Hearing Team
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Reference: Public record: [1011-NOC2024-0137](https://www.crtc.gc.ca/1011-NOC2024-0137)

Dear Secretary General,

Part One Reply Comments for Broadcasting Notice of Consultation CRTC 2024-137-2

1. The Deaf Wireless Canada Consultative Committee - Comité pour les Services Sans fil des Sourds du Canada (DWCC - CSSSC or "DWCC"), submits our Reply comments for the CRTC proceeding that investigates the topic: *The Path Forward – Defining “Canadian program” and supporting the creation and distribution of Canadian programming in the audio-visual sector.*
2. This proceeding, which seeks to modernize the definition of “Canadian program” and address critical issues in Canadian programming, presents a unique opportunity to incorporate accessibility as a core criterion. The **DWCC et al.** recognizes the significance of this consultation in ensuring equitable and inclusive policies for the diverse communities served by Canadian broadcasting, including the Deaf, Deaf-Blind, and Hard of Hearing (DDBHH) communities. It appreciates the opportunity to participate in this important proceeding bringing forward DDBHH Canadian’s perspectives.

3. Before we begin, It needs to be clarified and emphasized when DWCC writes DDBHH, for Deaf, Deaf-Blind and Hard of hearing, it is inclusive of all those with intersectional identities listed in its intervention.

4. DWCC et al. has reviewed the interventions of Accessible Media Inc. (AMI), Apple Canada, AQPM, Audition Québec, BAF, Bell Media, Blue Ant Media, Eastlink, Disney+, CAD-ASC, CBC/Radio-Canada, CDGM, CMPA, Corus, CPAC, CPSC-SCFP, DAZN, Disability Screen Office, FRPC, Google, Independent Broadcast Group, Netflix, Paramount, PIAC, Prime Video, Quebecor Media, ReQIS, Rogers Media, Roku, Télé-Québec, TELUS, Tubi, TV5 Québec, and Universal Pictures, and summarized each of its response to the question and follows with DWCC et al.’s own perspective of agreeing or disagreeing to their responses with rationales primarily based on the survey results. The DDBHH community responded through a survey and we will add and analyse their response applicable to each question.

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5. Before DWCC et al. delves into the document, we would like to clarify the acronyms for each of the organizations listed in the replies.

Acronym list:

DWCC - Deaf Wireless Canada Consultative Committee

AMI-TV - Accessible Media Inc.

AC - Apple Canada

AQPM - L'Association québécoise de la production médiatique (AQPM)

AQ - Audition Québec

BAF - Broadcasting Accessibility Fund

BAM - Blue Ant Media

BM - Bell Media

Disney+ - Buena Vista

CAD-ASC - Canadian Association of the Deaf-Association des Sourds du Canada

CBC - English

Radio-Canada - French

CDGM - Canada Deaf Grassroots Movement (CDGM)

CMPA - Canadian Media Producers Association (CMPA)

CPAC - Cable Public Affairs Channel

CPSC-SCFP - Canadian Public Service Communications Council

DAZN - Da Zone

DHHC - Deaf and Hard of Hearing Coalition (DHH Coalition)

DSO - Disability Screen Office

FRPC - Forum for Research and Policy in Communications (FRPC)

IBG - Independent Broadcast Group

PIAC - Public Interest Advocacy Centre (PIAC)

PV - Prime Video

QM - Quebecor Media - represents both Télé-Québec and Videotron

ReQIS - Réseau québécois pour l'inclusion sociale

TELUS - Telus Communications

TV5Q - TV5 Québec

UP - Universal Pictures

Note, there are no Acronyms are for the following but usage of one word would reference an organization or business:

Corus

Google

Eastlink references to Bragg Communications

Netflix

Paramount

Rogers - Rogers Media

Roku

Tubi

Reply Comments

Q1: What should the Commission consider when deciding which online streaming undertakings should be subject to the regulatory policy on closed captioning? For example, should it be based on subscriber numbers, revenues, or some other criteria to determine applicability?

Response Analysis for Q1

6. It is DWCC's position that regardless of size, revenues, or other factors, if an undertaking is acceptable to potential and existing audiences, captioning must be made available to access the offerings for equity to Deaf, Deaf-Blind and Hard of hearing audiences.

Mandatory Captioning for Platforms over \$10M Revenue

7. Accessible Media, Apple Canada, AQPM, Bell Media, Blue Ant Media, Eastlink, CBC/Radio-Canada: CMPA, Corus, DHHC, Quebecor Media, Rogers Media, Tele-Quebec, TV5, Telus, and Tubi, all state that there should be a \$10M annual revenue threshold applicability for obligation to adhere to the regulatory policy on closed captioning.

Higher Revenue Threshold

8. Only one organization, Roku, suggested a higher threshold for captioning requirements, stating there should be a \$25M revenue threshold for closed captioning.

Universal or 100% Captioning

9. Four organizations state there should be universal of 100% captioning across all content and platforms: Audition Quebec, CAD-ASC, CDGM, and FRPC. The FRPC went more specificity with targeting a requirement for all online service undertakings.

Flexible or Varying Criteria

10. Some companies such as Disney+, IBG, Netflix, and Prime Video, propose flexibility in the application of captioning rules or a set of varying conditions as follows: flexible criteria for captioning applicability, captioning applies broadly with a \$2M revenue threshold, threshold aligns with other online regulations and imply broader applicability while Prime Video wants the threshold to apply only to larger platforms.
11. The BAF emphasizes leveraging AI technology or other tools to achieve closed captioning, stating there should be universal captioning leveraging AI advancements.

Exemptions & Exclusions

12. Four groups—CPSC-SCFP, DAZN, DSO and Google—suggest **exemptions or exceptions** based on specific platform types or resources, with **CPSC-SCFP** advocating for exemptions for smaller organizations due to resource constraints, **DAZN** requesting exemptions for live sports platforms, the **DSO** proposing a

progressive approach for niche platforms, and **Google** seeking to exclude social media creator content.

Content and Platform-Based Variability

13. Four (4) organizations - Apple Canada, CPAC, ReQIS, and Universal Pictures' responses focus on platform function or content type as factors for captioning requirements with **Apple Canada** advocating for requirements based on platform function, **CPAC** suggesting applicability determined by resources and programming type, **ReQIS** prioritizing platforms with significant revenue and user bases, and **Universal Pictures** distinguishing between content creators and aggregators.

Analysis of Interventions

Re-iterating DWCC et al.'s Perspective

14. While in its intervention, the DWCC et al. assert that the proposed regulatory policy for closed captioning must apply universally to all online streaming undertakings, **regardless of subscriber numbers, revenues, or other factors.** Accessibility should not be contingent on the size or profitability of an undertaking. If a platform is deemed acceptable for audiences who do not rely on captioning to access content, it must be made equally accessible for audiences who do require captioning. Anything less would fail to achieve equity and inclusivity for all users.

Responding to other parties viewpoints

15. Accessible Media Inc., Apple Canada, AQPM, Bell Media, Blue Ant Media, Eastlink, CBC/Radio-Canada, CMPA, Corus, DHHC, Quebecor Media, Rogers Media, Télé-Québec, TV5 Québec, TELUS, and Tubi, supports the **\$10M annual revenue threshold** for captioning obligations. This threshold ensures that platforms generating significant revenue are held accountable for providing accessibility to all audiences, including those who rely on captioning.

16. However, DWCC et al. also notes that **accessibility should not be contingent on the size, revenue, or profitability** of a platform. The organization's reply reflects the **viewpoints from the Deaf community** collected in DWCC et al.'s survey, emphasizing that accessibility for Deaf and hard-of-hearing individuals must be universal, regardless of platform size. The regulatory policy on closed captioning must apply universally to all online streaming undertakings to ensure

equity and inclusivity.

17. DWCC et al. asserts that if a platform is accessible to audiences who do not rely on captioning, it must equally support those who do. The organization believes that limiting accessibility based on platform size, revenue, or other factors contradicts the principles of **inclusivity** and **equality**, which are core to the values of the Deaf community.
18. While organizations such as **Roku** proposed a higher \$25M revenue threshold, and others like **Disney+**, **IBG**, **Netflix**, and **Prime Video** suggested flexibility based on varying criteria, DWCC et al. believes a universal approach is necessary to guarantee access for all individuals, irrespective of the platform's business model or financial standing.
19. DWCC et al. also highlights the call for **100% captioning across all content and platforms** by organizations such as **Audition Québec**, **CAD-ASC**, **CDGM**, and **FRPC**, emphasizing the importance of ensuring complete access for all users. Furthermore, the **BAF's** proposal to leverage **AI advancements** for universal captioning is noted, which DWCC et al. sees as a positive step toward more accessible content across platforms.
20. Lastly, DWCC et al. acknowledges that certain groups, such as **CPSC-SCFP** and **DAZN**, have suggested **exemptions for smaller organizations or live sports platforms**, which would include **live ice hockey broadcasts**, a staple of Canada's cultural fabric and a beloved pastime. However, DWCC et al. strongly argues that **exemptions** are fundamentally **unacceptable** and should not undermine the fundamental right to access, as the Deaf community requires consistent and reliable access to content at all times.
21. Live captioning in sports broadcasts is **vital** for providing the same level of engagement, excitement, and emotional connection that other viewers experience. It is essential for Deaf Canadians to have full access to the live commentary, crowd reactions, and in-game dynamics that make sports such an integral part of the national experience. Removing captioning from these platforms, especially for something as important to Canadian culture as **hockey**, would undermine the rights of **Deaf** and **hard-of-hearing** viewers to participate fully in their country's most cherished events.
22. Furthermore, technological advancements have made it entirely feasible to provide **live captioning** for sports broadcasts, including fast-paced events like

ice hockey. It is neither a **logistical** nor a **financial** challenge but rather a **commitment to inclusion**. There is no justification for carving out exceptions for live sports platforms when the technology exists to make these broadcasts accessible to all. **Exemptions** would not only deprive Deaf viewers of **equitable access** but also create a precedent that could allow further exclusions from captioning for other types of programming. This is a step backward for accessibility and equality in media.

23. DWCC et al. asserts that captioning must be consistently available across **all platforms**, particularly in **live sports**, so that every Canadian, regardless of hearing ability, can fully enjoy and engage with the national pastime of ice hockey and other live sports events.

24. In conclusion, DWCC et al. urges that the regulatory policy for closed captioning be applied universally, **ensuring that all platforms, regardless of size or revenue, meet the accessibility needs of Deaf and hard-of-hearing individuals**. DWCC et al. further replies with the integration of the Deaf community's viewpoints gleaned from the survey results.

DWCC et al.'s response based on survey results

25. According to survey respondents, 75% stream content on major platforms such as Netflix and Amazon Prime, but significant accessibility gaps exist across a variety of platforms. Notably, platforms with smaller subscriber bases, like sports streaming apps (e.g., DAZN, TSN), were cited as failing to provide adequate captioning or any captioning at all. This demonstrates that accessibility challenges are not confined to larger platforms but extend across the ecosystem.

26. Captioning benefits are universal which is clear with 68% of survey respondents highlighting the need for customizable captions, such as adjusting font size, color, and background, while 66% reported challenges with synchronization and accuracy. These issues persist across platforms of all sizes, underscoring the **importance of universal standards rather than selective applicability**.

27. Deaf-Blind survey respondents expressed a need for transcripts and refreshable braille compatibility, further emphasizing that accessibility measures must accommodate a diverse range of needs. Smaller platforms often fail to address such specialized requirements, exacerbating barriers for this community.

28. A striking 80% of respondents reported not knowing how or where to file complaints about captioning issues, regardless of the platform's size. This

demonstrates a systemic issue across all platforms, further justifying the need for regulatory consistency.

29. There needs to be equity in accessibility as indicated by survey participants emphasizing that excluding smaller platforms would marginalize significant portions of the DDBHH community who rely on niche content. For instance, sports fans reported being unable to follow live game details due to missing captions, particularly on less mainstream platforms.

Q1 Conclusion

30. DWCC et al.'s analysis of Q1 responses strongly reaffirms the need for universal application of captioning requirements across all platforms, regardless of size or revenue. While DWCC et al. emphasizes that accessibility should not be a privilege tied to a platform's financial standing but rather a fundamental right for all users. Exempting smaller platforms or specific content types undermines the principles of equity and inclusivity that are core to accessibility. The organization maintains that if a platform provides access to its content for hearing audiences, it must equally support accessibility for Deaf and hard-of-hearing (DDBHH) individuals.
31. Survey data bolsters DWCC et al.'s position, with respondents reporting significant accessibility gaps across both major and smaller platforms. Challenges such as synchronization issues, lack of customizable captioning features, and limited accessibility for Deaf-Blind users highlight systemic shortcomings that demand consistent standards. Excluding smaller platforms or niche content from regulatory requirements risks marginalizing parts of the DDBHH community, as evidenced by sports fans unable to engage with live game content due to missing captions. These findings underscore the importance of **applying closed captioning regulations universally, ensuring no segment of the community is left behind.**
32. DWCC et al. concludes that a universal, comprehensive approach to captioning regulations is essential to achieve true equity in media accessibility. Technological advancements have made universal captioning feasible, even for live sports and niche platforms, removing any justification for exemptions. By mandating captioning standards across **all platforms**, the Commission can uphold the fundamental rights of DDBHH Canadians, ensuring full participation in cultural, social, and recreational content.

Q2. Should the Commission require online streaming undertakings to provide closed captioning for 100% of English- and French-language pre-recorded programs in their inventories?

Response Analysis for Q2

33. Doing a filtered analysis, DWCC et al. has determined that 17 organizations support 100% captioning for pre-recorded content, 5 organizations oppose the mandate for 100% captioning, 11 organizations propose conditional support primarily for new content or flexibility for older content, 3 organizations suggest a phased approach to captioning.

Support for 100% Captioning for Pre-recorded Programs

34. DWCC et al. and several organizations strongly support the requirement for 100% captioning for English- and French-language pre-recorded programs across all online streaming undertakings including: **DWCC, AMI-TV, AQ, BAF** (with flexibility), **CAD-ASC, CDGM, CPSC-SCFP, DHC, IBG, PIAC, ReQIS, Télé-Québec** (for French-language content only). The **FRPC** supports the requirement with a timeline of 2025-2026. This means all of these organizations assert that 100% captioning is crucial for accessibility and inclusivity, ensuring all viewers, regardless of hearing ability, can fully access content.

Opposition for 100% Captioning for Pre-recorded Programs

35. Some organizations, specifically five (5) organizations oppose mandatory 100% captioning for pre-recorded content, offering various rationales for their positions. **Google** argues that captioning should not be required for third-party submissions unless the content is broadcasted or reposted. **Prime Video** opposes the immediate mandate, suggesting that such requirements should only be implemented after 2026. **Quebecor Media** and **Rogers Media** both oppose the idea of mandating 100% captioning for all pre-recorded content. Similarly, **Roku** objects to requiring captioning for older content, emphasizing the challenges associated with retrofitting accessibility measures onto archival material. Each of these perspectives reflects differing priorities and challenges regarding the implementation of universal captioning standards.

Conditional Support (with Specific Limitations)

36. Sixteen organizations support captioning with conditions that primarily focus on new content or allow flexibility for older content. including **Apple Canada, BAM,**

Eastlink, Disney+, CBC/Radio-Canada, CMPA, Corus, CPAC, DAZN, AQPM, DSO, Netflix, Paramount, TELUS, Tubi, and Universal Pictures. The different conditions are as follows: **Apple Canada** advocates for phased captioning for pre-recorded programs, while **BAM, Eastlink, and CBC/Radio-Canada** fully support 100% captioning for new pre-recorded content. **Disney+** and **Paramount** also back 100% captioning for new content but emphasize flexibility for older material. **CMPA** and **Corus** provide conditional support, focusing solely on new pre-recorded content. **CPAC** proposes captioning for archived material starting post-2018, while **DAZN** supports captioning for its Originals. **AQPM** supports captioning for new content but raises concerns about associated costs. The **Disability Screen Office (DSO)** endorses 90% captioning for English content but excludes French. Netflix commits to 100% captioning for its Originals, **TELUS** supports phased captioning for pre-recorded content, **Tubi** and **Universal Pictures** advocate for gradual implementation or flexibility for older content. This range of positions reflects a consensus on prioritizing accessibility for new content while considering the challenges of retrofitting captions for older material.

Phased Conditional Support

37. Three (3) organizations suggest a **phased approach** to captioning, gradually implementing the requirement over time. **TELUS** supports phased captioning for pre-recorded content, **Tubi** advocates for gradual captioning specifically for new pre-recorded content, and **Apple Canada** also endorses phased captioning for pre-recorded programs. This approach reflects a shared emphasis on incremental progress toward accessibility goals.

Analysis of intervention Responses

38. Building on the analysis of responses to Question 2, it is clear there is a strong foundation of support for 100% captioning of pre-recorded content among a significant number of organizations. Out of the responses, 17 organizations unequivocally support this requirement, emphasizing its importance for accessibility and inclusivity. Meanwhile, 5 organizations oppose the mandate entirely, and 11 propose conditional support, primarily limiting captioning to new content or allowing flexibility for older content. Additionally, 3 organizations advocate for a phased approach to implementation.

Stakeholder Response Analysis and Key Perspectives

39. This range of perspectives underscores the need for a balanced yet firm response from DWCC et al., advocating for full accessibility while addressing common industry concerns. With this in mind, DWCC et al. will now outline its

recommendations to reinforce the necessity and feasibility of 100% captioning for pre-recorded programming across all online streaming undertakings.

Analysis of Interventions

Re-iterating DWCC et al.'s Perspective to Q2

40. It is imperative that 100% captioning be required for pre-recorded programming, as there is no justifiable reason—financially or technologically—for anything less. In addition, DWCC et al. and others respectfully inquire whether the Commission will also consider requiring online streaming platforms to provide audio tracks for 100% of their pre-recorded content, ensuring full accessibility for all users.
41. DWCC et al. strongly supports the requirement for 100% captioning for English- and French-language pre-recorded programs, as it is a fundamental part of ensuring accessibility and inclusivity for all viewers, regardless of hearing ability.

Responding to other parties viewpoints for Q2

42. **DWCC et al.**, alongside numerous organizations such as **AMI-TV., AQPM, BAF, CAD-ASC, CDGM, CPSC-SCFP, DHC, IBG, PIAC, ReQIS, and Télé-Québec** (for French-language content), emphasizes the need for 100% captioning across all online streaming platforms. These organizations agree that captioning is essential for providing equal access to content and fostering inclusivity.
43. We also note that the **FRPC** supports the requirement but has suggested a timeline for implementation by 2025-2026. This is a reasonable timeline for platforms to adapt, though the urgency for full accessibility remains clear.

Opposition and Concerns

44. **DWCC et al.** acknowledges the opposition expressed by some organizations, including **Google, Prime Video, Quebecor Media, Rogers Media, and Roku.** However, DWCC et al. **rejects** the notion that there should be exemptions or delays in implementing 100% captioning, as these positions undermine the principle of equal access for all.
45. For example, **Google's stance on exempting third-party submissions is problematic**, as it may exclude a significant amount of content from accessibility considerations.

Addressing Google's Perspective: Ensuring Captioning for Critical Content

46. **DWCC et al.** acknowledges **Google's** broad stance and generally agrees; however, it strongly disagrees when captioning requirements are dismissed for television news or programming **redistributed** on **Google** by **legitimate broadcasters**. In cases where **Google** livestreams significant events on **YouTube**—such as notable public figures' funeral services, major disaster news, public health announcements, or celebration of life ceremonies—captioning must remain mandatory to ensure accessibility and inclusivity for all audiences in line with its broadcasting distributions.
47. Similarly, **Prime Video's** proposal to delay captioning until after 2026 is too long a wait, considering the pressing need for accessibility. The opposition from **Quebecor Media, Rogers Media, and Roku** further reinforces the barriers that **DWCC et al.** is working to dismantle, advocating for a level playing field for all platforms and content.

Conditional Support and Limitations

48. **DWCC et al.** recognizes that many companies, including **Apple Canada, Blue Ant Media, Eastlink, Disney+, CBC/Radio-Canada, CMPA, Corus, CPAC, DAZN, AQPM, DSO, Netflix, Paramount, TELUS, Tubi, and Universal Pictures**, have offered conditional support for captioning, but often with limitations based on new content or flexibility for older content. While **DWCC et al.** appreciates the support for captioning, we argue that flexibility should not come at the expense of universal accessibility. All content, regardless of age, should be fully captioned to ensure all users have access to media without delay or compromise.

Phased Conditional Support

49. **DWCC et al.** also notes that **Apple Canada, TELUS, and Tubi** propose a phased implementation approach. While phased approaches can be beneficial for gradual integration, they should not delay the overall goal of ensuring 100% captioning across all content. A phased approach should not reduce the urgency of providing equal access and must ensure that platforms commit to full compliance with captioning requirements in a reasonable timeframe.

DWCC et al. Position

Re-iterating DWCC et al.'s Perspective for Q2

50. DWCC et al. firmly asserts that the Commission should require online streaming undertakings to provide closed captioning for 100% of English- and French-language pre-recorded programs in their inventories. There is no valid justification, whether financial or technological, for allowing anything less than full accessibility. Accessibility is a fundamental right that must not be compromised.
51. **DWCC et al.** also raise a critical counterpoint: would the Commission similarly debate whether these undertakings should be required to provide audio tracks for 100% of their pre-recorded programs? The question highlights the inequity of considering exemptions for captioning while universally assuming the inclusion of audio tracks. This disparity underscores the need for consistent accessibility standards across all platforms to ensure equal access for Deaf and hard-of-hearing individuals.
52. Accessibility is a multi-faceted issue, and full accessibility extends beyond captions to include alternative audio descriptions for those with vision impairments. DWCC et al. believes that a comprehensive approach to accessibility should address both visual and auditory needs.

DWCC et al.'s response based on survey results

53. According to survey respondents, 75% reported issues with missing captions across platforms, highlighting the urgent need for comprehensive captioning coverage. Missing captions create significant barriers for Deaf, Deaf-Blind, and Hard of Hearing (DDBHH) Canadians, excluding them from accessing vital information and entertainment.
54. Respondents consistently expressed frustration with platforms that fail to provide captions for all content, particularly pre-recorded programming, which offers ample opportunity to implement accurate and synchronized captions.
55. The absence of captions for pre-recorded content undermines civic engagement, as demonstrated by the example with the Canadian Parliamentary Access Channel (CPAC). Despite providing captions for live broadcasts, CPAC has failed to caption its archived content since 2015, severely limiting access for DDBHH Canadians. The lack of captions for pre-recorded material restricts access to

critical information and educational content.

56. Critical access to civic engagement is essential to participation in the social fabric of Canadian society, and currently our grave concern is that CPAC has essentially disregarded DDBHH Canadians since 2015 by limiting to what it captions on its channel.
57. The community, the survey respondents expect 100% captioning as not just a necessity but a right. Captioning is essential for equitable access to content and is as critical as providing audio tracks for hearing audiences. Without comprehensive captioning, pre-recorded content remains inaccessible to a significant portion of the population.
58. Survey respondents noted that captioning technology has advanced significantly, making it both feasible and practical to caption 100% of pre-recorded programming. The lack of implementation is seen as a failure of will rather than capability.
59. Universal captioning benefits all, as it is not only essential for the DDBHH community but also benefits other audiences, such as non-native language speakers and those with temporary hearing impairments. Comprehensive captioning ensures inclusivity for all viewers.

Q2 Conclusion

60. In conclusion, DWCC et al. emphasizes that requiring 100% captioning for English- and French-language pre-recorded programs is not just a recommendation but an essential obligation to ensure full accessibility and inclusivity for all Canadians. Captioning is a fundamental right that must not be contingent on the size or revenue of a platform, nor delayed due to technological or financial concerns. With advanced captioning tools readily available, the argument against full implementation is untenable and reflects a lack of commitment to accessibility rather than a lack of capability.
61. Survey responses from the DDBHH community have made it clear that the absence of comprehensive captioning is a significant barrier to access, civic engagement, and cultural participation. Platforms that fail to caption pre-recorded content are effectively excluding a portion of the population from essential information and entertainment, perpetuating inequity. Equally, organizations such as CPAC, which have not captioned archived content since 2015, highlight the ongoing neglect faced by the DDBHH community. **This exclusionary practice**

must be addressed immediately.

62. DWCC et al. urges the Commission to adopt a regulatory framework that mandates 100% captioning for pre-recorded content across all platforms, without exceptions. Accessibility should not be treated as an afterthought but as a cornerstone of equitable media policy. Comprehensive captioning benefits not only the DDBHH community but also other groups, including non-native speakers and individuals with temporary hearing loss, creating a more inclusive media environment for everyone.

Q3: Is it feasible and appropriate for the Commission to require online streaming undertakings to provide closed captioning for 100% of English- and French-language live programs?

Response Analysis for Q3

63. **DWCC et al.** supports requiring 100%, with the sole condition that French-language captioning requirements for streaming services should align with those for traditional television—neither exceeding nor falling short—while following the same timeline to reach 100% compliance. However, positions across organizations vary significantly, and the feasibility of this mandate is debated.

64. Out of the organizations responses regarding the feasibility and appropriateness of requiring 100% captioning for live programs, **8 organizations fully support the requirement**, emphasizing its importance for accessibility and equitable access. **9 organizations oppose the mandate**, citing feasibility challenges, while **6 propose a phased approach**, suggesting gradual implementation as technology improves. **5 organizations deem live captioning entirely infeasible**, and **3 specifically highlight challenges for French-language content, classifying it as infeasible for such programs**. Additionally, **2 organizations remain unclear in their positions**, while **1 organization supports the requirement with specific conditions**. Finally, **2 organizations advocate for partial live captioning**, citing limitations for specific types of programming or challenges faced by smaller services. This spectrum of responses reflects a diversity of perspectives shaped by technological, linguistic, and operational factors.

65. Below is a categorized breakdown of stakeholder positions of support, phased approach, partial or conditional support or opposition to the requirement for 100% captioning of live programs.

Support for 100% Live Captioning

66. The eight organizations that fully support the requirement for 100% captioning of live programs in both languages are: **DWCC et al., CAD-ASC, CDGM, DHHC, FRPC, IBG, PIAC and ReQIS.**
67. **FRPC** supports with enforcement, and **PIAC** supports without indefinite exemptions.
68. These ten (10) organizations emphasize accessibility and assert that 100% live captioning is achievable and necessary for equitable access.

Phased Approach to Live Captioning

Several organizations advocate for a phased implementation, suggesting gradual adoption to address technological and logistical challenges:

69. Six (6) organizations advocate for a phased implementation, suggesting gradual adoption to address technological and logistical challenges: **AMI-TV, AQPM, AQ, BAF, CBC/Radio-Canada** and **CMPA**. However **Audition Québec** supports with a three-year phased approach, the **BAF** supports the gradual implementation of live captioning, while **CMPA** supports the gradual implementation as technology improves.
70. These organizations support the concept of live captioning but suggest implementing it incrementally to address cost and technical challenges.

Partial or Conditional Support

71. Three (3) organizations, **Bell Media, BAM** and **Disney+** propose partial live captioning or conditional support due to specific challenges. **Bell Media** suggests live captioning support only where feasible, **BAM** supports partial captioning due to challenges while **Disney+** pitches flexible support.
72. These organizations recognize the value of live captioning but note significant hurdles, such as unpredictable events or smaller service providers' limitations.

Opposition to 100% Live Captioning

73. Nine (9) organizations: **Apple Canada, Corus, CPAC, DAZN, Google, Netflix, Paramount, PV** and **Rogers Media** oppose mandatory 100% live captioning, citing technological, financial and content-specific challenges. These

organizations argue that 100% captioning is impractical, especially for sports, unpredictable live events, or certain platform limitations.

74. These organizations argue that 100% live captioning is impractical, especially for sports, unpredictable live events, or certain platform limitations.

Infeasibility Cited for French-Language Content

75. Five (5) organizations highlight specific challenges with French-language live captioning: **Quebecor Media, Roku, Télé-Québec, TV5 Québec with Quebecor** citing significant challenges with French content. These organizations emphasize unique language and regional challenges that make 100% live captioning difficult to achieve.

Organizations Without Clear Stance

76. A few organizations, such as **DSO and Universal Pictures**, did not clearly support or oppose 100% live captioning, citing ongoing challenges or a lack of live content offerings.

Analysis of Interventions

Response Analysis and Key Perspectives

77. **DWCC et al.** strongly supports the requirement for 100% live captioning in both English and French, emphasizing the critical role it plays in ensuring accessibility and inclusivity for all viewers. However, the responses from other organizations reveal a significant divergence of opinions, shaped by varying perspectives on technological, financial, and operational feasibility. While ten organizations align with **DWCC et al.**'s stance, underscoring the importance of equitable access, others express concerns or propose alternative approaches.

78. Notably, six organizations advocate for a phased implementation, citing the need for gradual adoption to address technological and logistical hurdles. Meanwhile, nine organizations oppose the mandate outright, pointing to challenges such as the unpredictable nature of live events and platform limitations, particularly for sports or smaller providers. A subset of organizations highlights the unique difficulties of French-language captioning, deeming it infeasible due to regional and linguistic complexities.

79. Additionally, three organizations propose partial or conditional support, while two remain unclear in their positions. This spectrum of responses underscores the

complexity of the issue, reflecting the interplay between accessibility goals and practical constraints across different contexts.

Responding to other parties viewpoints

80. **DWCC et al.** strongly reaffirms its stance that 100% captioning for live programs is essential to achieving accessibility and inclusivity for all audiences, regardless of the content's language. While acknowledging the logistical and technological concerns raised by some stakeholders, **DWCC et al.** believes these challenges can be addressed through innovation and commitment.
81. **DWCC et al.** recommends establishing firm timelines for phased implementation where necessary, provided that French language captioning for streaming follows the same requirements and timeline as traditional television.
82. Immediate compliance and prioritizing critical live content such as news, public health announcements, emergency broadcasts are necessary.
83. The **DWCC et al.** encourages collaboration between regulators, broadcasters, and technology providers to develop scalable solutions for live captioning, including French-language content.
84. Whereas there are claims for infeasibility, **DWCC et al.** recommends mandating ongoing progress reports from organizations to ensure accountability and demonstrate improvements.

Re-iterating DWCC et al.'s Perspective for Q3

85. **DWCC et al.** et al. firmly responds in the affirmative, emphasizing that the requirements for French-language captioning on streaming undertakings should align with those established for traditional television platforms. The timeline and expectations for achieving 100% captioning should be consistent across both mediums—neither exceeding nor falling short of one another.

DWCC et al. Position

DWCC et al.'s response based on Key Insights of Survey results

86. There was a clear high demand for live captioning. Survey respondents emphasized the critical need for live captioning. Among sports streaming platforms, for example, 55% of respondents reported significant issues with missing captions during live events, particularly for hockey games. This gap

excludes Deaf, Deaf-Blind, and Hard of Hearing (DDBHH) Canadians from fully participating in real-time events, such as sports, news, and live cultural programming.

87. Live captioning faces challenges with synchronization and quality. According to the survey, 46% of respondents identified synchronization as a persistent issue, while 34% noted captions being too fast or too slow. These issues underscore the importance of implementing rigorous quality standards alongside the mandate for 100% live captioning.
88. **DWCC et al.** noticed a high response level for universal applicability for captioning with the survey whereas respondents stressed the need for live captioning across all platforms and programs, regardless of content type. Inconsistent captioning quality or availability disproportionately impacts the DDBHH community, creating barriers to accessing real-time information and events.
89. **DWCC et al.** agrees there are practical feasibilities with current technology options. Technological advancements, such as automated speech recognition (ASR) and live human captioning systems, make 100% live captioning feasible. Respondents emphasized that platforms already investing in cutting-edge audio and visual technologies should equally prioritize captioning to ensure inclusivity.
90. **DWCC et al.** identified broader accessibility benefits when examining all the intervention responses. While captioning is essential for DDBHH Canadians, live captions also benefit hearing audiences, such as non-native speakers, individuals in noisy environments, and those with temporary hearing loss. Universal live captioning enhances the overall user experience and accessibility for a wide audience.
91. French-language survey respondents noted similar challenges with captioning availability and quality for live programs, particularly on streaming platforms. Aligning the requirements for French-language live captioning with traditional television ensures parity in accessibility and serves to bridge systemic gaps.
92. The survey analysis highlights several key insights that underline the urgency and importance of implementing 100% live captioning across all platforms. Respondents identified significant gaps in accessibility, especially for the DDBHH community, who face barriers to fully participating in live events such as sports, news, and cultural programming. Synchronization and quality challenges were

also raised as critical concerns, emphasizing the need for strict standards alongside the mandate.

93. Furthermore, the feasibility of live captioning has become more attainable with advances in technology, making it an essential step for ensuring inclusivity. As we transition into the recommendations section, these insights serve as a foundation for addressing the practical, technological, and policy-related considerations necessary to ensure universal accessibility through live captioning.

Conclusion

94. The findings from the survey underscore the urgent need for consistent and high-quality live captioning across all platforms. **DWCC et al.** maintains that aligning French-language captioning requirements for streaming services with those of traditional television is essential to ensuring equitable access for all audiences. Persistent gaps in live captioning—particularly in sports, news, and cultural programming—continue to exclude the DDBHH community, reinforcing the necessity of strict quality and synchronization standards.

95. Advancements in technology have made 100% live captioning more feasible than ever, yet accessibility remains inconsistent. The survey responses highlight the demand for universal captioning, demonstrating its broader benefits for a wide range of users beyond the DDBHH community. As we move forward, these insights serve as a crucial foundation for shaping policies and industry practices that prioritize accessibility, equity, and inclusivity in the evolving media landscape.

Q4: What factors should the Commission take into consideration that specifically relate to the online broadcasting environment (e.g., are there challenges or obstacles related to technology, resources, acquired content, etc.)?

Response Analysis for Q4

96. In response to the challenges identified by various stakeholders, **DWCC et al.** and several other organizations, including **CAD-ASC** and **FRPC**, advocate for the establishment of universal standards to ensure consistent accessibility across all platforms. They stress that addressing systemic inequities in accessibility requires a commitment to consistent practices, regardless of the platform's size or resources.

97. Beyond specific issues like uncaptioned interstitial material, there remains a broader need for universal standards to ensure accessibility across all platforms.
98. While many organizations have raised concerns about the feasibility of implementing such standards, especially for older or third-party content, **DWCC et al.** argue that technological advancements, such as AI, ASR, and machine learning, offer viable solutions to overcome these challenges.
99. Furthermore, while some platforms point to financial and resource limitations, **DWCC et al.** believe that accessibility should remain a priority, emphasizing that the benefits of a more inclusive platform environment far outweigh the costs. This stance is grounded in the belief that accessibility is a fundamental right and should not be compromised by technical or financial constraints.

Stakeholder Perspectives Overview:

100. **DWCC et al., CAD-ASC, FRPC,** and others advocate for consistency across platforms to ensure accessibility, emphasizing that streaming undertakings should resolve their unique challenges—just as traditional television has done—while supporting universal standards to address systemic inequities.
101. The most common issues organizations had with older or third-party content, appearing 11 times, were **Eastlink, Disney+, CMPA, Google, IBG, Netflix, Paramount, PIAC, Prime Video, Rogers Media** and **Universal Pictures.**
102. The challenge of technical feasibility and complexity was raised 9 times with the organizations of **Apple Canada, Bell Media, BAM, CBC/Radio-Canada, DAZN, DSO, Paramount, Roku, TV5 Québec.**
103. Live programming presents unique challenges and is often described as particularly challenging, with synchronization and real-time captioning cited as critical concerns.
104. Several organizations, including **DWCC et al.,** advocate for universal standards across all platforms, emphasizing the size or resources should not be a barrier. They assert that technological advancements now make it feasible to address existing challenges and ensure equitable access.
105. Some stakeholders highlight specific hurdles related to acquired content, older programming, and licensing agreements. The five (5) following organizations mentioned cost constraints as their challenges, **Quebecor Media,**

Télé-Québec, TV5 Québec, Eastlink, and CPSC-SCFP. Hence smaller platforms argue they lack the financial and technical resources to ensure accessibility.

106. French-language and linguistic challenges were raised by **AQPM, CPSC-SCFP, Quebecor Media.**
107. **Bell Media, Corus, CPSC-SCFP** raised resource limitations as an issue while device-specific challenges were cited by **BAF** and **DSO**. Platforms like **CBC/Radio-Canada** propose phased approaches to manage the gradual transition while addressing resource constraints.
108. Organizations like **Quebecor Media** and **DAZN** emphasize the infeasibility of universal standards due to technological or linguistic challenges, opposing strict mandates.
109. The most common challenges are related to **older or third-party content (11 occurrences)**, followed by **technical feasibility and complexity (9 occurrences)**, and **cost constraints (6 occurrences)**. These highlight the primary barriers to implementing universal captioning standards across platforms.

Response Analysis and Key Perspectives

110. **DWCC et al.** emphasize that the Commission must account for the evolving nature of online broadcasting, ensuring that accessibility standards address both current challenges and future advancements.

Key Perspectives: Limitations, Gaps and Challenges

111. Many organizations identified the complexity of ensuring accessibility for older programming or third-party content. Licensing agreements, outdated formats, and the need for collaboration with external content providers were noted as significant barriers. Older content and third-party licensing often limit accessibility, particularly for smaller platforms. This highlights a gap in accountability and the lack of universal standards for acquired content, which often leads to inconsistent captioning quality.
112. The technological limitations and complexity of implementing 100% live captioning were frequently cited. Organizations pointed to challenges in synchronization, real-time captioning accuracy, and the variability of platform

capabilities. These gaps reflect the need for advanced solutions, such as automated speech recognition (ASR), alongside robust quality assurance systems to ensure consistency.

113. Smaller platforms and some regional broadcasters reported financial limitations and cost constraints as a major hurdle to implementing universal captioning. The high costs of retrofitting older content, acquiring advanced technologies, and scaling operations to meet accessibility requirements disproportionately affect less-resourced organizations, creating inequities in accessibility.
114. French-language content faces unique linguistic and regional barriers as accessibility challenges, as highlighted by **AQPM**, **Quebecor Media**, and others. These include a lack of tailored technological solutions and higher costs for captioning in French. This gap perpetuates disparities in accessibility for linguistic minorities.
115. Live content, particularly sports, news, and cultural events, presents unique challenges and limitations. Issues such as caption synchronization, real-time updates, and variability in live event formats underscore the difficulty of achieving consistent accessibility for this category of programming. Real-time captioning requires rigorous quality standards.
116. Smaller platform organizations argue that limited financial and technical resources make universal captioning mandates challenging to implement. They emphasize the disproportionate burden of accessibility requirements on platforms with smaller user bases or less revenue, leading to disparities in accessibility offerings.
117. The diversity of devices and platforms adds another layer of complexity with potential compatibility issues. Organizations like **BAF** and **DSO** pointed out challenges with device-specific tools and inconsistent compatibility with assistive technologies, creating usability gaps for diverse audiences.
118. Some organizations propose phased approaches as a solution to balance accessibility goals with financial and technical constraints. This acknowledges the resource limitations while creating a roadmap for incremental improvements. However, this approach risks delaying equitable access if timelines are extended indefinitely.

119. These themes collectively highlight systemic gaps in accessibility, especially for older content, French-language programming, live events, and smaller platforms. Addressing these limitations will require targeted investments, collaborative solutions, and stronger accountability measures across the industry.

Re-iterating DWCC et al.'s Perspective for Q4

120. **DWCC et al.**, along with others, acknowledges that traditional television entities faced challenges in transitioning captioning from cable or satellite to online platforms, such as issues with incompatible captioning feeds. However, these problems were largely resolved several years ago, and it is reasonable to expect that streaming platforms will overcome any unique challenges they face within a short timeframe.

121. **DWCC et al.** further points out that some current difficulties, such as the abrupt insertion of uncaptioned commercials in streaming content, are self-inflicted. They recommend that streaming platforms provide clear pauses before and after interstitial material to ensure proper captioning initiation.

DWCC et al. Responding to Other Parties' Viewpoints

122. **DWCC et al.** acknowledges the concerns raised by some stakeholders regarding feasibility, particularly for smaller platforms and acquired content. However, **DWCC et al.** counters and suggests addressing the challenges with proposed solutions.

123. For the challenges of older and third-party content, **DWCC et al.** acknowledges the complexities of retrofitting older content with captions and working with third-party providers. However, accessibility must not be compromised due to age or origin of the content. **DWCC et al.** advocates for:

- a. Clear **minimum standards** for older and acquired content, supported by **compliance timelines**.
- b. **Collaborative approaches** between platforms and content providers to implement solutions, such as third-party partnerships to update older materials.
- c. Emphasizing that platforms already profiting from this content have a **responsibility to invest** in making it accessible.

124. While **DWCC et al.** recognizes the challenges of real-time captioning for live programs, technological advancements like automated speech recognition (ASR)

and machine learning make significant improvements achievable. Current captioning tools can address many of these barriers. **DWCC et al.** emphasizes:

- a. The need for **mandatory technological investments** by platforms to leverage emerging solutions.
- b. A **universal standard for synchronization, speed, and readability**, ensuring consistency across platforms and eliminating variability in user experiences.
- c. Collaboration with the industry to set **clear benchmarks and pilot programs** to address technological barriers gradually.

125. **DWCC et al.** understands that smaller platforms face financial limitations, but accessibility should not be viewed as optional. **DWCC et al.** suggests:

- a. A **phased approach** for smaller platforms, with support mechanisms like **government incentives, grants, or partnerships** to reduce financial burdens.
- b. **Cost-sharing models** where platforms collaborate with content producers to jointly bear the cost of accessibility improvements.
- c. Emphasizing the broader economic benefits of accessibility, such as increased user engagement and inclusivity.

126. **DWCC et al.** is committed to ensuring linguistic equity. Accessibility standards must apply equally to French and English content. **DWCC et al.** proposes:

- a. Setting **parity requirements** for French-language captioning, ensuring standards for quality and timelines match those of English content.
- b. Targeting **investment in linguistic tools and resources**, such as ASR tailored to French-language nuances.
- c. Addressing regional disparities by advocating for **localized support initiatives** to meet specific needs in French-speaking areas.

127. Live programming is critical for equitable access to news, sports, and cultural events. To achieve accessibility, the **DWCC et al.** recommends:

- a. Developing **real-time captioning standards** for live content with mandatory quality benchmarks.
- b. Leveraging **hybrid captioning models**, such as integrating ASR with human oversight to improve accuracy and synchronization.
- c. Ensuring **accountability through monitoring and enforcement** of live captioning quality.

128. **DWCC et al.** values inclusivity for all platforms, regardless of size, and proposes:
- a. Tiered implementation schedules that **prioritize larger platforms** first while providing smaller platforms with extended timelines and support.
 - b. Collaboration with industry stakeholders to ensure resource-strapped platforms can adopt **scalable, cost-effective solutions** without compromising on accessibility.

DWCC's Position based on Stakeholder Views:

129. **DWCC et al.** respects the challenges raised by other parties, these should not overshadow the **moral and legal imperative of accessibility**. **DWCC et al.'s** response must highlight a **collaborative and solutions-oriented approach** that balances feasibility with the urgent need for equitable access, rooted in the belief that accessibility is a **universal right, not a privilege**. Accessibility is a fundamental right, and platforms of all sizes must ensure equitable access to content.

DWCC et al.'s Response Based on Key Survey Insights

130. Survey responses provide valuable context for understanding the accessibility challenges related to technology, resources, and acquired content.

Technological Challenges

Synchronization Issues for Live Content (46%)

131. **DWCC et al.** survey respondents cite technological challenges with live and pre-recorded content, with **46%** of respondents identified synchronization issue, particularly for live content, as a significant barrier across platforms, suggesting that the transition from traditional to online broadcasting technologies may not be seamless for all undertakings. Platforms face difficulties ensuring captions are synchronized in real time, particularly during live broadcasts. This suggests a lack of seamless integration between traditional broadcasting and online streaming technologies. **Respondents also acknowledged that technological advancements make improvements feasible.**

Caption Speed (41%)

132. Captioning technology displays captions too fast or too slow, reflecting variability in the quality of captioning technology used across streaming platforms. This inconsistency negatively impacts user experiences.

Interstitial Material and Commercial Breaks

133. When it comes to interstitial material and commercial breaks, survey respondents emphasized the need for captioning during all content, including advertisements and interstitial material. Many reported frustration with uncaptioned ads or abrupt commercial interruptions that disrupt caption continuity and accessibility. The absence of captions during ads and interstitial material disrupts accessibility, revealing gaps in captioning implementation for supplementary content on platforms. These issues highlight a gap in the streaming environment that must be addressed through regulatory oversight.

Customization Features (68%)

134. The survey found that 68% of respondents require customizable captions, such as font size, color, and background, emphasizing a lack of uniform options across platforms. These features are often inconsistent across devices and platforms. Many platforms lack customizable captioning options (e.g., font size, color, and background), creating accessibility barriers for DDBHH users who rely on these features. This inconsistency is particularly problematic for the DDBHH community, who rely on tailored accessibility options to navigate diverse streaming environments effectively.

Accessibility for Deaf-Blind Users

135. Deaf-Blind respondents indicated additional challenges in accessing captions via screen readers or refreshable braille displays. This suggests a lack of technological consideration for the diverse needs of DDBHH audiences. These obstacles suggest that streaming platforms may not be fully considering the diverse technological needs of their audiences.

Resource Challenges

Regulatory Oversight for Commercial Content

136. Frustration with uncaptioned ads and commercial breaks underscores the need for greater regulatory oversight and enforcement to ensure comprehensive accessibility.

Investment in Advanced Technology

137. While respondents acknowledged that technological advancements make improvements feasible, the survey implies that platforms may lack sufficient investment in tools like AI, ASR, and machine learning to address gaps in live and pre-recorded captioning quality.

Implementation Across Platforms and Devices

138. Inconsistent accessibility features across devices indicate resource constraints or a lack of prioritization by streaming platforms in ensuring a uniform user experience.

Barrier to Essential Features

139. Resource limitations seem to prevent platforms from fully implementing customization and advanced assistive technologies like screen readers or braille displays, leaving certain demographics underserved.

Acquired Content Challenges

140. In the matter of acquired content challenges, survey respondents reported significant variability in captioning quality for acquired content, such as older movies and international programming. For example, **32%** of respondents noted poorly translated captions. Streaming undertakings often fail to ensure that third-party content adheres to captioning standards, leaving DDBHH audiences underserved.

141. Additionally, **54%** of respondents reported missing captions in acquired content, highlighting systemic gaps in accessibility. Respondents emphasized that inconsistent accessibility disproportionately impacts DDBHH users, creating barriers to essential information and entertainment.

Concluding comments for Q4

142. The **DWCC et al.** advocates for universal accessibility standards that address the unique challenges of the online broadcasting environment. By investing in technology, enforcing customization options, and ensuring accountability for acquired content, the Commission can create an inclusive and equitable digital landscape.

143. As **DWCC et al.** noted, traditional television undertakings resolved many challenges related to transitioning captioning technologies. Streaming undertakings should similarly be required to resolve their unique challenges within a short timeframe, with clear regulatory oversight and enforcement. These measures will empower DDBHH Canadians to fully participate in online programming while fostering innovation and accessibility across the industry.

144. By tackling technological and operational challenges, the Commission can create an equitable and accessible online streaming environment for all Canadians, with a particular focus on the DDBHH community. Requiring 100% live captioning with consistent quality and alignment across languages and platforms will ensure significant progress toward greater accessibility and inclusivity for everyone.

Q5: Keeping in mind the nature of pre-recorded content, why would a 100% accuracy rate not be appropriate for English- and French-language pre-recorded programs?

Response Analysis for Q5

145. **DWCC et al.** strongly asserts that a 100% accuracy rate for pre-recorded programs is both appropriate and achievable. Since pre-corded content allows ample time for editing, error correction, and quality control, there is no justification for inaccuracies. If a program is not ready with 100% accurate captions, it must not be aired or distributed. Ensuring this standard upholds accessibility for DDBHH Canadians and aligns with fundamental equity principles.

146. However, stakeholder responses reflect a spectrum of perspectives, with some advocating for flexibility due to challenges in retrofitting older or acquired content and others fully supporting **DWCC et al.’s** position.

Stakeholder Perspectives Overview

147. **DWCC et al.**, **CAD-ASC**, and **PIAC** emphasize that pre-recorded content provides ample time for captions to meet the highest quality standards.

Fully Support 100% Accuracy for Pre-Recorded Content

148. The following support 100% accuracy for pre-recorded content: **DWCC et al., Accessible Media Inc., AQPM, Audition Québec, BAF, Bell Media, Eastlink, Disney+, CAD-ASC, CBC/Radio-Canada, CDGM, CMPA, DHHC, FRPC, PIAC.**

Support 100% Accuracy with Flexibility or Specific Context

149. The following offer flexible or partial standards for pre-recorded content: **Blue Ant Media, Paramount, Prime Video, Quebecor Media, ReQIS, Télé-Québec, Tubi, TV5 Québec, Universal Pictures.** The frequent comment rationale used to challenge the feasibility of 100% accuracy is impractical and unrealistic. **Quebecor Media** suggests revised accuracy to 90% during transition.
150. **CBC/Radio-Canada** and other organizations suggest that slightly lower accuracy benchmarks might be more feasible for specific cases, such as acquired content or rapid-turnaround programs.
151. **DAZN** has no clear stance on pre-recorded accuracy.
152. A total of 34 organizations support 100% accuracy for pre-recorded content.

Opposition to 100% Accuracy

153. The following oppose 100% accuracy for pre-recorded content: **Corus, CPAC, CPSC-SCFP, DSO, Google, Roku, TELUS.** Stakeholders like **Quebecor Media** and **Netflix** argue that achieving 100% accuracy is impractical due to resource constraints and challenges with older or third-party content.
154. A total of 6 organizations oppose 100% accuracy for pre-recorded content.

Response Analysis and Key Perspectives

155. **DWCC et al.** strongly asserts that a 100% accuracy rate for pre-recorded content is both appropriate and necessary. Unlike live programming, pre-recorded content allows ample time for editing, error correction, and quality control, leaving no justification for errors. The absence of real-time constraints makes this standard critical for ensuring equitable access for Deaf, DeafBlind, and Hard of hearing (DDBHH) Canadians and upholding accessibility standards.

DWCC et al.'s Position

156. **DWCC et al.'s** position is broadly supported by several stakeholders who emphasize that pre-recorded content provides sufficient time to meet the highest quality standards for captions. These stakeholders fully support 100% accuracy for pre-recorded content, including: **AMI., AQPM, Audition Québec, BAF, Bell Media, Disney+, CAD-ASC, CBC/Radio-Canada, CDGM, CMPA, DHHC, Eastlink, FRPC,** and **PIAC.**
157. However, some stakeholders advocate for flexibility, arguing that 100% accuracy may not always be feasible, particularly for older or acquired content or rapid-turnaround programs. For instance, **Quebecor Media** suggests a revised accuracy rate of 90% during a transitional phase, and other organizations, such as **CBC/Radio-Canada,** have proposed slightly lower accuracy benchmarks for specific cases.
158. A smaller group of organizations opposes 100% accuracy for pre-recorded content, citing practical constraints, particularly with older or third-party content, or resource limitations. These include **Corus, CPAC, CPSC-SCFP, DSO, Google, Roku,** and **TELUS.**
159. **DWCC et al.** is aligned with organizations such as **CAD-ASC, PIAC,** and **Accessible Media Inc.,** which support 100% accuracy for pre-recorded content, emphasizing that the nature of pre-recorded content makes this feasible. This technological feasibility is made possible by advances in AI, ASR, and machine learning tools make achieving 100% accuracy both practical and efficient, especially when paired with human oversight.
160. Accessibility must align with quality benchmarks set for other production elements, such as high-quality audio for hearing audiences for equity in standards.
161. In conclusion, while **DWCC et al.** maintains that 100% accuracy is achievable and necessary for pre-recorded content, there are diverse viewpoints regarding its feasibility, with many stakeholders offering flexibility based on specific circumstances.

DWCC et al. Responding to Other Parties' Viewpoints

162. While **DWCC et al.** understands resource constraints for smaller platforms limited financial and technical resources may hinder consistent application of 100% accuracy benchmarks. In addition to comments where there are acquired content complexities, with retrofitting captions for older or third-party materials with incomplete source files presents additional hurdles.
163. **DWCC et al.** challenges with the concept that accessibility is a universal right and in this regard, platforms profiting from content must allocate resources to ensure it is accessible. Collaborative solutions should be considered such as the option where platforms should work with content providers and use regulatory timelines to ensure older materials meet captioning standards.

Re-iterating DWCC et al.'s Perspective for Q5

164. In response to Question 5, **DWCC et al.** emphasizes that the question is confusingly structured and asserts that anything less than 100% accuracy is not appropriate for pre-recorded content. The very nature of "pre-recorded" content affirms that there is sufficient time to ensure 100% accuracy in captioning before the program is distributed.
165. **DWCC et al.** acknowledges that, on rare occasions, a program may be delivered to the broadcaster close to airtime, but it remains pre-recorded and must still meet the 100% accuracy standard before airing. If the captions are not ready in time, the program should not be aired or distributed.

DWCC et al.'s Response Based on Key Survey Insights

166. Survey findings reinforce the feasibility and necessity of 100% accuracy. Based on the key survey insights, **DWCC et al.** asserts that the necessity and feasibility of achieving 100% accuracy in captioning for pre-recorded programs is undeniable. The survey clearly highlights the prevalence of captioning issues, with **54%** of respondents reporting missing captions and **32%** identifying problems such as poorly translated captions or omitted audio details. These inaccuracies significantly hinder the accessibility of content for Deaf, Deaf-Blind, and Hard-of-Hearing (DDBHH) individuals.
167. Moreover, respondents overwhelmingly expect pre-recorded programs to meet the highest accuracy standards. They emphasize that, unlike live

broadcasts, pre-recorded content should not be subject to the same time constraints and, therefore, offers a perfect opportunity for ensuring flawless captioning. The frustration expressed by respondents regarding recurring, avoidable errors in pre-recorded content further underscores the need for comprehensive and accurate captioning. These errors are seen as preventable with proper resources, standardized processes, and diligent oversight.

168. Respondents demanded high standards with responses that overwhelmingly expect pre-recorded programs to meet the highest accuracy benchmarks, citing the absence of real-time constraints as justification.

169. Crucially, survey respondents acknowledge that the technological tools required to achieve 100% accuracy in captioning already exist. Modern captioning technology, when combined with human review, ensures that accuracy can be achieved and maintained. This combination of technology and human oversight makes it not only feasible but essential to guarantee full and accurate captioning for all pre-recorded content. **DWCC et al.** strongly supports this perspective, urging the Commission to mandate that all platforms provide

Q5 Conclusion

170. In conclusion, these recommendations aim to balance the need for high standards of accessibility with the operational realities faced by broadcasters and content providers, ensuring that all Canadians, regardless of hearing ability, have equal access to media content.

171. **DWCC et al.** maintains that 100% accuracy for pre-recorded programs is both appropriate and essential to ensuring equitable access for DDBHH Canadians. With modern technology, clear accountability, and proper resource allocation, achieving this standard is feasible for all platforms. The Commission must enforce strict quality standards to foster an inclusive and accessible digital landscape.

Q6: How should captioning accuracy be measured for live programs?

Response Analysis for Q6

172. **DWCC et al.** emphasizes that the **Number, Edition, Recognition (NER) system** remains the most effective method for measuring live captioning accuracy. This established tool provides consistent benchmarks, ensuring accountability across platforms. While the NER system is widely supported,

stakeholders' opinions express concerns about its adequacy, particularly regarding the feasibility of achieving high accuracy for live content, particularly for French-language programming.

Stakeholder Perspectives Overview

173. **DWCC et al.**, along with **CAD-ASC**, **FRPC**, and **PIAC** support and endorse the continued use of the NER system, citing its reliability and effectiveness in evaluating and measuring live captioning accuracy.

Support NER Model for Live Captioning

174. The following 17 organizations also **support** the NER model for live captioning, setting the accuracy rate at 98% for English-language programming and 85% for French-language programming: **DWCC et al.**, **Accessible Media Inc.**, **AQPM**, **Audition Québec**, **BAF**, **Bell Media**, **Blue Ant Media**, **CAD-ASC**, **CBC/Radio-Canada**, **CDGM**, **CMPA**, **Corus**, **PIAC**, **Rogers Media**, **TELUS**, and **TV5 Québec**.

Support for Flexible or Adaptable Live Captioning Standards

175. The following six organizations **support flexible or adaptable** live captioning standards: **Disney+**, **CPAC**, **CPSC-SCFP**, **Netflix**, **Roku**, **Tubi**.
176. Some stakeholders, such as **CBC/Radio-Canada**, advocate for flexible benchmarks to account for challenges in real-time captioning.

Opposition to Strict Accuracy Mandates for Live Captioning

177. The following 7 organizations **oppose** strict accuracy mandates or did not provide clear positions on live captioning accuracy: **Eastlink**, **Google**, **Disability Screen Office**, **DAZN**, **Paramount**, **Prime Video**, **Universal Pictures**.

Concerns or Have Challenges for Live Captioning

178. Four organizations **expressed concerns or have challenges** about live captioning accuracy: **DHHC** supports a 95% minimum for live programming, **ReQIS** supports 95% accuracy for all languages, **Télé-Québec** mentions challenges for French-language captioning, and **Quebecor Media** has a preference for the NER/WER model. Some of these organizations highlight linguistic complexities that can impact accuracy rates for French-language live

programming and raise concerns about the challenges of achieving high accuracy in unpredictable live scenarios, particularly for French-language programs.

179. In summary, while broad support exists for the NER model as a reliable benchmark for live captioning accuracy, particularly among 17 organizations endorsing its 98% accuracy standard for English and 85% for French, there is notable divergence in stakeholder perspectives. Some advocate for flexibility to address the unique challenges of live captioning, especially for French-language programming and unpredictable scenarios, while others oppose strict accuracy mandates altogether.
180. These differing viewpoints underscore the need for a balanced approach that ensures high-quality live captioning standards while accommodating practical and linguistic complexities to ensure accessibility for viewers.

Re-iterating DWCC et al.'s Perspective

181. **DWCC et al.'s** perspective emphasizes that the Commission's question about how to measure live captioning accuracy is unnecessary, as the NER system is already established for this purpose. **DWCC et al.** highlights that if the Commission questions the adequacy or efficiency of the NER system, a separate proceeding should be initiated to address those concerns specifically.
182. **DWCC et al.'s** perspective emphasizes that the existing NER system benchmarks should continue to serve as the standard for captioning accuracy in live programs. **DWCC et al.** asserts that there is no reason the NER system's established accuracy rates—98% for English and 85% for French—should not also be applied to streaming undertakings, ensuring consistency across platforms.
183. Regarding different captioning accuracy rates for English- and French-language live programs, **DWCC et al.** acknowledges the Commission's existing policy of differentiated standards. **DWCC et al.** highlights that this approach reflects the unique challenges of French-language captioning, with the ultimate goal being to achieve near-100% accuracy over time. This policy balances the need for high-quality accessibility with the practical realities of captioning in French, affirming the importance of continued progress in this area.

184. Additionally, **DWCC et al.** directs attention to the Canadian Association of the Deaf's 2018 report, *Understanding User Responses to Live Closed Captioning in Canada*, for a comprehensive analysis and evidence-based insights on this matter.

Stakeholder Response Analysis and Key Perspectives

185. **DWCC et al.** identifies the following key factors for measuring live captioning accuracy based on stakeholder responses and viewpoints.

NER System as a Benchmark

186. The NER system remains a reliable and widely used tool for assessing live captioning accuracy, providing clear benchmarks for platforms to follow. **DWCC et al., CAD-ASC, FRPC, PIAC**, and 13 additional organizations (17 total) support the NER model, endorsing its benchmarks of 98% accuracy for English and 85% for French. These organizations view the NER system as a reliable framework for maintaining accountability and ensuring accessibility.

Advocacy for Flexibility

187. **DWCC et al., CAD-ASC, FRPC, PIAC**, and 13 additional organizations (17 total) support the NER model, endorsing its benchmarks of 98% accuracy for English and 85% for French. These organizations view the NER system as a reliable framework for maintaining accountability and ensuring accessibility.

Strict Mandates are Opposed

188. Seven organizations, including **Google, Paramount, Prime Video, and Universal Pictures**, either oppose strict accuracy mandates or do not provide clear positions. Their concerns often relate to the resource-intensive nature of live captioning and the challenges of achieving high accuracy in live settings.

Challenges and Concerns

189. Four organizations (**DHHC, ReQIS, Télé-Québec, and Quebecor Media**) acknowledge challenges in live captioning. These include difficulties in meeting accuracy benchmarks for French-language programming, the unpredictability of live scenarios, and technological or resource constraints. While **DHHC** and **ReQIS** support a 95% accuracy minimum, others suggest adapting standards to address these challenges.

DWCC et al. Responding to Other Parties' Viewpoints

190. **DWCC et al.** strongly reaffirms its support for the NER system as the most effective and reliable method for measuring live captioning accuracy. It highlights the system's capacity to provide consistent benchmarks that ensure accountability and accessibility across platforms. **DWCC et al.** emphasizes that the NER model's established benchmarks of 98% accuracy for English and 85% for French remain appropriate and achievable standards. These standards are widely endorsed by **DWCC et al.** and 16 additional organizations, including **CAD-ASC, FRPC, and PIAC.**
191. In response to stakeholder perspectives advocating for flexibility, **DWCC et al.** acknowledges the challenges of live captioning, particularly for French-language programming and unpredictable live scenarios. However, **DWCC et al.** maintains that these challenges should not justify the abandonment or reduction of clear accuracy mandates. Instead, **DWCC et al.** suggests that resource allocation and technological innovation can address these complexities effectively.
192. For stakeholders opposing strict mandates, **DWCC et al.** asserts that accessibility is a fundamental right and should not be compromised due to resource constraints or operational challenges. It encourages the Commission to prioritize solutions that uphold the highest standards of accessibility, leveraging the NER system's proven framework as the cornerstone for live captioning accuracy.
193. Should the Commission have doubts about its adequacy or efficiency, **DWCC et al.** recommend a separate proceeding to address and refine this issue. For a deeper exploration of user feedback on live captioning accuracy, we refer to the Canadian Association of the Deaf's 2018 report, *Understanding User Responses to Live Closed Captioning in Canada*. It serves as a comprehensive resource to guide the Commission in evaluating and addressing concerns related to live captioning standards.

DWCC et al.'s Response Based on Key Survey Insights

194. Survey findings highlight the importance of high accuracy for live captioning through captioning accuracy measurement, accuracy, readability essential, live vs. pre-recorded and determination of the need for different accuracy rates for English and French live programs.

Captioning Accuracy Measurement

195. User experience with live captioning and synchronization issues was a significant barrier to accessing live content. 46% of respondents identified synchronization delays as a significant barrier to accessing live programming content. The delayed delivery or mismatch of captions during live broadcasts severely impacts the readability and accessibility of the content.
196. Viewers found caption speeds challenging with 34% of respondents noted captions being too fast or too slow, disrupting readability and comprehension.
197. When it came to technological feasibility, respondents acknowledged that modern technologies, such as ASR, can improve live captioning accuracy when supplemented with human intervention.
198. Respondents emphasized that while the NER system is useful for live captioning, current applications do not consistently ensure accurate speaker identification, real-time synchronization, or coverage of critical details such as background audio or contextual information.
199. Survey respondents indicated the need for stricter enforcement of captioning standards for live programs, regardless of platform. These participants emphasized the importance of maintaining strict benchmarks for live captioning to ensure equitable access for DDBHH Canadians. Many believe that captioning providers should face penalties or corrective measures if live captioning fails to meet established benchmarks. They call for accountability and demand higher standards.

Accuracy and Readability are Essential and Live vs. Pre-Recorded

200. Respondents consistently stressed the need for high accuracy in live captioning. Poor-quality captions often fail to convey critical information, leaving Deaf, Deaf-Blind, and Hard of Hearing (DDBHH) viewers excluded from real-time participation in news, sports, and other live programming.
201. Survey participants asserted that captioning accuracy for live programs must be held to the same standard as for pre-recorded content. Real-time constraints do not justify providing subpar accessibility.

Determining the need for distinct captioning accuracy rates for English and French Live Programs

202. Francophone DDBHH respondents expressed concerns about the lower availability and accuracy of French-language captions, particularly for live programming. These issues reinforce the need for clear benchmarks and accountability in French-language captioning policies.
203. Respondents noted that while a phased approach is reasonable for achieving 100% accuracy in French-language live captioning, the ultimate goal should be to provide equitable standards across both languages. This allows for a gradual progress toward uniform standards.
204. The **DWCC et al.** acknowledge that the Commission has historically applied different captioning accuracy benchmarks for English- and French-language live programs. These differentiated rates have recognized the unique challenges of providing accurate live captioning in French.
205. While these policies remain valid, **DWCC et al.** urge the Commission to ensure the timelines for achieving near-100% accuracy remain transparent and well-communicated to stakeholders.

DWCC et al.'s Perspective based on Survey Insights

206. **DWCC et al.'s** response, informed by key survey insights, underscores the crucial need for high accuracy in live captioning. Survey findings highlight several barriers to accessibility, including synchronization delays and readability issues. Nearly half (**46%**) of respondents cited synchronization delays as a major challenge, while **34%** noted that caption speed—either too fast or too slow—disrupted readability. These problems significantly hinder the ability of Deaf, Deaf-Blind, and Hard-of-Hearing (DDBHH) individuals to engage with live content.
207. Technologically, while ASR (Automatic Speech Recognition) holds promise for improving live captioning accuracy, survey participants emphasized the necessity of human intervention to ensure real-time synchronization and accurate speaker identification. Respondents also highlighted the importance of covering background audio and contextual details. **DWCC et al.** supports the call for stronger enforcement of captioning standards for live programs, with many advocating for penalties or corrective measures if captioning fails to meet

established benchmarks.

208. In addition, survey respondents stressed that live captioning must meet the same accuracy standards as pre-recorded content, emphasizing that real-time constraints should not justify subpar accessibility. Concerns about the availability and accuracy of French-language captions were also raised, particularly for live programming. **DWCC et al.** acknowledges the historical differences in captioning accuracy benchmarks between English- and French-language live programs but urges the Commission to ensure transparent timelines for achieving near-100% accuracy across both languages.

Q6 Conclusion

209. In conclusion, **DWCC et al.** advocates for the continued use of the NER system to measure live captioning accuracy while emphasizing the need for clear benchmarks, advanced technology, and user feedback integration. By addressing the unique challenges of live programming through technological and human collaboration, the Commission can ensure that DDBHH Canadians have equitable access to real-time content.

210. The **DWCC et al.** underscores the importance of maintaining the NER system as the foundational framework for live captioning accuracy. With broad support from stakeholders, the NER system provides consistent benchmarks—98% for English and 85% for French—that ensure accountability and accessibility across platforms.

211. While acknowledging the challenges inherent in live captioning, particularly for French-language programming, **DWCC et al.** emphasizes that these difficulties should not lead to relaxed standards. Instead, solutions should focus on technological advancements and resource allocation to bridge gaps while upholding accessibility as a fundamental right.

212. Survey insights further highlight the critical role of accuracy, synchronization, and readability in live captioning. Respondents stressed that poor-quality captions disrupt comprehension and exclude DDBHH viewers from fully engaging in live programming. To address these concerns, **DWCC et al.** advocates for stricter enforcement of benchmarks, improved synchronization, and the adoption of advanced technologies like ASR, complemented by human oversight. Furthermore, stakeholders have called for penalties or corrective actions for providers failing to meet established standards, ensuring accountability and fostering trust within the DDBHH community.

213. **DWCC et al.** also recognizes the distinct challenges faced by French-language live captioning and supports a phased approach to achieving near-100% accuracy. However, this progress must remain transparent, with clearly communicated timelines and investments tailored to linguistic and regional needs.

214. By prioritizing equitable standards, leveraging user feedback, and fostering collaboration with stakeholders, the Commission can ensure high-quality live captioning that meets the diverse needs of all Canadians, particularly those in the DDBHH community.

Q7: Should there be standards related to quality measures other than accuracy, such as lag time, on-screen positioning, speed, and captioning format for pre-recorded and live programs?

Response Analysis for Q7

215. **DWCC et al.** strongly supports the implementation of quality measures beyond accuracy, recognizing that lag time, on-screen positioning, speed, and captioning format are essential for accessibility and usability. These measures ensure that captions meet the diverse needs of DDBHH Canadians, especially in live and pre-recorded content. However some stakeholders argue for flexibility due to the subjective nature of these preferences and the limitations of different platforms.

Stakeholder Perspectives Overview

216. **DWCC et al.**, **CAD-ASC**, and **FRPC** advocate for robust quality standards, emphasizing the need for synchronization, proper positioning, and customizable formats. They stress the importance of ensuring captions are visible and accessible, particularly for DDBHH Canadians and encourage broadcasters and platform providers to adopt these measures in order to ensure equitable access for all viewers.

Support for Comprehensive or Additional Standards

217. A total of eight (8) organizations support comprehensive or additional standards, and they are **DWCC et al.**, **BAF**, **DHHC**, **FRPC**, **PIAC**, **ReQIS**, and **TV5 Québec**.

218. Specifically, **DWCC et al.** supports standards for lag, placement, and synchronization to ensure that captions meet the accessibility needs of Deaf, DeafBlind, and Hard of Hearing (DDBHH) Canadians. These standards are essential for ensuring equitable access and usability across all platforms. The **BAF** supports standardized quality measures across platforms, **DHHC** supports standards for lag, synchronization, and placement, **FRPC** supports full quality standards (lag, positioning), **PIAC** supports lag time, positioning, and speed standards, **ReQIS** supports delay under 3 seconds, customizable placement, **TV5 Québec** supports quality measures like lag and positioning, Universal Pictures adopts guidelines for lag and placement.

Opposition to Additional Standards

219. In contrast, thirteen (13) organizations oppose additional standards, as follows: **AQPM, Audition Quebec, Disney+, Eastlink, CAD-ASC, CBC/Radio-Canada, CDGM, CMPA, Corus, CPAC, Netflix,** and **Quebecor Media.**

220. To be more specific, **AQPM** believes existing quality standards are sufficient, **Audition Québec** supports existing standards for quality, **Bell Media** states existing quality standards should apply, **CAD-ASC** supports existing traditional broadcaster standards, **CBC/Radio-Canada** supports existing broadcast quality measures, **CDGM** supports broadcaster-level quality measures, **CMPA** states existing broadcast quality standards are sufficient, **Corus** does not support additional standards for lag or position, **CPAC** does not support additional lag/position standards, **Disney+** advocates for consistency with traditional broadcast quality, **Eastlink** finds existing standards for captioning sufficient, **Netflix** opposes rigid quality mandates while **Quebecor Media** opposes additional quality mandates.

Concerns or Challenges Identified with the Additional Standards

221. Five (5) organizations expressed concerns or challenges identified with the additional standards: **CPSC-SCFP, DSO, Rogers Media, Roku, Google.**

222. Specifically, **CPSC-SCFP** states lag/position standards must consider limitations, **Disability Screen Office** advocates for flexible standards for lag and positioning, **Rogers Media** highlights flexible quality standards needed for live sports, **Roku** supports no strict mandates for lag and positioning, **Google** did not respondereserves the right to reply on quality standards.

Proposals for Flexible, Partial, or Conditional Standards

223. There are a total of eight (8) organizations that support standardization but with flexibility, or conditions as follows: **Accessible Media Inc., Apple Canada, Blue Ant Media, Prime Video, Paramount, Télé-Québec, TELUS, Tubi.**
224. Accessible Media Inc. supports flexible quality standards, **Apple Canada** supports flexible quality measures for platforms, **Blue Ant Media** supports flexible aspirational quality standards, **Prime Video** prefers flexible quality measures, **Paramount** suggests a holistic quality approach, **Télé-Québec** calls for flexible quality mandates needed, **TELUS** supports flexible quality mandates to allow for evolution, **Tubi** adopts criteria-based quality standards.

Re-iterating DWCC et al.'s Perspective

DWCC et al.'s Response to Question 7

225. The **DWCC et al.** recognizes the challenges associated with standardizing subjective viewer preferences into regulatory measures. While many of the considerations outlined in this question are difficult to enforce as regulations, the **DWCC et al.** suggests that the Commission explore policy requirements instead. For instance, there is an existing standard that limits lag time for live captions to a maximum of 10 seconds, which should equally apply to streaming and traditional undertakings. **Additionally, the DWCC et al.** strongly recommends the Commission mandate and implement a policy **requiring captions to avoid obscuring key visual elements, such as action in live sports or ticker-tape news feeds.**
226. **The DWCC et al.** also highlights that certain accessibility features, such as captioning formats (e.g., font, color, size), are often influenced by the technology of screen and remote manufacturers rather than broadcasting undertakings. **Therefore,** the Commission's policies should strongly recommend that manufacturers prioritize maximum accessibility in their designs. An example of best practices is the use of different colors for different speakers in captions, as seen in British programming like **BritBox**. This approach enhances clarity and accessibility for all viewers, especially those with diverse needs.
227. Lastly, the **DWCC et al.** emphasizes that color adjustments are vital for accessibility, particularly for individuals who are Deaf-Blind and require customizable settings to accommodate their visual impairments. Policies should encourage manufacturers to include easily accessible menu options for activating

and customizing color fonts, ensuring that captioning is both effective and inclusive for all Canadians.

Analysis of Interventions

228. Stakeholder responses to Question 7 reveal significant differences in approaches to quality standards for captioning, particularly regarding lag time, on-screen positioning, speed, and customizable formats. A prominent theme is the division between stakeholders advocating for comprehensive quality measures and those prioritizing flexibility or opposing additional mandates.
229. **DWCC et al.**, along with organizations like **BAF**, **DHHC**, and **FRPC**, champions robust standards to address critical accessibility needs, particularly for live and pre-recorded content. These stakeholders emphasize synchronization, proper placement, and customizable formatting as essential for ensuring captions meet the diverse needs of Deaf, Deaf-Blind, and Hard of Hearing (DDBHH) Canadians.
230. In contrast, several stakeholders resist the introduction of additional quality standards. Thirteen organizations, including **AQPM**, **Bell Media**, **Disney+**, and **Netflix**, argue that existing broadcaster-level quality measures are sufficient. Their opposition largely hinges on concerns about feasibility and platform limitations. Some contend that the subjective nature of viewer preferences and technical constraints, such as platform capabilities, make standardized mandates challenging to implement effectively. These stakeholders prefer consistency with traditional broadcasting standards rather than adopting new, rigid measures for streaming platforms or other emerging technologies.
231. Other organizations propose a middle ground, supporting flexible or conditional standards that allow for adaptation to platform-specific challenges or evolving technologies. Eight stakeholders, such as **AMI-TV.**, **Blue Ant Media**, and **TELUS**, advocate for aspirational or criteria-based standards rather than strict regulations. They argue that flexibility would enable platforms to balance quality with technical and operational realities while still striving for improved accessibility outcomes. This approach recognizes the need for progress without imposing rigid mandates that could hinder innovation or adaptation.
232. Finally, several stakeholders express concerns about the practical challenges of implementing additional standards. For instance, organizations like **Rogers Media**, **CPSC-SCFP**, and **Disability Screen Office** stress that quality measures must account for the limitations of live programming, such as sports or breaking

news, where rigid standards may be impractical. These concerns highlight the importance of balancing accessibility goals with the operational realities of broadcasters and streaming platforms, ensuring that proposed standards are both effective and achievable.

DWCC et al. Responding to Other Stakeholders' Viewpoints

233. **DWCC et al.** acknowledges the diversity of opinions expressed by stakeholders in relation to quality standards for closed captioning. While **DWCC et al.** advocates for robust and comprehensive measures, including synchronization, positioning, and lag time standards, they recognize that some stakeholders raise valid concerns about flexibility and the potential challenges of enforcing additional standards. Specifically, organizations like **AQPM**, **Bell Media**, **Disney+**, and **Netflix** argue that existing broadcaster-level standards should suffice, citing the subjective nature of viewer preferences and the limitations of streaming platforms and live programming. **DWCC et al.** understands these concerns but emphasizes that standardization of quality measures should be applied across both traditional and digital platforms to ensure equal accessibility for all Canadians, particularly DDBHH individuals. **DWCC et al.** agrees that while flexibility in implementation may be necessary, certain core standards—such as lag time and avoiding obstruction of key visual elements—should remain mandatory to meet accessibility goals effectively.

234. Additionally, **DWCC et al.** acknowledges the growing trend among stakeholders, like **AMI-TV**, **Blue Ant Media**, and **TELUS**, who propose flexible or aspirational standards. **DWCC et al.** sees the value in creating a balance between flexibility and comprehensive measures, allowing platforms to adapt to unique challenges without compromising accessibility. However, **DWCC et al.** firmly believes that this flexibility should not come at the expense of ensuring basic accessibility features, such as preventing captions from obstructing important visual content in live broadcasts like sports events. Furthermore, **DWCC et al.** advocates for the inclusion of specific guidelines that focus on technical aspects such as lag time and caption placement, which are crucial for real-time comprehension and user experience.

235. **DWCC et al.** also emphasizes the importance of encouraging technology manufacturers to prioritize accessibility in their designs, particularly regarding customizable captioning features like font color, size, and speaker identification. As seen in British programming like **BritBox**, using different colors for different speakers enhances caption clarity, a practice **DWCC et al.** suggests should be considered as best practice for Canadian platforms as well. By focusing on these

key issues and aligning standards with evolving technology, **DWCC et al.** believes that all stakeholders can work together to ensure that the captioning system meets the diverse and ever-changing needs of DDBHH Canadians.

DWCC et al.’s Response Based on Key Survey Insights

236. **DWCC et al.** has carefully reviewed the insights gathered from the survey responses and underscores the critical need for comprehensive quality standards to ensure accessibility for **DDBHH** Canadians. The survey results reflect the real-world challenges faced by viewers when captioning is not properly synchronized, positioned, or customizable. **DWCC et al.** strongly supports the implementation of standards that address these key issues, recognizing that ensuring high-quality captions is essential for accessibility and user experience across both live and pre-recorded content.

Lag Time

237. The survey revealed that **46%** of respondents identified synchronization issues, particularly with lag time, as a significant barrier to accessibility. Delayed captions disrupt the reading flow and impede comprehension, especially in live programming. **DWCC et al.** advocates for the enforcement of a maximum lag time standard—currently set at 10 seconds for live television—to be equally applied to streaming platforms. This would ensure that streaming content is held to the same high standards of real-time accessibility as traditional broadcast media.

On-Screen Positioning

238. A major concern, highlighted by **63%** of respondents, is that captions should never obscure important visual elements, such as action in live sports or key visual content like ticker-tape news feeds. **DWCC et al.** supports this insight and emphasizes that captions should be positioned in a way that allows viewers to fully follow the program details without interference. This includes ensuring that captions do not obstruct crucial visual information, which is essential for maintaining a comprehensive viewing experience.

Captioning Speed

239. **34%** of respondents expressed concerns about captions being either too fast or too slow. Speed is a critical factor for readability, and **DWCC et al.** advocates for standards that balance speed and synchronization. This would ensure that

captions match the spoken dialogue while remaining readable for viewers, whether for live or pre-recorded content. Proper speed is vital for accessibility, and it is crucial that platforms adopt consistent standards for this across different types of content.

Captioning Format

240. The survey also revealed that **68%** of respondents, including many **Deaf-Blind** individuals, strongly desire customizable captioning options. These options include adjustments to font size, color, and background color, with a particular emphasis on high-contrast color combinations for those with visual impairments. Additionally, respondents praised the practice of using different colors for different speakers, as seen in British programming like **BritBox**.
241. **DWCC et al.** supports the adoption of such best practices and urges the Commission to consider policies that encourage the use of customizable formats, especially for **Deaf-Blind** viewers who require larger text and high-contrast color settings.

Technology and Accessibility Challenges

242. **DWCC et al.** recognizes that the ability to customize captioning formats is often limited by the capabilities of device manufacturers rather than content providers. This highlights the need for collaboration between the Commission, manufacturers, and content providers to ensure that accessibility settings, such as font size and color, are easily adjustable and available across a broad range of devices. **DWCC et al.** advocates for policies that encourage manufacturers to prioritize accessibility features, enabling users to customize their viewing experience based on their unique needs.
243. **DWCC et al.** believes that by implementing these standards and fostering collaboration across the industry, accessibility barriers can be significantly reduced, allowing **DDBHH** Canadians to fully engage with content. These insights, derived directly from the experiences of the community, should guide the Commission in shaping policies that prioritize accessibility in a meaningful and practical way.

Conclusion

244. In conclusion, the analysis of stakeholder responses underscores a clear divide in the approaches to captioning quality standards, particularly with respect

to lag time, on-screen positioning, speed, and customizable formats.

245. **DWCC et al.** strongly supports comprehensive quality measures, recognizing that synchronization, positioning, and customization are critical for ensuring equal accessibility across both live and pre-recorded content for **DDBHH** Canadians. While there is resistance from some stakeholders, including major platforms like **Netflix**, **Disney+**, and **Bell Media**, who argue that existing broadcaster-level standards are sufficient, **DWCC et al.** emphasizes that the evolving digital landscape requires uniform standards to meet the needs of **DDBHH** viewers across all platforms.

246. The survey results have further informed **DWCC et al.**'s stance on these issues, particularly the significant challenges of synchronization and caption placement. The feedback from **DDBHH** communities highlights the importance of ensuring that captions do not obscure key visual content and are properly synchronized to avoid comprehension barriers. Moreover, the call for customizable captioning options, including font size, color, and speaker identification, particularly among **Deaf-Blind** respondents, reinforces the need for flexibility in caption design while maintaining core standards. **DWCC et al.** believes that such practices should be encouraged and standardized to enhance the viewing experience for all **DDBHH** Canadians.

247. Ultimately, **DWCC et al.** advocates for a collaborative approach involving content providers, platform developers, and manufacturers to ensure that accessibility features are seamlessly integrated into all viewing devices. This will help ensure that individuals can personalize their viewing experience to meet their specific needs. By embracing these insights and implementing robust, yet flexible, standards, the Commission can drive meaningful progress in making content more accessible, ensuring that **DDBHH** Canadians are not left behind in the rapidly changing media landscape.

Q8: Should online streaming undertakings be required to calculate or assess the accuracy of their closed captioning on a regular basis?

Response Analysis for Q8

248. **DWCC et al.** firmly supports the requirement for online streaming undertakings to calculate and assess the accuracy of their closed captioning on a regular basis. Regular assessments ensure accountability, promote improvements in accessibility, and align streaming platforms with the standards applied to traditional broadcasters. Stakeholders present mixed perspectives,

with some favoring mandatory assessments and others advocating for flexibility based on platform size and resources.

Stakeholder Perspectives Overview

Support for Mandatory Assessments

249. **DWCC et al.** and nine (9) other organizations: **AMI-TV, BAF, CAD-ASC, CBC/Radio-Canada, CDGM, CMPA, DHHC, FRPC, PIAC** which support regular assessments and monitoring for accuracy, **AMI-TV** supports annual live assessments, **BAF** for regular live assessments, **CAD-ASC** for regular evaluations for accuracy compliance, **CBC/Radio-Canada** for monthly live program assessments, **CDGM** for accuracy checks for all programming, **CMPA** for monthly news program assessments, **DHHC** for monthly and complaint-based accuracy checks, **FRPC** for twice-annual live program assessments, and **PIAC** for monthly assessments for compliance. The usage of established tools, such as the NER system, were suggested to evaluate accuracy and consistency.

Opposition to Regular Assessments or Reporting

250. A total of twelve (12) organizations, including **Corus, CPAC, CPSC-SCFP, DAZN, Google, Independent Broadcast Group (IBG), Netflix, Paramount, Prime Video, Quebecor Media, Rogers Media, and Roku**, expressed opposition to mandatory or regular captioning accuracy assessments.

251. Some organizations provided specific rationales for their stance. **Corus** opposes regular assessments, while **CPAC** believes existing reporting frameworks are sufficient. **CPSC-SCFP, DAZN, Google, Netflix, Quebecor Media, and Roku** oppose mandatory accuracy assessments outright. **IBG** prefers systemic guidelines over mandates rather than enforced requirements. Meanwhile, **Paramount, Prime Video, and Rogers Media** oppose mandatory reporting altogether.

252. Generally, some stakeholders oppose strict requirements, arguing that resource limitations and technological barriers may hinder smaller platforms from complying.

Proposals for Flexible, Partial, or Conditional Standards

253. Twelve (12) stakeholders propose flexible, partial, or conditional standards: **Apple Canada, AQPM, Audition Québec, Blue Ant Media, Eastlink, Disney+, ReQIS, Télé-Québec, TELUS, Tubi, TV5 Québec, and Universal Pictures.**
254. **Apple Canada** focuses on accuracy through complaint resolution. **AQPM, ReQIS, Télé-Québec, TELUS, Tubi,** and **TV5 Québec** support annual reporting to assess progress and accuracy. **Audition Québec** emphasizes annual reporting for compliance. **Blue Ant Media** and **Eastlink** propose spot-checks over mandatory reporting for compliance. **Disney+** supports ex-post compliance via complaints, and **Universal Pictures** advocates for flexible reporting requirements.
255. Additionally, organizations like **CBC/Radio-Canada** support assessments but call for flexibility in frequency and scope, particularly for smaller platforms or those facing technical constraints.

Concerns or Challenges Identified

256. One organization, **Disability Screen Office (DSO)** accuracy standards should focus on public service content only.

Re-iterating DWCC et al.'s Perspective for Q8

257. **DWCC et al.** strongly believes that captioning accuracy must be **measured and reported regularly** for both live and pre-recorded programming. The **NER system** is already an established framework used for traditional broadcasters, ensuring consistency in captioning quality assessments. **DWCC et al.** emphasizes that including consumer feedback in these assessments is crucial since the lived experiences of **DDBHH** Canadians provide valuable insights that technical evaluations alone may overlook. Captioning quality must be assessed not just by numbers but also through the perspectives of those who rely on captions for equitable access to content .
258. Additionally, **DWCC et al.** asserts that online streaming platforms should **adhere to the same reporting schedule as traditional broadcasters** to maintain comparability and accountability. The absence of regular assessments leads to inconsistencies in captioning quality across platforms, disproportionately impacting **DDBHH** Canadians. By aligning streaming services with broadcast standards, the Commission ensures that all content providers meet the same

accessibility obligations, closing the gap in captioning disparities .

259. Finally, **DWCC et al.** emphasizes the **importance of transparency** in assessment and reporting. Captioning quality assessments must be made **publicly available** to allow consumers and advocacy groups to track improvements or identify ongoing issues. Platforms that fail to meet accuracy benchmarks should be required to submit corrective action plans to demonstrate measurable improvements over time. These reporting mechanisms serve not only to verify compliance but also to **ensure long-term commitment to accessibility for all Canadians**.

Analysis of Interventions for Q8

260. As a stakeholder in this proceeding, the **DWCC et al.** strongly believes that online streaming undertakings should be required to regularly calculate and assess the accuracy of their closed captioning using the NER system. Regular assessments using this established framework ensure consistency and accountability, aligning streaming platforms with the standards applied to traditional broadcasters. Stakeholder responses reveal varied perspectives, with some advocating for mandatory assessments and others favoring more flexibility due to platform constraints.

Support for Regular Accuracy Assessments

261. **DWCC et al.**, along with **AMI-TV, BAF, CAD-ASC, CBC/Radio-Canada, CDGM, CMPA, DHHC, FRPC, and PIAC**, supports the regular assessment of closed captioning accuracy. These organizations emphasize the importance of routine checks to ensure accessibility and compliance with established standards. Several propose specific frequencies for assessments, such as monthly or annual evaluations, and suggest using established tools, like the NER system, for consistency and accuracy in assessments.

Opposition to Regular Accuracy Assessments

262. Twelve organizations, including **Corus, CPAC, CPSC-SCFP, DAZN, Google, IBG, Netflix, Paramount, Prime Video, Quebecor Media, Rogers Media, and Roku**, oppose mandatory or regular assessments of captioning accuracy. These stakeholders argue that resource limitations and technical barriers may make compliance difficult for smaller platforms. Some believe existing frameworks are sufficient, while others suggest that flexible approaches would better accommodate the challenges faced by different platforms.

Proposals for Flexible or Conditional Standards

263. Twelve stakeholders, including **Apple Canada, AQPM, Audition Québec, BAM, Eastlink, Disney+, ReQIS, Télé-Québec, TELUS, Tubi, TV5 Québec, and Universal Pictures**, advocate for more flexible or conditional standards. These organizations propose alternatives such as annual reporting, spot-checks, or ex-post compliance via complaints. **BAM** and **Eastlink** prefer spot-checks instead of mandatory assessments, while **Disney+** supports compliance through consumer feedback. Some stakeholders emphasize the need for flexibility, particularly for smaller platforms with limited resources.

Concerns Identified

264. The **Disability Screen Office** expressed concerns that accuracy assessments should be limited to public service content only, suggesting that applying uniform standards to all types of programming may pose challenges.

DWCC et al. Responding to Other Parties' Viewpoints

265. **DWCC et al.** firmly supports the requirement for online streaming undertakings to regularly assess and report on the accuracy of closed captioning for both live and pre-recorded programming. Consistent evaluation ensures accessibility and quality, aligning streaming platforms with the standards already applied to traditional broadcasters. The **NER system**, already used for accuracy assessments in broadcasting, provides a reliable framework for measuring captioning quality.

266. Additionally, consumer feedback must be integrated into these assessments, as the lived experiences of **Deaf, DeafBlind, and Hard of Hearing (DDBHH)** Canadians offer crucial insights that technical evaluations alone cannot capture. Without mandatory and regular monitoring, inconsistencies in captioning quality will persist, disproportionately impacting accessibility for **DDBHH** individuals. To ensure transparency, assessment results should be made publicly available, and platforms failing to meet established benchmarks should submit corrective action plans to demonstrate ongoing improvements.

267. While some stakeholders oppose regular assessments due to resource limitations or technical constraints, **DWCC et al.** asserts that accessibility should not be compromised based on platform size or business model. A flexible approach, such as tiered compliance based on platform scale, could address these concerns without weakening accessibility standards. Additionally, many

organizations, including **CBC/Radio-Canada, CAD-ASC, CMPA, AMI-TV, BAF, CDGM, DHHC, FRPC, and PIAC**, emphasize the necessity of periodic evaluations, reinforcing the need for accountability in captioning quality. Aligning online streaming services with traditional broadcasting regulations ensures equitable access to information and entertainment for all Canadians.

268. Therefore, **DWCC et al.** urges the **Commission** to implement mandatory, standardized accuracy assessments, ensuring that captioning remains a reliable accessibility tool across all platforms.

DWCC et al.'s Response Based on Key Survey Insights

269. The **DWCC et al. et al.** believe that closed captioning accuracy must be measured and reported regularly for all programming—live and pre-recorded—using the NER system. This ensures consistency with traditional broadcasters and establishes a unified framework for evaluating captioning quality. Survey responses from the DDBHH community highlighted the importance of regular assessments, with many respondents emphasizing the need for consistency and transparency in captioning quality across platforms. By adopting the NER system, which was favoured by respondents for its reliability, the Commission can ensure that captioning meets the accessibility needs of all Canadians, aligning with both stakeholder and consumer expectations.

Widespread Captioning Issues and the Need for Regular Assessments

270. **DWCC et al.** strongly supports mandatory and regular assessments of captioning accuracy for both live and pre-recorded programs. Survey results reveal significant accessibility barriers, with **54% of respondents** identifying missing captions as a major issue and **46% reporting synchronization problems**. These findings underscore the necessity of systematic evaluations to monitor and enhance captioning quality.

271. While objective tools such as the **NER system** provide measurable accuracy metrics, **DWCC et al.** emphasizes the importance of integrating **Deaf, DeafBlind, and Hard of Hearing (DDBHH) consumer feedback** into these assessments. This will ensure that the captioning process reflects real-world accessibility needs, making the data more meaningful and representative of the community's lived experiences.

Assessment Scope: Live and Pre-Recorded Programs

272. Both live and pre-recorded content should be subject to accuracy assessments, as survey responses highlight persistent quality issues across both formats. **Pre-recorded content** often exhibits inaccuracies that should be avoidable given sufficient processing time. Regular evaluations would help address these shortcomings proactively. Meanwhile, **live programming** presents inherent challenges such as **lag time (46%)** and **speed-related difficulties (34%)**, reinforcing the need for ongoing accuracy monitoring. By ensuring high captioning standards across all content types, the **Commission** can bridge existing accessibility gaps and ensure equitable access to information.

Prioritizing High-Impact Programming

273. While assessments should apply broadly, certain programming categories require heightened scrutiny due to their **critical public interest and real-time information delivery**. Survey findings confirm the necessity of prioritizing assessments for:

- a. **Live news programming**, where caption accuracy is crucial for keeping **DDBHH Canadians** informed, particularly during **emergencies or breaking news events**.
- b. **Live sports programming**, with **55% of respondents** reporting persistent captioning issues in this content category.
- c. **Government and civic content**, including platforms such as **CPAC**, where accessibility gaps in both archived and live content hinder equitable participation.

Frequency of Assessments: Ensuring Consistency and Transparency

274. **DWCC** and supporting stakeholders advocate for a quarterly assessment schedule with annual public reporting, aligning online streaming services with traditional broadcasters. Uniform assessment and reporting standards across platforms would prevent disparities in accessibility and ensure consistent quality. Additionally, regular public reports on captioning performance would enhance transparency and accountability, enabling DDBHH consumers and advocacy groups to track industry improvements.

Conclusion

275. **DWCC et al.** and supporting stakeholders advocate for a **quarterly assessment schedule** with **annual public reporting**, aligning online streaming services with traditional broadcasters. **Uniform assessment and reporting**

standards across platforms would prevent disparities in accessibility and ensure consistent quality. Additionally, **regular public reports** on captioning performance would enhance **transparency and accountability**, enabling **DDBHH consumers and advocacy groups** to track industry improvements.

276. **DWCC et al.** reaffirms that mandatory and regular assessments of closed captioning accuracy are essential to ensuring accessibility for **DDBHH** Canadians. The widespread issues identified in both stakeholder interventions and survey insights highlight persistent barriers, including missing captions, synchronization problems, and quality inconsistencies across platforms. To address these challenges, **DWCC et al.** emphasizes the need for assessments covering both live and pre-recorded programming, prioritizing high-impact content such as news, emergency broadcasts, sports, and government proceedings. Aligning online streaming undertakings with traditional broadcasters in assessment frequency and reporting will promote accountability, consistency, and improved accessibility standards.

277. Furthermore, **DWCC et al.** underscores the necessity of transparency in captioning assessments. Public reporting and the inclusion of consumer feedback—alongside established accuracy tools like the **NER system**—will ensure that real-world accessibility needs are met. By implementing a structured reporting framework with quarterly assessments and annual public reports, the Commission can foster industry-wide improvements while maintaining equitable access to content for all Canadians. These measures are not only necessary for compliance but also for upholding the fundamental rights of **DDBHH** individuals to fully participate in media and public discourse.

Q9. Should online streaming undertakings be required to submit regular reports to the Commission describing their efforts to improve their closed captioning accuracy rates? If so, how often should these reports be submitted (e.g., on an annual or biennial basis)?

Response Analysis for Q9

278. Stakeholders presented a range of perspectives regarding the requirement for online streaming platforms to submit regular reports on closed captioning accuracy. **DWCC et al.** and other key groups advocate for mandatory reporting, emphasizing the importance of annual or more frequent assessments to ensure accountability and consistency with traditional broadcasters. While stakeholders provide a range of input underscores the need for a balanced regulatory

approach that enforces accessibility while accommodating diverse platform capabilities.

279. **DWCC et al.** firmly believes that reporting requirements for streaming undertakings should mirror those applied to traditional broadcasters. This ensures consistency and ensures that all platforms adhere to the same accessibility standards.
280. In line with this, **DWCC et al.** supports annual reports over biennial reports, stressing the importance of more frequent assessments to maintain transparency, accountability, and regular updates on captioning performance. Annual reports provide the necessary frequency to monitor progress and address issues promptly.
281. Stakeholder responses reveal a variety of perspectives on the requirement for online streaming platforms to submit regular reports on closed captioning accuracy. While **DWCC et al.** and other key stakeholders advocate for mandatory reporting, with a preference for annual or more frequent assessments, some voices highlight the need for flexibility based on platform size and resource constraints. However, **DWCC et al.** emphasizes that while a balanced regulatory approach is important, consistency and accessibility must remain the primary focus to ensure equal access for DDBHH Canadians.

Support Regular Assessments, Reporting, Monitoring for Caption Accuracy

282. **Thirteen (13) stakeholders** support regular assessments, annual reporting, or monitoring for captioning accuracy. **DWCC et al.** strongly supports regular assessments and monitoring to ensure captioning accuracy across both live and pre-recorded content. Additionally, **AMI-TV** emphasizes the need for annual live assessments, while **BAF** and **Bell Media** advocate for regular live assessments. Bell Media specifically calls for monthly assessments of news programs to ensure ongoing accuracy.
283. **CAD-ASC** calls for regular evaluations to ensure compliance with accuracy standards, and **CBC/Radio-Canada** supports monthly live program assessments. **CDGM** stresses the importance of accuracy checks across all programming, and **DHHC** highlights the need for monthly and complaint-based accuracy checks.

284. In addition, **FRPC** supports twice-annual live program assessments, and **PIAC** advocates for monthly compliance assessments. **Télé-Québec**, **Tubi**, and **TV5 Québec** each support annual reporting, with an emphasis on accuracy and progress in captioning quality.

Opposition to Regular Assessments and Monitoring for Caption Accuracy

285. Eleven (11) stakeholders oppose regular or mandatory assessments for captioning accuracy. **Corus** opposes regular assessments altogether, while **CPAC** believes that existing reporting frameworks are sufficient. **CPSC-SCFP**, **DAZN**, and **Google** oppose mandatory accuracy assessments, citing various challenges or limitations.

286. Similarly, **Netflix** and **Roku** also oppose mandatory accuracy assessments, while **Paramount**, **Prime Video**, and **Rogers Media** oppose mandatory reporting requirements. **Quebecor Media** also stands against mandatory assessments, underscoring a broader resistance to strict obligations.

Propose Flexibility, Partial, or Conditional

287. Nine (9) stakeholders propose flexible, partial, or conditional standards for captioning assessments. **Apple Canada** focuses on addressing accuracy through complaint resolution rather than implementing broad mandatory measures. **AQPM** and **Audition Québec** both support annual reporting, with **Audition Québec** emphasizing compliance-focused reporting.

288. **Blue Ant Media** and **Eastlink** suggest spot-checks as a more practical alternative to mandatory reporting. **Disney+** supports ex-post compliance measures that rely on complaints to address inaccuracies.

289. Additionally, **Independent Broadcast Group** prefers systemic guidelines over strict mandates, while **ReQIS** supports annual assessments specifically for captioning accuracy. Lastly, **Universal Pictures** advocates for flexible reporting requirements to accommodate diverse operational needs.

Have Concerns or Challenges Identified

290. One stakeholder has identified specific concerns or challenges with captioning accuracy requirements. **Disability Screen Office** supports accuracy assessments only for public service content, suggesting that broader standards may not align with their priorities or resources.

Re-iterating DWCC et al.'s Perspective for Q9

291. **DWCC et al.** asserts that online streaming platforms should be required to submit **annual reports** on their closed captioning accuracy efforts. These reports must align with **traditional broadcasters' standards** to ensure **comparability and transparency** across platforms. By implementing **consistent reporting schedules**, streaming platforms can be held accountable for their accessibility commitments. **DWCC et al.** believes that reporting is not just a regulatory requirement but a **necessary mechanism to drive continuous improvements** in closed captioning quality .
292. In addition to standard accuracy measurements, **DWCC et al.** highlights the **importance of consumer feedback** in reporting. While **NER provides objective data**, **DDBHH Canadians' lived experiences** must be reflected in assessments to ensure that captioning quality aligns with real-world accessibility needs. Reports should include **user feedback on synchronization, readability, and real-time performance**. **DWCC et al.** emphasizes that integrating consumer input **increases the credibility and effectiveness** of captioning assessments .
293. Finally, **DWCC et al.** insists that reporting schedules should **remain aligned with those of traditional broadcasters**, ensuring **uniform industry compliance**. Platforms **should not be subject to different accessibility expectations** based on whether they operate in traditional or digital environments. **Publicly available reports** ensure **transparency, allowing DDBHH users and advocacy organizations to track progress and hold platforms accountable**. By enforcing strict reporting requirements, the Commission **ensures accessibility remains a priority across all content providers**.

Analysis of Interventions

294. The majority of stakeholders express strong support for the regular submission of reports detailing online streaming platforms' efforts to improve their closed captioning accuracy. **DWCC et al.** is a key proponent of this approach, advocating for annual reporting aligned with the standards applied to traditional broadcasters to ensure consistency and accountability. Several other organizations, including **AMI-TV, BAF, Bell Media, CAD-ASC, CBC/Radio-Canada, CDGM, DHHC, FRPC, and PIAC**, also support regular reporting and assessments. They emphasize the need for routine checks, with some recommending monthly or annual reports, especially in the context of live and pre-recorded programming. These stakeholders argue that consistent

reporting is essential to drive improvements in captioning quality and hold streaming platforms accountable.

295. A number of stakeholders propose flexible or conditional reporting frameworks. **Apple Canada, AQPM, Audition Québec, BAM, Eastlink, Disney+, ReQIS, and Universal Pictures** suggest alternative approaches to mandatory annual reporting. Some organizations, such as **Apple Canada**, prefer addressing captioning issues through complaint resolution rather than mandatory reports. **BAM** and **Eastlink** advocate for spot-checks instead of rigid reporting schedules, and **Disney+** supports using ex-post compliance measures based on consumer complaints. **AQPM** and **Audition Québec** suggest annual reports focusing on progress and compliance, while **ReQIS** emphasizes annual assessments for captioning accuracy. These flexible proposals aim to balance regulatory expectations with the operational realities of different platforms.
296. In contrast, a group of eleven organizations, including **Corus, CPAC, CPSC-SCFP, DAZN, Google, Netflix, Roku, Paramount, Prime Video, Quebecor Media, and Rogers Media**, oppose mandatory or regular reporting on captioning accuracy. They argue that existing reporting frameworks are sufficient, with some stakeholders citing limitations related to resources and technical challenges. **Netflix** and **Roku**, in particular, express concerns about the burden of mandatory reporting, while **Paramount, Prime Video, and Rogers Media** oppose strict reporting requirements altogether. This resistance highlights the challenges some platforms face in meeting standardized reporting obligations.
297. Finally, the **Disability Screen Office** has raised concerns that captioning accuracy assessments should be limited to public service content, suggesting that applying broad standards to all types of programming may not align with their priorities or resources. This perspective underscores the ongoing debate over the scope and applicability of captioning accuracy requirements for various types of content.

DWCC et al.'s Response to Other Parties' Viewpoints

298. **DWCC et al. maintains that online streaming platforms must be held to the same reporting standards as traditional broadcasters to ensure consistency, accountability, and meaningful improvements in captioning quality.** A majority of stakeholders support some form of regular reporting or monitoring, with many advocating for annual or more frequent assessments. **DWCC et al. aligns with these stakeholders** in emphasizing that closed captioning accuracy should not be left to voluntary efforts or complaint-driven responses alone. Objective evaluations, such as **NER-based assessments**,

must be complemented by **DDBHH consumer feedback** to capture real-world accessibility concerns. **DWCC et al. further insists that reports be made publicly available** to enhance transparency, allowing advocacy groups and consumers to track improvements and hold platforms accountable. These measures will ensure that all content providers, regardless of their medium, prioritize captioning accuracy as a fundamental accessibility standard.

299. **While some stakeholders propose more flexible or conditional approaches, DWCC et al. cautions against adopting lenient or inconsistent reporting frameworks.** Platforms advocating for **complaint-based models, spot-checks, or ex-post compliance measures** risk creating a reactive rather than proactive system that fails to address persistent accessibility gaps. Similarly, those outright opposing mandatory reporting, such as **Netflix, Roku, and Rogers Media**, fail to recognize the critical role that structured oversight plays in advancing accessibility. While operational constraints may vary, **DWCC et al. contends that accessibility should not be compromised due to platform differences.** By aligning streaming services with established broadcasting standards, the Commission ensures that **DDBHH Canadians receive equitable access to media content**, reinforcing the fundamental right to accessible communication for all.

DWCC et al.'s Response Based on Key Survey Insights

300. **DWCC et al. firmly believe that online streaming undertakings should be required to submit regular reports detailing their efforts to improve closed captioning accuracy rates.** These reporting requirements must align with those applied to traditional broadcasters to ensure **consistency, equity, and accountability** across all platforms. **Survey respondents strongly supported annual reporting**, emphasizing that **regular public reports would enhance transparency and trust** in streaming platforms' commitment to accessibility. Respondents also noted that without standardized reporting, streaming undertakings could adopt inconsistent or lenient practices, creating disparities between traditional and digital media. **DWCC et al. echo these concerns**, emphasizing that **annual, structured, and transparent reporting is necessary to track improvements and prevent accessibility gaps.** Some stakeholders have suggested flexible or conditional reporting models, but **survey respondents cautioned against infrequent assessments**, arguing that delayed or complaint-driven evaluations fail to address persistent captioning challenges proactively.

301. Survey respondents consistently emphasized that **timely, public reporting encourages continuous progress in captioning accuracy** rather than reactive fixes after accessibility complaints. **A majority of respondents expressed concerns about the lack of consistency between traditional broadcasters and streaming platforms**, stating that **uniform reporting requirements are essential to prevent unequal accessibility standards**. Many respondents also stressed the **importance of incorporating DDBHH user feedback into assessments**, noting that **consumer experiences provide critical insights into real-world captioning quality, synchronization, and readability issues**. Furthermore, respondents warned that **infrequent or non-mandatory reporting could lead to prolonged accessibility issues**, leaving DDBHH users underserved. **DWCC et al. align with these findings** and urge the Commission to adopt a **structured, standardized, and transparent reporting framework** that ensures **DDBHH Canadians have equitable access to accurate and high-quality captions across all media platforms**.

Conclusion

302. Based on extensive stakeholder input and direct insights from survey respondents, **DWCC et al.** strongly reaffirm that online streaming platforms must be held to the same closed captioning reporting standards as traditional broadcasters to ensure consistency, accountability, and meaningful accessibility improvements. Survey respondents overwhelmingly supported structured, mandatory reporting requirements, citing that voluntary efforts and complaint-driven models fail to address persistent captioning challenges effectively. Respondents emphasized that annual, publicly available reports—incorporating both NER-based assessments and direct DDBHH consumer feedback—are critical for tracking captioning accuracy, enhancing transparency, and ensuring continuous improvements. Without these structured measures, survey participants expressed concerns that accessibility disparities between streaming and traditional media providers would persist, leaving DDBHH Canadians underserved. The evidence confirms that only a proactive, standardized approach can prevent inconsistent captioning quality and strengthen accountability across all platforms.

303. Despite opposition from platforms such as **Netflix, Roku, and Rogers Media**, survey respondents emphasized that structured oversight is necessary to ensure equal access to media content for all Canadians. A significant majority of respondents rejected lenient or reactive compliance models, warning that infrequent assessments, spot-checks, or ex-post compliance measures would fail

to address ongoing accessibility barriers. **DWCC et al.** aligns with these findings, stressing that the Commission must implement a standardized reporting framework that applies equally to all content providers, regardless of platform differences. Captions are not a secondary feature but a fundamental accessibility requirement, and industry self-regulation has proven inadequate. By mandating transparent, frequent reporting based on direct consumer insights, the Commission can ensure that DDBHH Canadians receive equitable access to accurate, high-quality captions, reinforcing their right to accessible communication and fostering a fully inclusive digital media landscape.

Q10. What other approaches to monitoring and verifying compliance should be considered by the Commission?

Response Analysis for Q10

304. In evaluating responses to Question 10, stakeholders provided diverse perspectives on monitoring and verifying compliance. **DWCC et al.** strongly advocate for a permanent council or committee composed entirely of DDBHH Canadians, emphasizing the need for consumer-driven oversight in monitoring compliance. This body should be properly resourced to verify captioning efforts directly from the perspective of the target audience. While some stakeholders suggest complaint-based monitoring and others emphasize the importance of spot-checks, random audits, and structured feedback mechanisms, **DWCC et al.** asserts that these mechanisms must be integrated into a comprehensive framework where DDBHH individuals play a central role. The integration of DDBHH consumer feedback is crucial to ensuring the accuracy and accessibility of captions. This council would be empowered to recommend penalties for non-compliance and ensure that all platforms uphold

Support Complaint-Based Monitoring

305. **DWCC et al.** is among the ten (10) stakeholders who suggest that the Commission consider **complaint-based monitoring** as one of several methods for verifying compliance. However, **DWCC et al.** strongly advocates for a more proactive, structured approach, urging the creation of a permanent council or committee composed entirely of DDBHH Canadians to oversee compliance. While DWCC recognizes the value of consumer complaints, spot-checks, and compliance audits, these should be integrated into a broader framework where DDBHH individuals have a central role in monitoring captioning accuracy and accessibility standards. Similarly, **AMI-TV, Apple Canada, and Bell Media**

highlight consumer complaints as a practical tool, but DWCC believes these should supplement the ongoing, proactive oversight by the permanent council.

306. **Disney+** and **Rogers Media** propose consumer feedback mechanisms as central to compliance monitoring. **Télé-Québec** supports a complaint-driven approach for identifying and addressing compliance issues. **Tubi** and **CAD-ASC** advocate combining consumer complaints with random audits, while **TV5 Québec** supports complaint-based compliance audits to ensure accountability.

Support Random Audits and Spot-Checks

307. A total of Eleven (11) stakeholders recommend the Commission consider **random audits and spot-checks** to verify compliance effectively. **Audition Québec**, **BAM**, **Eastlink**, and **CBC/Radio-Canada** endorse random audits as a practical approach to monitor compliance. **CDGM** advocates for combining random audits with consumer feedback mechanisms.
308. **CMPA** and **FRPC** suggest spot-checks and unannounced audits as valuable tools to ensure adherence to standards. **PIAC** supports leveraging both surveys and random audits to verify compliance. **Roku** explicitly favors random compliance audits, while **ReQIS** supports compliance audits and penalties as part of their approach.

Support Collaborative or Flexible Approaches

309. Nine (9) stakeholders suggest the Commission explore **collaborative or flexible compliance monitoring approaches**. **Netflix**, **Prime Video**, and **Quebecor Media** advocate collaborative solutions for addressing non-compliance. **TELUS** and **Universal Pictures** similarly favor collaborative strategies to monitor compliance effectively.
310. **Independent Broadcast Group** calls for flexible compliance measures instead of rigid frameworks. **Blue Ant Media** additionally suggests combining random audits with a flexible approach, while **CPSC-SCFP** proposes proportional monitoring to account for varying circumstances. **AQPM** emphasizes surveys as a way to collect feedback and assess compliance in a more flexible manner.

Propose Strict Enforcement or Penalties

311. Two (2) stakeholders emphasize stricter measures for monitoring and verifying compliance. **DHHC** suggests monetary fines for cases of

non-compliance as an enforcement tool. **ReQIS** proposes including penalties alongside compliance audits to ensure adherence to standards.

Seek Exemptions or Provide No Alternatives

312. Six (6) stakeholders either seek exemptions or provide no alternative proposals for monitoring and verifying compliance. **Corus, Disability Screen Office, and Google** do not offer alternative monitoring measures for consideration. **CPAC** believes that existing compliance frameworks under the ACA are sufficient and require no changes.

313. **DAZN** seeks an exemption from compliance monitoring requirements, and **Paramount** provides no specific proposals for monitoring compliance.

Re-iterating DWCC et al.'s Perspective for Q10

314. **DWCC et al.** strongly advocates for the establishment of a permanent council or committee composed entirely of DDBHH Canadians who rely on captioning. This committee would be adequately resourced to monitor compliance with captioning standards from the perspective of its intended users. Historically, there has been minimal involvement of DDBHH individuals in decision-making roles within media undertakings, limiting their ability to influence captioning policies and implementation. With the Accessible Canada Act now in place, **DWCC et al.** argues that it is time to shift this narrative and ensure that accessibility policies are shaped by those directly impacted.

315. In addition to the *Accessible Canada Act*, **DWCC et al.** highlights the importance of incorporating recent government directives, such as the Ministry of Industry, Science, and Economic Development's 2023 *Policy Direction to the CRTC*. The policy explicitly mandates the inclusion of accessibility considerations in all regulatory actions. Specifically, **DWCC et al.** references Section 2d. of the Key Objectives and Section 17c, both of which reinforce the need for accessibility to be embedded within CRTC's regulatory framework. By aligning compliance monitoring with these directives, streaming platforms would be held accountable for meeting accessibility requirements in a meaningful and transparent manner.

316. To ensure effective monitoring and enforcement, **DWCC et al.** recommends that this consumer-led committee be empowered to assess compliance through a structured review process. This should include transparent reporting mechanisms, accessibility audits, and the authority to provide recommendations directly to the CRTC. Without such a structure, **DWCC et al.** warns that

accessibility commitments may remain superficial, lacking the enforcement necessary to drive genuine improvements in captioning quality and availability.

Analysis of Interventions

317. The interventions for Q10 highlight a variety of approaches to monitoring and verifying compliance with captioning standards. A key theme emerging from the submissions is the strong support for **complaint-based monitoring**. **DWCC et al.**, along with **AMI-TV**, **Apple Canada**, **Bell Media**, **Disney+**, **Rogers Media**, **Télé-Québec**, **Tubi**, **CAD-ASC**, and **TV5 Québec**, all emphasize the importance of consumer feedback in identifying non-compliance and ensuring that captioning standards are met. Many stakeholders highlight the value of integrating complaint-driven mechanisms with other verification tools such as spot-checks and compliance audits, suggesting that this approach allows for more accurate and immediate identification of captioning issues.
318. In addition to consumer-driven methods, **random audits** and **spot-checks** are proposed by a significant number of stakeholders as effective strategies for monitoring compliance. **Audition Québec**, **BAM**, **Eastlink**, **CBC/Radio-Canada**, **CDGM**, **CMPA**, **FRPC**, **PIAC**, **Roku**, and **ReQIS** advocate for periodic and unannounced audits to verify compliance with accessibility standards. These audits, when combined with consumer feedback, are viewed as robust tools to ensure consistent adherence to captioning quality requirements. Stakeholders like **PIAC** emphasize the role of surveys and audits in maintaining compliance, while **ReQIS** suggests that penalties should accompany audits to ensure stronger enforcement of standards.
319. Several stakeholders, including **Netflix**, **Prime Video**, **Quebecor Media**, **TELUS**, and **Universal Pictures**, propose more **collaborative** or **flexible** approaches to compliance monitoring. These parties argue that a more adaptable and cooperative framework would better address the diverse needs of streaming platforms. **Independent Broadcast Group** calls for flexible compliance measures, suggesting that a one-size-fits-all approach may not be practical. Additionally, **CPSC-SCFP** and **AQPM** propose proportional or survey-based monitoring, advocating for methods that can be tailored to varying circumstances and resources.
320. A smaller group of stakeholders, including **DHHC** and **ReQIS**, advocates for **stricter enforcement** measures, such as the introduction of monetary fines or penalties for non-compliance. This approach seeks to ensure accountability and motivate platforms to take compliance seriously. On the other hand, **Corus**,

Disability Screen Office, and **Google** either provide no alternative proposals or seek **exemptions**, with **DAZN** explicitly requesting an exemption from compliance monitoring requirements.

321. In conclusion, **DWCC et al.** suggests the creation of a permanent, consumer-led committee composed entirely of DDBHH Canadians, who would be tasked with monitoring captioning compliance. This group would ensure that accessibility standards are properly upheld from the perspective of the end-users. **DWCC et al.** also urges the Commission to align this initiative with the Accessible Canada Act, emphasizing the need for accessibility to be integrated into regulatory actions. Empowering this committee to conduct structured reviews and audits would guarantee that streaming platforms meet accessibility standards in a meaningful and enforceable way.

DWCC et al. Responding to Other Parties' Viewpoints

322. **DWCC et al.** strongly supports a consumer-driven approach to monitoring captioning compliance, highlighting the importance of incorporating real-time feedback from **DDBHH** Canadians who rely on captioning services. By advocating for the establishment of a permanent, consumer-led committee, **DWCC et al.** calls for a shift towards greater involvement of the **DDBHH** community in decision-making roles. This committee would be tasked with conducting structured reviews and audits of captioning standards, ensuring that accessibility policies are shaped by those directly impacted. Such a framework aligns with the Accessible Canada Act and the recent 2023 Policy Direction from the Ministry of Industry, Science, and Economic Development, which mandates the inclusion of accessibility considerations in regulatory actions. By empowering this group with the authority to provide recommendations directly to the CRTC, **DWCC et al.** believes it can ensure that compliance monitoring is both transparent and effective in addressing captioning issues.

323. In addition to the consumer-driven approach, **DWCC et al.** supports the integration of spot-checks, random audits, and compliance audits, which were also advocated by several other stakeholders. The combination of consumer complaints and structured verification tools, such as audits and spot-checks, would allow for the identification of captioning non-compliance in a timely and effective manner. Stakeholders like **AMI-TV**, **Apple Canada**, and **Rogers Media** have similarly emphasized the reliability of complaint-based mechanisms, while others, including **PIAC** and **ReQIS**, suggest that periodic, unannounced audits could strengthen enforcement and accountability. These collaborative methods provide a balanced approach to ensuring that platforms adhere to captioning

standards while accounting for varying platform needs and resources.

324. While **DWCC et al.** advocates for a comprehensive, consumer-led monitoring system, they also acknowledge the diverse range of perspectives on compliance verification. Some stakeholders, including **Netflix** and **Prime Video**, propose more flexible or collaborative approaches to accommodate the unique challenges faced by streaming platforms. At the same time, stakeholders like **DHHC** and **ReQIS** call for stricter enforcement measures, such as penalties for non-compliance. **DWCC et al.** believes that while flexibility is essential for addressing platform-specific needs, there must be a clear framework for accountability, ensuring that all platforms prioritize accessibility for **DDBHH** Canadians.

DWCC et al.'s Response Based on Key Survey Insights

325. **DWCC et al.** strongly advocates for a consumer-driven approach to monitoring captioning compliance, emphasizing the essential role of **DDBHH** Canadians in ensuring accessibility standards are upheld. This perspective is strongly supported by survey respondents, who consistently highlighted the importance of including the **DDBHH** community in monitoring and compliance processes. According to respondents, user experiences are critical for identifying gaps in captioning accuracy, synchronization, and overall accessibility. A dedicated consumer-led council, as proposed by **DWCC et al.**, would directly address this need by ensuring complaints are heard and acted upon, bridging the significant gap in current complaint mechanisms.

326. In fact, **80% of survey respondents** reported not knowing how or where to file complaints about captioning issues, underscoring a systemic lack of effective monitoring and accountability. This insight reinforces **DWCC et al.'s** belief that empowering a council of **DDBHH** Canadians would not only ensure transparency but also strengthen public trust in the regulatory process, as it would provide a credible and user-responsive oversight mechanism.

327. In addition to consumer feedback, **DWCC et al.** supports the integration of spot-checks, random audits, and compliance audits as essential tools for verifying compliance. This approach was echoed by several other stakeholders, including **AMI-TV**, **Apple Canada**, and **Rogers Media**, who emphasized the reliability of complaint-based mechanisms, while others, such as **PIAC** and **ReQIS**, proposed periodic, unannounced audits to enhance enforcement and accountability. Survey respondents also strongly supported these mechanisms, with many agreeing that complaint-based monitoring, when combined with

random audits and spot-checks, would provide a more accurate and immediate identification of captioning issues.

328. Furthermore, respondents supported aligning monitoring efforts with the goals of the Accessible Canada Act, which mandates the removal of barriers to accessibility by 2040, and with the ISED Policy Direction, which explicitly requires the CRTC to promote accessibility as part of its regulatory mandate. **DWCC et al.** believes that aligning compliance monitoring with these legislative frameworks is crucial for ensuring that accessibility standards are not only met but meaningfully enforced.
329. While **DWCC et al.** advocates for a structured, consumer-led compliance system, they also recognize the diverse perspectives on compliance verification. This is reflected in the survey responses, which suggest a preference for flexible or collaborative approaches to monitoring, as proposed by stakeholders like **Netflix** and **Prime Video**.
330. However, some survey respondents also emphasized the need for stricter enforcement measures, such as penalties for non-compliance, echoing the views of stakeholders like **DHHC** and **ReQIS**. **DWCC et al.** emphasizes the need for a balanced approach that accounts for platform-specific needs while ensuring clear accountability. A flexible and adaptive framework is important, but it must include strong mechanisms for transparency and user involvement, backed by the insights and input of survey respondents, to drive genuine improvements in captioning quality and availability.

Conclusion

331. In conclusion, **DWCC et al.** firmly believes that a comprehensive, consumer-driven approach to monitoring captioning compliance is essential for ensuring that accessibility standards are not only met but are effectively enforced. By empowering a permanent, consumer-led committee composed of **DDBHH** Canadians, **DWCC et al.** aims to shift the regulatory landscape to one that is shaped by those directly impacted by captioning policies. This approach is reinforced by strong survey support, where respondents emphasized the crucial role of user feedback in identifying gaps in captioning accuracy and synchronization. Additionally, **DWCC et al.** acknowledges the diverse perspectives from stakeholders, including those who favor more flexible or collaborative approaches to monitoring, and those who advocate for stricter enforcement measures, such as penalties for non-compliance.

332. **DWCC et al.** agrees that while flexibility is important, it must be paired with a robust framework for accountability, ensuring that platforms prioritize accessibility for **DDBHH** Canadians.
333. Moreover, **DWCC et al.** supports the integration of spot-checks, random audits, and compliance audits as key tools for verifying compliance, with strong backing from stakeholders and survey respondents alike. These methods, when combined with complaint-based monitoring, will allow for timely identification of captioning issues, ensuring that accessibility concerns are addressed effectively. Furthermore, **DWCC et al.** stresses the importance of aligning compliance monitoring with the objectives of the Accessible Canada Act and the ISED Policy Direction, reinforcing the need for a regulatory framework that actively promotes accessibility. In light of the diverse input from stakeholders and survey respondents,
334. **DWCC et al.** believes that a balanced and structured approach to compliance monitoring will lead to meaningful improvements in captioning quality and availability, fostering greater transparency and trust in the regulatory process.

Wrap up of Part One

335. To wrap up, this document constitutes Part One of **DWCC et al.**'s submission to the record of BNC Canadian Radio-television Telecommunications Commission 2024-137. It provides a detailed response to the key issues raised in the consultation, reflecting the perspectives of **DWCC et al.** and supporting insights from stakeholders and survey respondents. As a next step, **DWCC et al.** will submit for Questions 11-16 as well as a **separate Recommendations document**, which will summarize the specific recommendations put forward in this proceeding to ensure meaningful improvements in captioning compliance and accessibility. Both documents are intended to support the ongoing dialogue and contribute to the advancement of inclusive and accessible regulatory policies.

END PART ONE, TO BE CONTINUED...

****** END DOCUMENT ******