



COMITÉ POUR LES  
SERVICES  
SANS FIL DES  
SOURDS DU  
CANADA



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## VIA EMAIL DISTRIBUTION and GC KEY

January 29, 2024

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and

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**Reference:** Public record: [1011-NOC2024-0137](#)

Dear Secretary General,

### **Part Two 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"), along with Canadian National Society of the Deaf-Blind and Deaf-Blind Planning Committee submits our Part Two of 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. In this document it continues its Reply Comments for the proceeding. It reminds parties to reference the Acronym list in the Part One document. And also it reminds parties that when it uses the acronym DDBHH it represents all the intersectionalities of the Deaf community who are Deaf, Deaf-Blind and Hard of hearing in Canada.

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| <b>No comment</b>  | <b>22</b> |

**80. DAZN has not provided a stance on consultations, leaving their position unclear regarding engagement with the DHH community on closed captioning policies. 22**

### **Analysis of Interventions**

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**81. DWCC et al. firmly asserts that online streaming undertakings must be required to regularly consult with Deaf, Deaf-Blind, and Hard of Hearing (DDBHH) communities regarding closed captioning policies and practices. Accessibility should never be treated as a one-time obligation but as an ongoing commitment that evolves in response to technological advancements and the lived experiences of DDBHH consumers. DWCC et al. emphasizes that “Nothing about us without us” should be the guiding principle in all accessibility decisions, aligning with the Accessible Canada Act and broader equity-based regulatory frameworks. 22**

**82. To ensure meaningful consultation, DWCC et al. recommends that streaming undertakings establish structured, ongoing engagement mechanisms, such as quarterly accessibility advisory panels, public consultations, and direct collaborations with DDBHH advocacy organizations. These consultations must be transparent, accessible, and financially compensated, recognizing the expertise that DDBHH communities bring to improving accessibility standards. Additionally, streaming platforms should be required to report their consultation outcomes and demonstrate how feedback has been incorporated into their captioning policies to ensure real, measurable improvements. 22**

**83. Furthermore, DWCC et al. encourages the CRTC to mandate online town-hall meetings where DDBHH consumers can directly interact with streaming providers to voice concerns, propose solutions, and review captioning quality issues in real time. These engagements should be held at least annually, using ASL/LSQ interpreters and captioned video formats to ensure full participation. Without structured, continuous consultation, accessibility standards risk becoming outdated, ineffective, or misaligned with the actual needs of DDBHH Canadians.**

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3. In this document it continues its Reply Comments for the proceeding starting with comments and analysis for Questions number 11 through to 16.

### **Reply Comments**

**Q11: How should cases of non-compliance generally be addressed by the Commission?**

## Response Analysis for Q11

4. As the Commission already has a policy in place for responding to non-compliance among traditional undertakings, **DWCC et al.** firmly believes that this established framework should be extended to include streaming undertakings. In line with this, **DWCC et al.** advocates for a system of progressive enforcement and penalties, particularly for repeat violations, to uphold accessibility standards consistently across both traditional and streaming platforms. By aligning policies, the Commission can ensure a comprehensive approach that promotes accountability and fairness in all sectors of the media landscape.
5. Moving forward, in response to Question 11, **DWCC et al.** has analyzed the positions of various stakeholders regarding non-compliance. The following sections will outline the responses categorized by their support for penalties or progressive enforcement, flexible or conditional approaches, and concerns or challenges raised by certain organizations. This analysis serves as the foundation for **DWCC et al.**'s recommendations on how non-compliance should be handled effectively and equitably across all platforms.

### Support (Penalties and/or Progressive Enforcement)

6. **Seventeen (17) organizations support** a penalty or progressive enforcement systems for non-compliance. **DWCC et al.** advocates for progressive enforcement and penalties for repeat non-compliance to ensure accessibility standards are upheld. **Accessible Media Inc.** supports a case-by-case handling of non-compliance, allowing for flexibility in enforcement. **Apple Canada, AQPM, BAF, Bell Media,** and **Tubi** all favor collaborative approaches to addressing non-compliance, with **AQPM** emphasizing cooperation with stakeholders in developing solutions. **Audition Québec, CAD-ASC,** and **CBC/Radio-Canada** propose penalties for repeat violations, while **Blue Ant Media** and **CMPA** support graduated penalties for repeat offenses. **Eastlink** and **Disney+** suggest flexible handling or penalties for severe violations. **CDGM** proposes financial penalties, while **Corus** defers to a case-by-case approach for addressing non-compliance.

### Flexible, Partial or Conditional

7. Nine (9) stakeholders advocate for flexible or conditional approaches to non-compliance, tailoring enforcement based on the specific context. **CPAC, Quebecor Media,** and **TV5 Québec** support case-by-case handling of

non-compliance, allowing for customized responses. **CPSC-SCFP**, **Disability Screen Office**, **Tubi**, and **Roku** emphasize collaborative and non-punitive approaches, with a focus on working together to resolve issues. **PIAC** and **ReQIS** support penalties but allow flexibility in their application, ensuring proportional and adaptable enforcement. **Rogers Media** and **Universal Pictures** back progressive measures, highlighting the importance of proportional responses, with **Universal Pictures** stressing an adaptable, structured approach.

### Concerns or Challenges

8. Three (3) organizations have concerns or challenges and further explain as follows. **Independent Broadcast Group** suggests systemic solutions for violations but has not explicitly defined how non-compliance should be handled. **Netflix** advocates for a collaborative approach to non-compliance but expresses concerns about how flexible solutions may work in practice, acknowledging the need for consistency across different platforms. **Paramount** also advocates for flexible solutions but seems to leave the door open for the need for firmer enforcement in certain cases.

### No Comments

9. Two (2) organizations, **DAZN** and **Google**, both have not provided comments or recommendations on how non-compliance should be handled, offering no stance on the issue.

### Reiterating DWCC et al.'s Perspective on Question 11

10. **DWCC et al.** asserts that the **CRTC's existing policies for addressing non-compliance** among traditional broadcasters should be **fully extended** to online streaming undertakings. Accessibility regulations should be **consistently enforced** across all platforms to ensure that DDBHH consumers receive **equal protection**, regardless of whether content is delivered through traditional television or streaming services. **DWCC et al.** emphasizes that creating a **regulatory gap** between these sectors would establish an **unfair double standard**, leaving DDBHH viewers vulnerable to **inconsistent** or **low-quality captioning** without meaningful accountability.
11. To eliminate these disparities, **DWCC et al.** advocates for **uniform enforcement measures**, including **regular compliance audits**, **transparent reporting**, and **structured penalties** for streaming platforms that fail to meet captioning

requirements. Streaming undertakings must not be allowed to **self-regulate** or rely on **voluntary compliance**, as past industry trends have shown that accessibility is often **neglected** when not **strictly mandated and enforced**. By aligning enforcement mechanisms for both traditional and streaming platforms, the **CRTC can ensure equal access to content for DDBHH Canadians** and fulfill its mandate under the **Accessible Canada Act**.

12. Furthermore, **DWCC et al.** recommends that the **CRTC establish clear and progressive consequences for repeated non-compliance**, including **financial penalties, mandatory corrective action plans, and public disclosure of violations**. Without **strong enforcement**, accessibility requirements risk becoming **token commitments** rather than **enforceable obligations**. **DWCC et al.** firmly believes that by **applying existing compliance policies to online streaming services**, the **CRTC can close accessibility gaps** and ensure that **all Canadians—regardless of platform—have equal access to high-quality captioning**.

### **Analysis of Interventions**

13. The responses to Question 11 highlight a range of perspectives on how non-compliance should be addressed, with a majority of stakeholders supporting structured enforcement measures. **DWCC et al.** firmly advocates for extending the CRTC's existing non-compliance policies for traditional broadcasters to streaming undertakings, ensuring accessibility requirements are consistently upheld across all platforms. This position aligns with the broader goal of preventing regulatory gaps that could disadvantage DDBHH consumers.
14. Among stakeholders, seventeen (17) organizations support penalties or progressive enforcement, reinforcing the need for accountability and deterrence against repeated violations. Several organizations emphasize collaborative solutions, while others advocate for financial or structured penalties to ensure compliance. A secondary group of nine (9) stakeholders supports a flexible or conditional approach, favoring case-by-case enforcement or proportional responses. Three (3) organizations highlight concerns or challenges with existing models, while two (2) refrain from commenting on non-compliance enforcement.
15. Given this landscape, **DWCC et al.** underscores the importance of uniform enforcement measures, including compliance audits, transparent reporting, and structured penalties for streaming platforms. Allowing self-regulation or voluntary compliance risks diminishing accessibility standards, making strong, enforceable

regulations critical. By closing regulatory gaps and ensuring consistent enforcement, the CRTC can fulfill its mandate under the Accessible Canada Act and provide equitable access to high-quality captioning across all content delivery platforms.

### **DWCC et al. Responding to Other Parties' Viewpoints**

16. **DWCC et al.** acknowledges that a majority of stakeholders recognize the need for enforcement mechanisms to address non-compliance, whether through penalties, progressive enforcement, or flexible approaches. The strong support from seventeen (17) organizations for structured enforcement reinforces **DWCC et al.**'s position that accountability measures are necessary to uphold accessibility standards. While some stakeholders emphasize case-by-case flexibility or collaborative approaches, **DWCC et al.** stresses that flexibility should not compromise the effectiveness of enforcement. A well-defined framework that incorporates both structured penalties and proportional responses can ensure compliance without allowing non-compliant entities to exploit lenient enforcement practices. Collaborative efforts should complement, rather than replace, mandatory compliance measures to ensure accessibility remains a priority rather than an optional consideration.
17. At the same time, **DWCC et al.** recognizes the concerns raised by some stakeholders about the practical implementation of enforcement, particularly regarding consistency across platforms. While organizations such as Netflix and Paramount advocate for flexible solutions, their concerns highlight the risk of regulatory ambiguity, which could lead to uneven application of accessibility standards. To address these concerns, **DWCC et al.** supports the establishment of clear, enforceable guidelines that balance regulatory consistency with the adaptability needed to address unique cases. Transparency in enforcement, including regular reporting and public accountability for violations, will help create a fair system that holds all platforms to the same accessibility standards while allowing for reasonable accommodations in enforcement when justified.

### **DWCC et al's Response Based on Key Survey Insights**

18. The **DWCC et al.** believe that the Commission's existing policy for addressing non-compliance among traditional undertakings should be extended to streaming undertakings. This ensures consistency in regulatory enforcement and demonstrates that streaming platforms are held to the same standards as traditional broadcasters. Non-compliance should be addressed promptly and

transparently, with penalties and corrective measures that emphasize the importance of accessibility.

19. **DWCC et al.** supports the strong stakeholder consensus on the need for enforcement, with seventeen (17) organizations backing penalties or progressive measures. Survey results reinforce this, showing that 80% of respondents don't know where to file complaints, and 89% rarely or never do, pointing to systemic failures in addressing accessibility gaps. While some stakeholders prefer flexibility, **DWCC et al.** stresses that enforcement must be structured and effective—72% of respondents found the complaint process difficult or ineffective, demonstrating the need for clear pathways and real consequences for non-compliance. Without strong enforcement, accessibility remains a neglected priority rather than a right.
20. Concerns about inconsistent enforcement, raised by groups like Netflix and Paramount, highlight the risks of regulatory loopholes. However, **DWCC et al.** maintains that extending existing compliance policies to streaming platforms ensures fair and consistent accessibility standards. Survey respondents overwhelmingly support stronger accountability, emphasizing how non-compliance limits their access to information and entertainment. To address this, **DWCC et al.** urges clear penalties, mandatory corrective action plans, streamlined ASL/LSQ complaint mechanisms, and public reporting on violations. These measures would foster transparency, trust, and real accessibility improvements for DDBHH Canadians.

### **Q11 Conclusion**

21. The analysis of stakeholder responses to Question 11 highlights broad support for enforcement mechanisms to address non-compliance, with the majority advocating for structured penalties or progressive measures. **DWCC et al.** emphasizes that extending the CRTC's existing non-compliance policies to streaming platforms is essential to prevent regulatory gaps that could disadvantage DDBHH consumers. While some stakeholders favor flexible or case-by-case approaches, survey data underscores the need for clearer enforcement—80% of respondents are unaware of complaint procedures, and 89% rarely or never file complaints. This demonstrates systemic shortcomings that hinder accessibility, reinforcing the need for stronger accountability and streamlined reporting mechanisms.
22. To ensure accessibility remains a regulatory priority, **DWCC et al.** calls for clear, enforceable guidelines, including structured penalties, corrective action plans,



and improved complaint processes. Transparency in enforcement—through regular reporting and public disclosure of violations—would help address concerns about consistency across platforms and prevent regulatory ambiguity. While collaboration with stakeholders is valuable, it should complement rather than replace mandatory compliance measures. By aligning enforcement policies for both traditional and streaming platforms, the CRTC can uphold accessibility standards, foster industry accountability, and ensure that DDBHH Canadians have equal access to content across all media.

**Q12: How should complaints about closed captioning of programs provided by online streaming undertakings be addressed?**

**Response Analysis for Q12**

**Support for Complaint Mechanisms**

23. **DWCC et al.** and several stakeholders advocate for clear, accessible, and multi-channel complaint mechanisms to address closed captioning issues effectively. **Audition Québec** and **BAF** emphasize the need for transparent complaint systems, while **CAD-ASC**, **CDGM**, and **CMPA** stress the importance of ensuring accessibility in these processes. CBC/Radio-Canada supports a multi-channel approach to handling complaints, ensuring consumers have various ways to report issues. **CPSC-SCFP**, **DHHC**, and **FRPC** call for centralized and easy-to-navigate mechanisms, including options such as email, chat, and video. Similarly, **PIAC** and **ReQIS** advocate for transparent, centralized systems that prioritize accessibility and accountability.

**Opposition for Complaint Mechanisms**

24. No stakeholders explicitly oppose the implementation of complaint mechanisms, though some prefer existing frameworks without additional enhancements.

**Conditional Support**

25. Some stakeholders support structured complaint processes with conditions or specific frameworks. Independent Broadcast Group backs a complaint system similar to what is in place for licensed services, suggesting a standardized approach across platforms. **TV5 Québec** supports a 12-month retention period for complaints, indicating a preference for defined but limited retention requirements.

## Concerns or Challenges

26. A few stakeholders raise concerns or challenges regarding complaint mechanisms. **DAZN** does not propose a formal complaint process, highlighting uncertainty about how captioning issues should be addressed. **Télé-Québec** does not take a clear stance on content retention for complaints, leaving ambiguity in how they perceive enforcement.

### Other Comments (Existing internal or ACA-Based Complaint Systems, No Clear Position on Accessibility Enhancements)

27. Several organizations refer to existing internal or ACA-compliant complaint mechanisms rather than advocating for new or improved systems. **Accessible Media Inc.**, **Apple Canada**, and **AQPM** prefer handling complaints through internal support channels. Major broadcasters such as **Bell Media**, **Blue Ant Media**, **Bragg Communications (Eastlink)**, and **Buena Vista (Disney+)** state that they already have feedback mechanisms in place. **Corus**, **CPAC**, **Disability Screen Office**, **Quebecor Media**, **Rogers Media**, and **TELUS** refer to ACA complaint channels as sufficient. Streaming services like **Netflix**, **Paramount**, **Prime Video**, **Roku**, and **Tubi** emphasize their existing feedback tools and customer support options. **Universal Pictures** also highlights that their feedback system complies with ACA requirements, indicating a preference for maintaining current industry practices.

## Stakeholder Response Analysis

28. The responses to Question 12 indicate broad support for improving complaint mechanisms related to closed captioning, with **DWCC et al.** and multiple stakeholders advocating for clear, accessible, and multi-channel reporting options. Several organizations, including **Audition Québec**, **BAF**, **CAD-ASC**, and **CBC/Radio-Canada**, emphasize the need for transparency, accessibility, and centralized systems to ensure that consumers can effectively report and resolve captioning issues. While no stakeholders explicitly oppose complaint mechanisms, some prefer maintaining existing internal or ACA-based processes without additional regulatory enhancements. Others, such as **Independent Broadcast Group** and **TV5 Québec**, support a structured approach but with conditions, such as standardizing systems across platforms or limiting complaint retention periods.
29. Some stakeholders express concerns about the feasibility and implementation of new complaint mechanisms. **DAZN** does not propose a formal process, signaling

uncertainty about how captioning complaints should be handled, while **Télé-Québec** does not take a clear stance on content retention. Meanwhile, several organizations, including major broadcasters and streaming platforms like **Netflix, Paramount, and Prime Video**, point to their existing feedback tools and customer service systems, suggesting they view their current processes as sufficient. This variation in responses underscores the need for a balanced approach—one that ensures accessibility, transparency, and accountability while addressing industry concerns about feasibility and regulatory consistency.

## Analysis of Interventions

### Reiterating DWCC et al.'s Perspective on Question 12

30. **DWCC et al.** asserts that **current complaint mechanisms for closed captioning issues on online streaming platforms are severely inadequate** and create **barriers to accessibility** for DDBHH consumers. In practice, it is **nearly impossible for viewers to easily locate or file a complaint** directly with streaming providers. Unlike traditional broadcasters, which have **clear and established complaint processes**, streaming platforms **lack transparency**, making it difficult for users to **report captioning errors or accessibility failures**. This lack of accountability results in **systemic inaction**, leaving DDBHH viewers with **no effective way to seek resolution** when captioning is missing, inaccurate, or poorly synchronized.
31. Furthermore, **DWCC et al.** highlights that **navigating streaming platforms to file a complaint is unnecessarily complex and discouraging**. Streaming services often **bury complaint options deep within layers of menus**, requiring users to **manually search for a program title one character at a time**, or engage in **circular, frustrating customer service loops** that lead nowhere. This **deliberate obfuscation** of complaint mechanisms is a significant **barrier to accessibility and consumer rights**, making it clear that **online streaming undertakings are not designed with DDBHH accessibility in mind**.
32. To address these failures, **DWCC et al.** urges the **CRTC to mandate standardized, easily accessible complaint processes** for online streaming platforms. This includes requiring **clear, one-step complaint submission options** across all platforms, including **ASL/LSQ video submission, direct text-based support, and on-screen reporting options**. Additionally, the **CRTC must intervene when streaming providers fail to provide transparent and accessible complaint mechanisms**, enforcing **penalties for non-compliance**

and requiring **regular public reporting on captioning-related complaints and resolutions** .

## **Responding to other Stakeholder Perspectives for Q12**

33. DWCC et al. strongly aligns with stakeholders who advocate for the retention of captioned content for at least 12 months, viewing this period as essential to ensuring accessible complaint resolution for DDBHH consumers. The 12-month retention period allows ample time for addressing captioning-related complaints, ensuring that the content remains accessible for review and resolution when issues arise. Organizations such as **Accessible Media Inc., AQPM, Audition Québec, BAF, CAD-ASC, CBC/Radio-Canada, CDGM, CMPA, DHHC, and ReQIS** share a similar stance, acknowledging that without such retention, the ability to resolve complaints effectively is hindered. **PIAC** even supports retention for at least two years, emphasizing the importance of adequate time for consumer access and complaint processing. DWCC et al. concurs with this extended timeframe, arguing that longer retention periods help prevent barriers to resolving complaints and maintain accountability.
34. DWCC et al. recognizes the concerns raised by several organizations that oppose long-term content retention, particularly those highlighting cost and licensing issues. Organizations like **Apple Canada, Bragg Communications (Eastlink), CPSC-SCFP, Corus, Google, Quebecor Media, Prime Video, and Roku** have valid financial or logistical considerations. However, DWCC et al. contends that these concerns should not outweigh the need for accessible, accountable, and transparent complaint mechanisms. While DWCC et al. acknowledges the challenges of retention, it believes that content retention is a necessary step for ensuring equal access for DDBHH consumers, and therefore urges organizations to explore cost-effective methods and solutions to retain content for the required period. The argument that retention places undue financial burden should not undermine the importance of accessible content and complaint resolution for DDBHH consumers.
35. DWCC et al. finds the positions of stakeholders like **Netflix and Paramount**, which propose conditional content retention depending on licensing agreements, to be insufficient in providing the accessibility standards that are crucial for addressing complaints. While DWCC et al. understands the role of licensing, it maintains that this issue should not result in an inconsistent application of content retention policies. It supports a standardized and enforceable regulation that requires retention periods to be applied uniformly across streaming platforms, regardless of licensing or contractual constraints. Additionally, **DAZN**

and **CPAC**, which have not clearly defined their positions, are seen as areas where more clarity is needed to ensure that all platforms are held accountable for content accessibility.

36. **Consultations with Accessibility Groups:** DWCC et al. commends the ongoing efforts of organizations like **Télé-Québec** and **TV5 Québec**, which are consulting with accessibility groups to refine their approach to content retention. While consultations are valuable, DWCC et al. believes that more urgent action is required to ensure consistent practices and that these consultations should be aligned with stronger regulatory frameworks. The consultation process should result in clear, standardized policies that are effectively implemented across all platforms, ensuring equitable access for DDBHH consumers without unnecessary delays or inefficiencies.
37. DWCC et al. strongly disagrees with the stance taken by **Blue Ant Media**, **Google**, **Roku**, and others that oppose content retention after removal. DWCC et al. views these policies as a significant barrier to accessibility and accountability. The inability to retain content after removal creates an environment where complaints cannot be effectively addressed, undermining the rights of DDBHH consumers to receive accurate, timely resolutions. DWCC et al. urges streaming platforms to reconsider these positions and prioritize accessibility for all users, particularly those with disabilities. Furthermore, the stance of **Buena Vista (Disney+)**, which does not address content retention, is seen as insufficient, and DWCC et al. calls for a more explicit commitment to retention standards.
38. In conclusion, DWCC et al. emphasizes the importance of standardized, accessible complaint processes, including the retention of captioned content for at least 12 months, to ensure fair and timely resolutions for DDBHH consumers. While the challenges raised by stakeholders opposing retention are acknowledged, DWCC et al. believes that the benefits of maintaining content for complaint resolution far outweigh the costs and difficulties, and a robust regulatory framework should be put in place to guarantee compliance.

### **DWCC's Response Based on Key Survey Insights**

39. The DWCC et al. note that, in their experience, it is nearly impossible for viewers to identify or access complaint mechanisms on online streaming platforms. Current systems are inaccessible, overly complicated, and designed in ways that discourage direct user engagement.

40. The DWCC et al. strongly support the adoption of clear standards for addressing captioning complaints. These standards must emphasize accessibility, simplicity, and efficiency while ensuring direct communication options for DDBHH users.
41. Transparency in complaint processes can be achieved by mandating public reporting of complaint statistics and resolutions, along with consumer feedback on the effectiveness of these systems.
42. The DWCC et al. recommend the establishment of a national, independent consumer monitoring council to oversee and evaluate complaint handling by streaming undertakings. The Commission should intervene if the council identifies persistent issues or failures to resolve complaints.

### **Key Insights from the Survey Analysis**

43. Survey results reinforce DWCC et al.'s position on the severe inadequacy of current complaint mechanisms for closed captioning on online streaming platforms, highlighting significant barriers for DDBHH consumers. A staggering 80% of respondents reported that they do not know how or where to file complaints, underscoring the lack of clear, accessible complaint mechanisms provided by platforms. This aligns with DWCC et al.'s assertion that streaming services are often opaque and difficult to navigate, making it nearly impossible for consumers to effectively report captioning errors or accessibility failures.
44. Survey respondents also emphasized that current complaint processes are frustrating and inaccessible, with 72% finding them “very difficult” or “pretty difficult” to navigate. The tedious navigation through layers of menus or grids, which are not user-friendly for DDBHH individuals, further compounds these challenges. In particular, 66% of respondents expressed a strong preference for filing complaints through direct ASL/LSQ communication, highlighting the inadequacy of written-only systems and the necessity for more accessible communication options.
45. Respondents also voiced a clear demand for a streamlined, one-step complaint process, available across various platforms like websites, social media, and in-app options. This supports DWCC et al.'s call for standardized, easily accessible complaint processes across all streaming platforms, including options for **ASL/LSQ video submission**, direct text-based support, and on-screen reporting tools. Moreover, there was a strong desire for **transparency through reporting**, with respondents advocating for public reports detailing complaint types, resolution times, and user satisfaction. These reports should include key

metrics such as issues with synchronization, missing captions, censoring, translation errors, speed, and customization options. Respondents further stressed the need for **independent oversight** to ensure accountability and responsiveness from streaming platforms, emphasizing the importance of employing **DDBHH individuals in complaint resolution roles** to guarantee equity in communication and understanding.

46. The survey also supports the creation of a **national council**, including English/ASL and French/LSQ sub-councils, to represent the voices of DDBHH consumers, reinforcing the need for collaborative solutions. **DWCC et al.** reiterates that these findings underscore the critical importance of clear, accessible, and transparent complaint mechanisms, and strongly urges the CRTC to mandate these processes to ensure consistent, enforceable standards across all streaming platforms.

## **Q12 Conclusion**

47. In conclusion, the DWCC et al. reaffirms that the current complaint mechanisms for closed captioning issues on online streaming platforms are severely inadequate, leaving DDBHH consumers with significant barriers to accessibility. Survey results validate DWCC et al.'s assertion that these systems are often complex, opaque, and difficult to navigate. With 80% of respondents unaware of how to file complaints and 72% finding current systems frustrating, it is clear that the lack of accessible and transparent complaint processes hinders consumer rights and fails to address captioning issues effectively. The demand for more user-friendly, one-step complaint options—particularly through ASL/LSQ communication—is overwhelming, further emphasizing the need for standardized and accessible solutions.
48. DWCC et al. urges the CRTC to take decisive action by mandating the implementation of clear, one-step complaint processes across all streaming platforms, incorporating ASL/LSQ video submissions, direct text-based support, and on-screen reporting options. Additionally, the need for transparency, independent oversight, and public reporting on complaint resolutions is essential to ensuring accountability. While some stakeholders suggest phased implementation or argue that existing feedback systems are sufficient, DWCC et al. maintains that voluntary measures have proven ineffective. A regulatory framework that prioritizes transparency, accessibility, and consumer rights is crucial to guaranteeing that DDBHH consumers can equally access captioned content across all platforms. The establishment of an independent council to

monitor and evaluate these systems further reinforces the necessity for continuous improvements in complaint handling.

**Q13: Should online streaming undertakings be required to retain copies of captioned programs for the purposes of addressing complaints?**

**Response Analysis for Q13**

**Support for Content Retention (12-Month Period)**

49. Twelve (12) organizations support retaining captioned programs for up to 12 months for the purpose of addressing complaints. **DWCC et al.** emphasize the need to retain captioned programs for 12 months for complaint resolution. Similarly, **Accessible Media Inc.**, **AQPM**, **Audition Québec**, **BAF**, **CAD-ASC**, **CBC/Radio-Canada**, **CDGM**, **CMPA**, **DHHC**, and **ReQIS** all advocate for 12-month content retention for complaint handling. **PIAC** goes further, proposing a retention period of at least two years to ensure sufficient time for addressing complaints related to captioning.

**Opposing Content Retention**

50. Thirteen (13) organizations oppose content retention for various reasons, particularly due to costs or logistical challenges. **Apple Canada** opposes retention due to copyright restrictions, while **Bragg Communications (Eastlink)** and **CPSC-SCFP** argue against retention because of associated costs. **Corus**, **Google**, **Quebecor Media**, **Prime Video**, and **Roku** similarly oppose long-term content retention, citing reasons such as financial burden or licensing constraints. **Bell Media** supports retaining content for only one week post-removal, while **Disability Screen Office** and **FRPC** support retention for a shorter duration, ranging from 30 to 42 days. **Tubi** also opposes content retention due to licensing issues.

**No Stance or Conditional Retention**

51. Five (5) organizations have not taken a firm stance on content retention. **CPAC** and **DAZN** provide no clear position on the matter. **Netflix** states that content retention depends on licensing terms, while **Paramount** believes retention is not feasible due to contractual limitations. **Independent Broadcast Group** has not commented on content retention.



## Consultations with Accessibility Groups

52. Two (2) organizations are involved in ongoing consultations with accessibility groups regarding content retention. **Télé-Québec** is consulting with Quebec disability groups, and **TV5 Québec** conducts regular consultations with accessibility groups to inform their approach to content retention.

## No Content Retention Post-Removal

53. Five (5) organizations have a clear policy of not retaining content once it has been removed from their platforms. **Blue Ant Media**, **Google**, and **Roku** fall into this category, while **Buena Vista (Disney+)** does not specifically address content retention. **TELUS** supports one-week retention, in line with **Bell Media**, but other organizations like **Rogers Media** emphasize a one-week retention limit.

## Re-iterating DWCC's Perspective on Question 13

### DWCC et al.'s Response to Question 13

54. **DWCC et al.** firmly asserts that **online streaming undertakings must be required to retain copies of captioned programs** for the purpose of addressing complaints. Without **archived captioned content**, it is **impossible** to properly review and resolve captioning errors, such as **missing captions, poor synchronization, inaccurate translations, or inconsistent formatting**. Streaming platforms should be held to **the same regulatory standards** as traditional broadcasters, ensuring that **captioning accuracy and accessibility issues can be effectively investigated and corrected** when complaints arise.
55. Furthermore, **DWCC et al.** stresses that **French-language captioning requirements for streaming services must align with those established for traditional television platforms**. This means that **the retention period, accuracy benchmarks, and regulatory expectations should be consistent across both mediums**—neither exceeding nor falling short of one another. Disparities in captioning retention policies between traditional and streaming platforms would create **unequal access to content** for DDBHH viewers, particularly in **French-speaking regions**, where captioning availability is already **less consistent** than in English-language programming.
56. To ensure **transparency and accountability**, **DWCC et al.** recommends that the **CRTC implement a mandatory retention policy** for captioned streaming content, with **defined timelines for keeping captioned files accessible for review**. This would **protect consumer rights**, enable **independent compliance**

**audits**, and allow for **systematic improvements in captioning quality**. Without **a regulatory framework enforcing retention**, streaming platforms may **delete or alter content without oversight**, making it **impossible for the CRTC to hold providers accountable for accessibility failures** .

## Analysis of Interventions

### DWCC Responding to Other Stakeholders Viewpoints

57. DWCC et al. strongly aligns with stakeholders who advocate for the retention of captioned content for at least 12 months, viewing this period as essential to ensuring accessible complaint resolution for DDBHH consumers. The 12-month retention period allows ample time for addressing captioning-related complaints, ensuring that the content remains accessible for review and resolution when issues arise. Organizations such as **Accessible Media Inc.**, **AQPM**, **Audition Québec**, **BAF**, **CAD-ASC**, **CBC/Radio-Canada**, **CDGM**, **CMPA**, **DHHC**, and **ReQIS** share a similar stance, acknowledging that without such retention, the ability to resolve complaints effectively is hindered. **PIAC** even supports retention for at least two years, emphasizing the importance of adequate time for consumer access and complaint processing. DWCC et al. concurs with this extended timeframe, arguing that longer retention periods help prevent barriers to resolving complaints and maintain accountability.
58. DWCC et al. recognizes the concerns raised by several organizations that oppose long-term content retention, particularly those highlighting cost and licensing issues. Organizations like **Apple Canada**, **Bragg Communications (Eastlink)**, **CPSC-SCFP**, **Corus**, **Google**, **Quebecor Media**, **Prime Video**, and **Roku** have valid financial or logistical considerations. However, DWCC et al. contends that these concerns should not outweigh the need for accessible, accountable, and transparent complaint mechanisms. While DWCC et al. acknowledges the challenges of retention, it believes that content retention is a necessary step for ensuring equal access for DDBHH consumers, and therefore urges organizations to explore cost-effective methods and solutions to retain content for the required period. The argument that retention places undue financial burden should not undermine the importance of accessible content and complaint resolution for DDBHH consumers.
59. DWCC et al. finds the positions of stakeholders like **Netflix** and **Paramount**, which propose conditional content retention depending on licensing agreements, to be insufficient in providing the accessibility standards that are crucial for addressing complaints. While DWCC et al. understands the role of licensing, it

maintains that this issue should not result in an inconsistent application of content retention policies. It supports a standardized and enforceable regulation that requires retention periods to be applied uniformly across streaming platforms, regardless of licensing or contractual constraints. Additionally, **DAZN** and **CPAC**, which have not clearly defined their positions, are seen as areas where more clarity is needed to ensure that all platforms are held accountable for content accessibility.

60. **Consultations with Accessibility Groups:** DWCC et al. commends the ongoing efforts of organizations like **Télé-Québec** and **TV5 Québec**, which are consulting with accessibility groups to refine their approach to content retention. While consultations are valuable, DWCC et al. believes that more urgent action is required to ensure consistent practices and that these consultations should be aligned with stronger regulatory frameworks. The consultation process should result in clear, standardized policies that are effectively implemented across all platforms, ensuring equitable access for DDBHH consumers without unnecessary delays or inefficiencies.
61. DWCC et al. strongly disagrees with the stance taken by **Blue Ant Media**, **Google**, **Roku**, and others that oppose content retention after removal. DWCC et al. views these policies as a significant barrier to accessibility and accountability. The inability to retain content after removal creates an environment where complaints cannot be effectively addressed, undermining the rights of DDBHH consumers to receive accurate, timely resolutions. DWCC et al. urges streaming platforms to reconsider these positions and prioritize accessibility for all users, particularly those with disabilities. Furthermore, the stance of **Buena Vista (Disney+)**, which does not address content retention, is seen as insufficient, and DWCC et al. calls for a more explicit commitment to retention standards.
62. In conclusion, DWCC et al. emphasizes the importance of standardized, accessible complaint processes, including the retention of captioned content for at least 12 months, to ensure fair and timely resolutions for DDBHH consumers. While the challenges raised by stakeholders opposing retention are acknowledged, DWCC et al. believes that the benefits of maintaining content for complaint resolution far outweigh the costs and difficulties, and a robust regulatory framework should be put in place to guarantee compliance.

### **Key Insights from the Survey Analysis**

63. The **DWCC et al.** support the requirement for online streaming undertakings to retain copies of captioned programs to address complaints effectively. This practice ensures that errors can be accurately identified, reviewed, and resolved, thereby improving captioning quality and accountability. The same regulations and requirements applied to traditional undertakings should be extended to streaming platforms, ensuring consistency across the board, even after content is removed from platforms.
64. Survey respondents have reinforced **DWCC et al.**'s position by emphasizing the critical role of content retention in ensuring accountability. A significant portion of respondents highlighted that without retaining copies of captioned programs, it becomes virtually impossible to investigate and address captioning complaints thoroughly. Many respondents specifically cited issues such as caption synchronization errors, missing captions, and poor translations—concerns that are often difficult to assess and resolve without the ability to reference the original content. By retaining these programs for a set period, streaming platforms would be able to uphold accountability and ensure that complaints are addressed in a timely and effective manner.
65. The survey also revealed that a substantial number of respondents face recurring issues with captioning, further supporting **DWCC et al.**'s call for retention practices. Specifically, **54%** of respondents reported experiencing missing captions, and **46%** indicated problems with synchronization. These findings highlight the need for streaming undertakings to retain content so they can effectively investigate and resolve these types of complaints. The ability to review the original content is crucial for identifying the root causes of these issues, whether they stem from technical glitches, translation errors, or other factors. Retaining copies of the programs would thus allow platforms to take corrective action and improve accessibility for DDBHH viewers.
66. Furthermore, respondents underscored the importance of retaining captioned content for resolving more complex complaints, such as issues with speed, flow, or translation quality. Many participants indicated that these types of complaints often require direct reference to the original program in order to accurately assess and address the problem. This further supports **DWCC et al.**'s position that retention is not just about compliance, but about ensuring a transparent and fair process for consumers. The survey responses also highlighted a strong preference for consistency across platforms, with respondents expressing the desire for streaming services to adopt similar accessibility practices as traditional broadcasters. Aligning retention policies with those of established broadcasters

would provide a more cohesive and reliable complaint resolution framework across all content providers, ensuring that DDBHH consumers receive equal access to quality captioning regardless of the platform.

### **Q13 Conclusion**

67. In conclusion, **DWCC et al.** reiterates its position that online streaming undertakings must be required to retain copies of captioned content for at least 12 months to effectively address complaints. Survey respondents strongly support this position, emphasizing that the ability to retain captioned programs is critical for investigating and resolving issues such as missing captions, synchronization problems, and poor translations. Without access to archived content, platforms are unable to address these concerns thoroughly, which undermines accessibility for DDBHH consumers. The 12-month retention period is necessary to ensure that complaints can be reviewed and resolved in a timely and effective manner.
68. **DWCC et al.** acknowledges the concerns raised by some stakeholders regarding the cost and logistical challenges of content retention. However, these concerns should not diminish the importance of ensuring accessible complaint resolution. The survey results further highlight the prevalence of captioning issues, with many respondents reporting recurring problems such as missing captions and synchronization errors. By retaining content for a set period, platforms would be able to address these issues, improve captioning accuracy, and enhance accessibility for DDBHH viewers. Therefore, the benefits of content retention far outweigh the challenges, as it supports greater transparency and accountability.
69. Finally, **DWCC et al.** emphasizes the need for a standardized, consistent approach to content retention across all platforms. Survey respondents expressed a strong preference for streaming platforms to align their practices with those of traditional broadcasters, ensuring that accessibility standards and complaint resolution mechanisms are consistent across all content providers. **DWCC et al.** calls for clear regulatory guidelines to mandate content retention, creating a cohesive framework that guarantees equal access to quality captioning for all consumers, regardless of the platform or medium.

**Q14: Should online streaming undertakings be required to consult individuals and groups in Deaf and hard of hearing communities about closed captioning policies and practices on a regular basis?**

### **Response Analysis for Q14**

### **Support of Consultations**

70. Six organizations as follows **support** consultations with Deaf and hard of hearing communities, but with varying approaches. **Apple Canada**, **Google**, and **Tubi** favor voluntary consultations, encouraging open dialogue without mandates. **Disney+** also supports an open dialogue approach, focusing on flexibility. **Paramount** advocates for industry-wide working groups, and **Universal Pictures** highlights the importance of regular feedback from accessibility communities.

### **Opposition of Consultations**

71. Four (4) **DDBHH** organizations **oppose** mandatory consultations. **Eastlink** prefers voluntary consultations, while **Roku** supports a collaborative consultation approach. **Télé-Québec** and **TV5 Québec** have distinct positions, suggesting a phased implementation for French captioning, with a timeline of five years, rather than engaging in regular consultations.

## **Maintain Ongoing Consultations**

72. Four (4) stakeholders maintain an ongoing dialogue with accessibility communities. **Bell Media** engages in continuous dialogue but does not see the need for mandatory consultations. Similarly, **CMPA** and **Rogers Media** already conduct ongoing consultations through industry-led and ACA engagements, respectively. **ReQIS** holds regular consultations with DHH communities.

## **Past Consultations**

73. Two stakeholders view past consultations as sufficient. **Corus** feels that previous consultations have addressed their needs, while **CPAC** believes that ongoing engagements with ACA are adequate for meeting accessibility requirements.

## **Existing Consultations**

74. **Quebecor Media** asserts that its existing accessibility consultations are sufficient to meet the needs of the DHH community, signaling a preference for maintaining current practices rather than introducing new consultation frameworks.

## **Regular Consultations**

75. Three (3) organizations favor regular consultations. **BAF** and **CPSC-SCFP** emphasize the importance of regular engagements with DHH communities, with **CPSC-SCFP** specifying tailored consultations. **ReQIS** also aligns with this, advocating for regular consultations to ensure accessibility and inclusivity.

## **Bi-annual Consultations**

76. Some (3) organizations recommend bi-annual consultations to ensure consistent engagement. **Accessible Media Inc.**, **Audition Québec**, and **CBC/Radio-Canada** suggest holding consultations every six months to gather feedback and stay aligned with the needs of the DHH community.

## **Annual Consultations**

77. Annual consultations are recommended by stakeholders like **DWCC et al.**, **CDGM**, **FRPC**, and **PIAC**, who advocate for yearly engagements to address accessibility concerns and promote continued progress in captioning practices.

## **Quarterly Consultations**

78. **Netflix** suggests quarterly consultations with accessibility groups, indicating a preference for more frequent touchpoints to ensure the effective implementation of captioning policies and to maintain accessibility standards.

### Other Approaches

79. A few organizations take alternative approaches to consultations. **AQPM** prefers ad hoc consultations based on specific needs, while Independent Broadcast Group advocates for a balanced approach to consultations. **Prime Video** prefers a Commission-led consultation framework, and **Disability Screen Office** supports Commission-led working groups for accessibility improvements. **TELUS** engages in voluntary consultations with accessibility groups.

### No comment

80. **DAZN** has not provided a stance on consultations, leaving their position unclear regarding engagement with the DHH community on closed captioning policies.

### Analysis of Interventions

#### Reiterating DWCC et al.'s Perspective on Question 14

81. **DWCC et al.** firmly asserts that **online streaming undertakings must be required to regularly consult with Deaf, Deaf-Blind, and Hard of Hearing (DDBHH) communities** regarding closed captioning policies and practices. Accessibility should never be treated as a **one-time obligation** but as an **ongoing commitment** that evolves in response to technological advancements and the lived experiences of DDBHH consumers. **DWCC et al.** emphasizes that **“Nothing about us without us”** should be the guiding principle in all accessibility decisions, aligning with the **Accessible Canada Act** and broader equity-based regulatory frameworks.

82. To ensure **meaningful consultation**, **DWCC et al.** recommends that **streaming undertakings establish structured, ongoing engagement mechanisms**, such as **quarterly accessibility advisory panels, public consultations, and direct collaborations with DDBHH advocacy organizations**. These consultations must be **transparent, accessible, and financially compensated**, recognizing the expertise that DDBHH communities bring to improving accessibility standards. Additionally, **streaming platforms should be required to report their consultation outcomes and demonstrate how feedback has been incorporated into their captioning policies** to ensure real, measurable improvements.



83. Furthermore, **DWCC et al.** encourages the **CRTC to mandate online town-hall meetings** where **DDBHH consumers can directly interact with streaming providers to voice concerns, propose solutions, and review captioning quality issues in real time.** These engagements should be held **at least annually**, using **ASL/LSQ interpreters and captioned video formats** to ensure full participation. Without **structured, continuous consultation**, accessibility standards risk becoming **outdated, ineffective, or misaligned** with the actual needs of DDBHH Canadians.

#### **DWCC's position on Other Stakeholder Views**

84. **DWCC et al.** acknowledges the varying perspectives on consultations expressed by stakeholders. While some organizations, such as **Apple Canada, Google,** and **Tubi**, advocate for voluntary consultations, **DWCC et al.** strongly disagrees with this approach. It believes that accessibility cannot be left to voluntary actions, as this often results in inconsistent engagement. **DWCC et al.** contends that structured, mandatory consultations are necessary to ensure that the voices of Deaf, Deaf-Blind, and Hard of Hearing (DDBHH) communities are consistently heard and incorporated into captioning policies. It emphasizes that accessibility should not be seen as a one-off commitment but as an ongoing, evolving process grounded in collaboration with these communities.

85. Regarding those stakeholders who oppose mandatory consultations, such as **Eastlink, Roku, Télé-Québec,** and **TV5 Québec**, **DWCC et al.** finds these positions insufficient for ensuring accountability in accessibility practices. **Eastlink** and **Roku** prefer voluntary or ad hoc consultations, while **Télé-Québec** and **TV5 Québec** suggest phased implementations for French captioning. **DWCC et al.** argues that these approaches risk leaving gaps in accessibility, with no guarantee that DDBHH community feedback will consistently shape decisions. For **DWCC et al.**, accessibility requires systematic and recurring engagement, not optional or delayed actions, to ensure that all streaming platforms uphold their responsibility to provide accessible content.

86. While some stakeholders, including **Bell Media, CMPA, Rogers Media,** and **ReQIS**, engage in ongoing consultations, **DWCC et al.** believes that this is not enough. Ongoing dialogue without formal, structured frameworks may not lead to measurable improvements in accessibility. **DWCC et al.** insists that consultations must be regular, transparent, and part of a clearly defined process to ensure that feedback is acted upon. The **DWCC et al.** position emphasizes that consultations must go beyond merely maintaining dialogue to actively driving changes that

improve captioning quality. To this end, **DWCC et al.** recommends more frequent, structured engagements, such as quarterly advisory panels, town halls, and public consultations, to ensure that accessibility practices evolve alongside technological advancements and community needs.

#### **Conclusion for Question 14**

87. In conclusion, **DWCC et al.** firmly advocates for the requirement of regular, structured consultations with Deaf, Deaf-Blind, and Hard of Hearing (DDBHH) communities to improve closed captioning policies and practices. The organization emphasizes that accessibility should not be viewed as a one-time obligation, but as an ongoing commitment that must evolve alongside technological advancements and the lived experiences of DDBHH individuals. **DWCC et al.** insists that only mandatory, transparent, and consistent consultations will ensure that DDBHH voices are heard and effectively incorporated into decision-making processes.
88. While acknowledging the varying perspectives of other stakeholders, **DWCC et al.** strongly disagrees with voluntary or ad hoc consultation approaches, such as those proposed by **Apple Canada, Google, Tubi,** and others. The organization argues that these methods often fail to provide the necessary accountability and consistent engagement required to create meaningful change. Instead, **DWCC et al.** stresses the importance of structured and recurring consultations to ensure that accessibility standards evolve in alignment with the needs of the DDBHH community.
89. Moreover, while some stakeholders, like **Bell Media, CMPA,** and **Rogers Media,** engage in ongoing consultations, **DWCC et al.** believes these efforts lack the necessary formal structure to produce measurable improvements in accessibility. To address this, **DWCC et al.** recommends more frequent and systematic consultations, such as quarterly advisory panels and annual town-hall meetings, to ensure that captioning policies are continually refined and responsive to community feedback. Ultimately, **DWCC et al.** calls for a comprehensive, transparent, and ongoing consultation framework to safeguard the quality and effectiveness of accessibility measures for all DDBHH Canadians.
90. For consultations with individuals who have lived experiences, it is essential that they are compensated for their time, particularly when engaging with large broadcasters. This ensures that their expertise is valued and that their contributions to accessibility improvements are recognized and supported.

**Q15: What approach should the Commission take to implement the new regulatory policy?**

## **Response Analysis for Q15**

### **Stakeholder Perspectives Overview**

#### **Support Phased Implementation**

91. Eight (8) organizations including **DWCC et al.** suggest that phased implementation should be focused on new content. Many stakeholders support a phased approach to implementing the new regulatory policy, with varying timelines. **DWCC et al.** recommends a three-year phased implementation for full compliance. Other stakeholders advocating for a phased approach for new content include Accessible Media Inc., Apple Canada, AQPM, Audition Québec, Disability Screen Office, Google, Paramount, and Tubi.

#### **Two- to five-year phased approach**

92. In terms of broader phased implementation timelines, ten (10) stakeholders, such as **Bell Media, Eastlink, Disney+, CAD-ASC, CBC/Radio-Canada, CDGM, CMPA, Corus, CPSC-SCFP, and ReQIS**, propose phased approaches spanning two to five years. These organizations support the phased approach over various timeframes. These suggestions highlight that the implementation period should be flexible but ensure proper integration into all platforms.

#### **Tailored or flexible Implementation**

93. Three (3) organizations call for additional flexibility or tailored approaches to implementation. **CPAC** advocates for tailored implementation during license renewal, and **Independent Broadcast Group** supports a more flexible approach for smaller platforms. **DWCC et al.** and other stakeholders emphasize the importance of structured, ongoing engagement, with flexibility for smaller services.

#### **Exemptions for Live Sports Platforms and Extensions for Smaller Platforms**

94. There are also specific suggestions for exemptions or shorter timelines. **DAZN** suggests exemptions for live sports platforms, while other organizations, such as

**DHHC**, propose phased approaches over shorter timelines (e.g., six months for 90% compliance and 12 months for full compliance). Additionally, organizations like **Télé-Québec** and **TV5 Québec** call for extensions for smaller platforms, totaling **4 organizations**.

### **Other Suggested Approaches**

95. Two (2) organizations have other suggestions for incremental or proportional approaches include **Netflix** and **Google's** recommendations.

### **Analysis of Interventions**

#### **Reiterating DWCC et al.'s Perspective on Question 15**

96. **DWCC et al.** supports a one-year ramp-up period for the implementation of the new regulatory policy. They emphasize that progress reports should be filed at least quarterly to ensure accountability and transparency. **DWCC et al.** argues that given the current advancements in captioning technology, there is no need for extended ramp-up periods, such as those previously required for traditional undertakings when captioning technology was in its earlier, less developed stages.

#### **DWCC et al.'s Position on Other Stakeholders' Views Regarding Q15**

**DWCC et al.** agrees with stakeholders advocating for a phased implementation, particularly for new content. This includes organizations like Accessible Media Inc., Apple Canada, and Tubi. **DWCC et al.** recommends a three-year timeline for full compliance, while others suggest varying periods, ranging from one to five years. While recognizing flexibility in timelines, **DWCC et al.** stresses the importance of a structured transition.

Some stakeholders, including CPAC and Independent Broadcast Group, call for tailored or flexible approaches, especially for smaller platforms. **DWCC et al.** acknowledges the need for flexibility but maintains that ongoing engagement is necessary to ensure consistent accessibility standards across platforms of all sizes.

In terms of exemptions, DAZN suggests live sports platforms should be exempt, and DHHC proposes shorter timelines for compliance. **DWCC et al.** recognizes these concerns but stresses that such exemptions should not impede progress toward full accessibility.

**DWCC et al.** maintains that a one-year ramp-up period is sufficient for full compliance with the new regulatory policy. Given advancements in captioning technology, there is no need for extended ramp-up periods. **DWCC et al.** insists on quarterly progress reports to ensure accountability and timely implementation.

### **DWCC et al. response based on Key Survey Insights**

The survey responses strongly align with **DWCC et al.'s** position on the rapid implementation of captioning standards. Respondents emphasized that with the current advancements in captioning technology, there is no need for extended ramp-up periods, particularly for pre-recorded content, where 100% caption accuracy is achievable. This supports **DWCC et al.'s** stance that a one-year ramp-up period is sufficient for full compliance, with minor adjustments needed for live programming during this time.

Survey participants also echoed **DWCC et al.'s** call for accountability through progress reports. They highlighted the importance of quarterly updates to track measurable progress toward compliance, ensuring transparency and building trust within the DDBHH community. This mirrors **DWCC et al.'s** emphasis on progress reporting as a key element of the implementation process.

Furthermore, many survey respondents supported a phased approach, provided it includes clear benchmarks and timelines. This aligns with **DWCC et al.'s** recommendation for a three-year phased implementation, initially focusing on pre-recorded content to ensure captioning quality. Respondents also expressed concerns about extended ramp-up periods, fearing that they would perpetuate accessibility barriers, which supports **DWCC et al.'s** view that a one-year period is reasonable and achievable to address these challenges effectively.

### **Q15 Conclusion**

In conclusion, **DWCC et al.** advocates for a swift, one-year ramp-up period for the implementation of the new regulatory policy, with a strong emphasis on accountability through quarterly progress reports. The advancements in captioning technology support the feasibility of achieving 100% accuracy for pre-recorded content without the need for prolonged ramp-up periods, a view echoed by survey respondents who align with **DWCC et al.'s** stance. The survey results reinforce the call for a phased implementation with clear benchmarks, emphasizing the importance of structured, timely progress to avoid perpetuating accessibility barriers.

While **DWCC et al.** recognizes the need for flexibility in certain cases, particularly for smaller platforms and live sports programming, it remains firm that such exemptions should not hinder progress toward full accessibility. The responses from other

stakeholders show broad support for a phased approach to implementation, with a focus on new content and clear timelines, further validating **DWCC et al.**'s position. Overall, the analysis of interventions and survey insights illustrates strong alignment around the need for rapid, transparent, and accountable implementation, ensuring accessibility for all Canadians, particularly those who are Deaf, DeafBlind, and Hard of Hearing.

## Response Analysis for Q16

### Stakeholder Perspectives Overview

97. **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 for Extended Timelines for Smaller Platforms

98. Many stakeholders agree that smaller platforms should be granted extended timelines for compliance, recognizing the unique challenges these platforms may face. **DWCC et al.** emphasizes that extended timelines should be based on the capacity of the smaller platforms. Several organizations, including **Accessible Media Inc.**, **Apple Canada**, **AQPM**, **Audition Québec**, and **BAF**, advocate for more time for smaller platforms. Others like **Bell Media**, **Blue Ant Media**, and **Bragg Communications (Eastlink)** also support extended timelines for smaller services, as do **Buena Vista (Disney+)**, **CBC/Radio-Canada**, and **CDGM**, although **CDGM** does not support exemptions for smaller platforms. Furthermore, **CMPA**, **Corus**, and **CPAC** note that extended timelines would allow for better integration and resource availability for smaller platforms, with Corus specifically suggesting a \$10M threshold for exemptions. **CPSC-SCFP**, **DAZN**, **Disability Screen Office**, and **Independent Broadcast Group** join in supporting extended timelines or exemptions, as do **Paramount**, **PIAC**, **Prime Video**, **Quebecor Media**, **ReQIS**, and **Rogers Media**. Even **Roku** and **Télé-Québec** echo this sentiment, supporting additional time for smaller platforms or services, with **Tubi** and **Universal Pictures** aligning with the same view.

### No Extended Time for Smaller Platforms / Oppose Extended Time

99. Conversely, some organizations oppose the idea of extended timelines for smaller platforms. **CAD-ASC** and **DHHC** strongly argue against granting additional time for small platforms, believing that uniformity in compliance should

apply across the board. **FRPC** also rejects extended timelines for smaller platforms, advocating for a more equal standard. **Google** and **Netflix** have not taken a stance on extended timelines for smaller platforms, though they have provided no comment on the issue.

## Other Considerations

100. A few organizations have made more nuanced recommendations. **Corus** highlights a specific \$10M threshold for exemptions, while **CPAC** underscores that resource availability is a critical factor for smaller platforms when considering extended timelines.

## Re-iterating DWCC et al.'s Perspective of Q16

101. As mentioned earlier, the technology available today makes it unnecessary to have extended ramp-up periods, **even for smaller platforms with fewer resources compared to larger ones**. A quick look at YouTube demonstrates that even individuals with minimal financial means can provide captions for their videos. The tools for creating and distributing captions are readily available to anyone, often at little to no cost, enabling content accessibility for all.

## Stakeholder Response Analysis and Key Perspectives

102. **DWCC et al.**'s position is strongly aligned with the views of **CAD-ASC, FRPC, and PIAC**, who all support the continued use of the NER system. These stakeholders emphasize its effectiveness in evaluating live captioning accuracy. **DWCC et al.** concurs with this assessment, asserting that the NER system provides a consistent and reliable method for measuring captioning quality. This unified stance highlights the importance of maintaining high standards in captioning practices, especially as it relates to the accuracy of live content, an area where technology has advanced to a level where 100% accuracy is achievable without significant delays in implementation.

103. Regarding the issue of extended timelines for smaller platforms, there is a wide range of stakeholder opinions. Many, including **Accessible Media Inc., Apple Canada, AQPM**, and others, argue that smaller platforms should be given additional time to comply with the new captioning requirements. **DWCC et al.** acknowledges the challenges smaller platforms may face but emphasizes that any extended timelines should be based on the capacity of the platform. **DWCC** further supports the idea that flexibility can be helpful for smaller services, but insists that any delay in compliance should be coupled with rigorous progress

monitoring. **DWCC et al's** position is that while acknowledging the need for flexibility, all platforms should work toward meeting the standards within reasonable timeframes, especially given the affordability and availability of captioning tools today.

104. In contrast, there are stakeholders, including **CAD-ASC**, **DHHC**, and **FRPC**, who oppose granting extended timelines for smaller platforms. They believe that uniformity should be applied across all platforms, regardless of size. **DWCC et al.** maintains that this position overlooks the reality that smaller platforms often face unique challenges due to limited resources. While **DWCC et al.** agrees that all platforms should eventually meet the same standards, they argue that a more nuanced approach is needed to accommodate the varying capacities of smaller services. In particular, **DWCC et al.'s** perspective is informed by the recognition that captioning technology is now widely accessible, with tools that can be utilized by platforms of all sizes, even those with minimal financial means.

105. Finally, the more specific recommendations regarding resource availability and thresholds for exemptions also add complexity to the discussion. **Corus**, for example, suggests a \$10M threshold for exemptions, while **CPAC** stresses that resource availability is a critical factor for smaller platforms. **DWCC et al.** concurs with the need for resources but insists that the availability of captioning technology significantly reduces the justification for extended timelines. The current state of the technology enables all platforms to comply, regardless of size, without significant delays. Thus, **DWCC et al.** reiterates its position that, while recognizing smaller platforms' unique circumstances, the rapid and efficient implementation of captioning standards should not be delayed, especially given the tools available to all platforms today.

### **DWCC et al.'s Perspective based on Survey Insights**

106. The **DWCC et al.** do not believe that smaller streaming undertakings should be granted additional time for implementation. Advances in captioning technology have made the creation and dissemination of captions accessible to all, regardless of financial or human resource limitations. Even individual content creators on platforms like YouTube regularly provide captions, demonstrating that these tools are affordable and widely available.

107. **DWCC et al.** firmly maintain that advances in captioning technology eliminate the need for extended ramp-up periods, even for smaller streaming platforms. The organization supports a **one-year ramp-up period** with **quarterly progress**



**reports** to ensure timely implementation. They reject the notion that smaller undertakings should receive additional time, emphasizing that **captioning tools are widely accessible and affordable**. This stance is **strongly supported by survey respondents**, who underscored the expectation that accessibility should be universal and not dependent on the size or financial capacity of a streaming service.

108. Survey respondents emphasized that accessibility is a fundamental right. Delaying implementation for smaller platforms would perpetuate inequities and create unnecessary barriers for Deaf, DeafBlind, and Hard of Hearing (DDBHH) users. This aligns with **DWCC et al.**'s insistence that all platforms, regardless of size, should be held to the same accessibility standards. Additionally, **DWCC et al.** emphasize that modern captioning tools are readily available and do not require extensive resources to implement. This aligns with survey respondents' observations that cost-effective captioning solutions, such as automated software and third-party providers, are easily accessible. Both parties assert that there is no technological or financial justification for granting smaller platforms additional time.
109. Survey participants expressed concerns that allowing extended timelines for smaller undertakings would create disparities in accessibility, leaving users on those platforms underserved. **DWCC et al.** share this concern, arguing that all streaming services should meet the same captioning standards within the proposed one-year timeframe. Many respondents also stressed that smaller platforms should not be exempt from accessibility requirements, as this would compromise equitable access to content. This supports **DWCC et al.**'s assertion that captioning implementation should not be delayed, given the widespread availability of captioning tools.

## **Q16 Conclusion**

110. The survey findings reinforce **DWCC et al.**'s position that captioning implementation should not be delayed, as accessibility is a fundamental right and the necessary tools are widely available. Both **DWCC et al.** and respondents advocate for a uniform standard across all platforms, emphasizing that financial or resource constraints are not valid reasons for delaying accessibility compliance. The strong alignment between **DWCC et al.**'s stance and public sentiment underscores the need for swift implementation of captioning standards across all streaming services.

111. **DWCC et al.** maintain that the availability and affordability of captioning technology negate the need for extended ramp-up periods, even for smaller streaming platforms. While some stakeholders argue for additional time to accommodate resource limitations, **DWCC et al.** asserts that modern captioning tools make accessibility achievable for all platforms without undue delay. The survey findings strongly support this perspective, with respondents emphasizing that accessibility should not be contingent on platform size and that delaying implementation would create unnecessary barriers for Deaf, DeafBlind, and Hard of Hearing (DDBHH) users.
112. Although some industry stakeholders propose flexibility for smaller platforms, **DWCC et al.** stresses that any adjustments must be coupled with clear progress monitoring. The rapid evolution of captioning technology has removed many traditional barriers, as even individual content creators on platforms like YouTube can generate captions with minimal cost. Survey participants reinforced this stance, stating that cost-effective captioning solutions are widely accessible and that smaller undertakings should not be exempt from meeting accessibility standards. A uniform approach ensures that all users have equal access to content, regardless of where it is hosted.
113. Ultimately, **DWCC et al.** advocate for a **one-year ramp-up period** with **quarterly progress reports**, ensuring that all streaming services implement captioning without unnecessary delays. The survey insights reaffirm that accessibility is a fundamental right, and allowing extended implementation timelines for smaller undertakings would create inequities. With robust captioning tools readily available, **DWCC et al.** urge policymakers to prioritize swift and efficient compliance across the industry, ensuring that accessibility remains a standard expectation rather than an optional feature.

## **Wrap up of Part Two**

To wrap up, To conclude, this document forms **Part Two** of DWCC et al.'s submission to **BNC CRTC 2024-137**, addressing key consultation issues with perspectives from DWCC et al., stakeholders, and survey respondents. **Next, DWCC et al. will submit a Recommendations document**, outlining specific measures to enhance captioning compliance and accessibility.

**END PART TWO**

**\*\*\*\* END DOCUMENT \*\*\*\***