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VIA EMAIL DISTRIBUTION and GC KEY

January 27, 2025

Mr. Marc Morin
Secretary-General
Canadian Radio-telecommunications and Telecommunications Commission (CRTC)
sec-gen@crtc.gc.ca

and

The CRTC Public Hearing Team
Public Hearings, Canadian Radio-television and Telecommunications Commission (CRTC)
Ottawa, ON K1A 0N2
hearing@crtc.gc.ca

Reference: Public record: [1011-NOC2024-0288](#)

Re: Intervention to participate in BNC CRTC 2024-288

Dear Secretary General,

1. The Deaf Wireless Canada Consultative Committee - Comité pour les Services Sans fil des Sourds du Canada (DWCC - CSSSC or "**DWCC**"), hereby submits its intervention and declares its wish and interest in participating in the proceeding, *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** appreciates the opportunity to participate in this proceeding. The **DWCC** 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.

About our Committee

3. The Deaf Wireless Canada Consultative Committee - Comité pour les Services Sans fil des Sourds du Canada (**DWCC** - CSSSC or "**DWCC**"), advocates for the full inclusion of diverse members within the Canadian Deaf, Deaf-Blind, and Hard of Hearing (DDBHH) community in Canadian society. The spectrum of DDBHH life experiences, including those that are Indigenous and 2SLGBTQIA+, and range from those with cognitive delay or have neurodiversity, immigrants learning English or French as a second language, those with various degrees of hearing loss, those with the unique “double” disability as Deaf-Blind, and finally native ASL/LSQ users. Additionally, **DWCC** supports that Indigenous have the right to ask for support, including requesting Indigenous Sign Language interpreters. When **DWCC** writes DDBHH, it is inclusive of all those with intersectional identities.
4. **DWCC's** mandate is to advocate for accessible wireless communications equity for DDBHH Canadians, including but not limited to:
 - a. Cost-reasonable accessible wireless data plans for ASL and LSQ users for two-way videocalls.
 - b. Accessible industry-wide promotions of wireless services and products.
 - c. Removal of disparities in costs of the same accessible wireless products and services within each company.
 - d. Provision of functional equivalent wireless products and services, including wireless applications (apps).
 - e. Accessible wireless emergency services (including emergency alerts and direct text to 911).
 - f. Nationwide public awareness, education and outreach on currently accessible wireless and mobile communication products and services.

Redefining Cancon Through Accessibility:

5. It is **DWCC's** position that the current Cancon framework, focused solely on “key creatives,” overlooks an essential element: the nature of programming in terms of accessibility. While regulations and funding agencies like CAVCO and the CRTC require content to be accessible, the *definition* of Cancon itself does not integrate accessibility as a foundational element. This omission results in taxpayer-supported programming potentially bypassing accessibility considerations at its core. Applying an accessibility lens would ensure that accessible content is not an afterthought but a core requirement, reflective of Canada’s diverse population, including the DDBHH community.

Key creative positions

Q1: Currently, if a production does not have a sufficient number of key creative positions to attain the minimum 6 points, the Commission’s approach has been to require that all key creative positions of a production be filled by Canadians. Should the Commission continue with this approach? If not, under the Commission’s preliminary view above, what should be the minimum threshold for a production to be certified Canadian?

6. The Commission should modernize the definition of Canadian content to reflect Canadian values of inclusivity by expanding the current approach to incorporate accessibility as a measurable element. Accessibility should be a key consideration in the point system, particularly for production crews creating content that involves Indigenous Sign Languages (ISLs), American Sign Language (ASL), and Langue des signes québécoise (LSQ). To support this, guidelines and standards of expectations should be developed to ensure productions align with accessibility principles.
7. As part of these guidelines, it would be a commonsense practice to require crews that can communicate fluently in ASL and LSQ, along with consulting Indigenous Deaf experts where applicable. Productions that do not meet the necessary key creative positions to qualify under the point threshold should instead be required to incorporate robust accessibility measures—such as ASL/LSQ interpretation, captioning, and audio descriptions—as integral components of the production process. This ensures that taxpayer-supported programming reflects the needs of all Canadians, especially equity-deserving groups.
8. **DWCC** strongly advocates for adding accessibility as a scoring criterion within the “key creatives” points system. Productions should earn points for embedding accessible features like ASL/LSQ interpretation, captioning, and audio descriptions directly into the production process, rather than treating them as post-production add-ons. This approach affirms equity and inclusivity as fundamental Canadian values, ensuring all audiences are considered in the creation of Canadian content.

Q2: In productions where rights for pre-existing or pre-recorded music were purchased from both Canadian and foreign rights holders, should the Commission still grant a point? If not, please explain.

9. Yes, with an added requirement that pre-recorded music incorporated into productions must include accessibility features where applicable, such as visual or tactile indicators like transcripts and song lyrics for music cues when used in contexts accessible to Deaf, Deaf-Blind, and Hard-of-Hearing (DDBHH) audiences. Accessibility considerations should extend to all aspects of production, including music, as part of a holistic approach to defining Canadian content.
10. The Commission should grant a point in such cases if the production integrates accessibility measures for music where relevant. For example, music used in accessible contexts should include visual or tactile cues to ensure the content remains inclusive for DDBHH communities. By considering accessibility in this context, productions better align with the goals of inclusivity and representation, ensuring that Canadian content reflects the diversity and values of all its audiences.

Q3: Does the Commission’s preliminary view regarding key creative positions help ensure that the creative direction and control of a Canadian program remain Canadian? If not, how should this preliminary view be modified?

11. While the preliminary view emphasizes Canadian creative control, it overlooks the critical role of ensuring accessibility as part of that creative direction. **DWCC** believes that creative decision-making must also encompass how a program serves diverse audiences, including accessibility considerations.

12. The Commission should modify this view to include an Accessibility Lens as part of the definition of creative control. Productions should earn points for embedding accessibility throughout the creative process, such as incorporating ASL/LSQ interpretation, captioning, and accessible design practices in scripts, sets, and production workflows. This approach ensures Canadian programming is reflective not only of Canadian creators but also of the diverse audiences they aim to serve.

Definition of “showrunner”

Q4: The Commission currently does not have a definition for the position of a “showrunner.” Please provide details on what such a definition should entail.

13. A “showrunner” should be defined as the individual responsible for overseeing all aspects of a production, including its creative vision, narrative direction, and execution. To align with Canadian values of inclusivity, the showrunner’s responsibilities should explicitly include ensuring the integration of accessibility into the production’s creative process. This would involve developing content that is inclusive of equity-deserving groups and implementing accessible design practices at all stages of production.
14. Proactively designing content with features such as ASL/LSQ interpretation, captioning, audio descriptions, transcripts, and song lyrics ensures that the final product meets accessibility standards and remains inclusive to all Canadians. By embedding accessibility into the showrunner’s defined role, Canadian programming will better reflect the country’s commitment to inclusion, diversity, equity, and accessibility (IDEA).

Q5: Please comment on the Commission’s preliminary view that if a production includes a showrunner, a Canadian must occupy that position.

15. **DWCC** supports the preliminary view that a Canadian must occupy the showrunner position, as this ensures Canadian creative leadership. Furthermore, the role of a Canadian showrunner should include accountability for ensuring that accessibility is integrated into the production process from the outset. Productions led by showrunners who prioritize accessibility should earn additional recognition, as this reflects Canada’s commitment to equity and inclusivity.
16. By making accessibility a core responsibility of the showrunner, the Commission can ensure that taxpayer-funded productions reflect the values of inclusivity, equity, and accessibility. Additional points should be awarded to productions where showrunners lead efforts to embed accessibility features—such as ASL/LSQ interpretation, captioning, audio descriptions, transcripts, and song lyrics—into the creative process.
17. **DWCC** proposes that a Canadian showrunner be required to ensure that accessibility is treated as a foundational element of production, earning additional points under a revised Cancon framework. This approach ensures Canadian programming reaches and resonates with diverse audiences, particularly the DDBHH community and other equity-deserving groups.

Cultural elements

Q6: Should the Commission include cultural elements within the certification framework? If yes, please describe what would constitute a “cultural element.” Further, how should the Commission identify such elements in an objective way and incorporate those elements into the definition?

18. Cultural elements should absolutely be included within the certification framework. These elements should reflect Canadian diversity and history, particularly emphasizing Indigenous, OLMC, and equity-deserving communities.
19. Accessible storytelling such as narratives incorporating ASL/LSQ and the occasional Indigenous Sign Languages, in accordance to the Accessible Canada Act, should be considered a cultural element, along with captioning requirements, as accessibility reflects Canada's values of inclusivity.
20. To ensure objectivity, the Commission can consult with advocacy organizations and cultural groups to create a clear set of criteria for identifying these elements.

Creative control

Q7: Would this new flexible approach incentivize more collaboration and partnerships between Canadian and foreign creators?

21. A flexible approach would incentivize collaboration, but safeguards are necessary to ensure Canadian creative and financial control. For instance, collaborations should prioritize integrating accessibility features such as captions and ASL/LSQ to meet Canadian inclusivity standards. Productions involving foreign creators should be required to adhere to Canada's equity and accessibility principles.

Q8: Would this new, flexible approach facilitate the exportability and discoverability of Canadian programming domestically and abroad?

22. **DWCC's** position is **Yes**, this new flexible approach facilitates the exportability and discoverability of Canadian programming domestically and abroad.

Q9. Would this new flexible approach ensure that a production remains culturally relevant and reflective for Canadians, and that Canadians continue to exercise significant creative input and control in a production?

23. **DWCC's** position is **Yes**, this new flexible approach ensure that a production remains culturally relevant and reflective for Canadians, and that Canadians continue to exercise significant creative input and control in a production. **DWCC's** position is **Yes**, this new flexible approach ensure that a production remains culturally relevant and reflective for Canadians, and that Canadians continue to exercise significant creative input and control in a production.

Q10. Currently, the director or screenwriter/scriptwriter/storyboard supervisor position must be filled by a Canadian for a production to be eligible for certification. Please comment on whether the Commission should maintain this approach on top of the new flexibility proposed above (i.e., 80% of Canadians). Should other key creative positions be opened to this flexibility?

24. **DWCC** supports the 80% Canadian requirement for key creative positions as proposed, with the understanding that flexibility should be considered in certain contexts. However, we believe that this flexibility should include an *accessibility lens*, particularly for productions involving ASL, LSQ, or Indigenous Sign Languages.

25. In such cases, the inclusion of accessibility features such as ASL/LSQ interpretation, captions, audio descriptions, and other relevant accessibility measures, such as transcripts and song lyrics, should be integral to the production process. When these accessibility elements are prioritized, productions could be eligible for certification, even if they do not meet the 80% Canadian threshold for every key creative position. This ensures that Canadian programming remains inclusive and reflective of the diverse linguistic needs of equity-deserving groups, while still supporting Canadian creative leadership.

Q11. Currently, for a production to be certified, the following positions must be filled by a Canadian:

(a) the first or second lead performer (performer or voice); and

(b) camera operator (for animation productions other than continuous action animation).

26. Please comment on whether the Commission should maintain this approach.

Yes, DWCC maintains that the first or second lead performer and camera operator positions should continue to be occupied by Canadians to uphold and protect Canadian values, culture, and the production workforce, particularly in the current context involving American dominance in these areas. Furthermore, when programming is in ASL/LSQ, preference should be given to crew members and cast who are fluent in ASL/LSQ to ensure authentic representation and accessibility."

Q12. Currently, for an animation production to be certified, the following functions must be performed in Canada:

(a) Key Animation (1 point), (b) Camera Operator (1 point)

27. **DWCC** supports maintaining the requirement for key animation and camera operator positions to be performed in Canada for animation productions to be certified. In light of the current dynamics between American and Canadian production sectors, it is essential to safeguard and promote Canadian values, culture, and the Canadian production workforce.

28. Additionally, when programming is in ASL/LSQ, preference should be given to crew members and cast who are fluent in ASL/LSQ, ensuring authentic representation and accessibility for all audiences.

Financial control

Q13. Please provide an intellectual property rights model (or models) for the Commission to consider based on the different ways that a definition of "Canadian program" would account for intellectual property rights as set out in paragraph 31. Please explain how

the proposed model(s) would incentivize collaborations and foreign equity investments, and ensure that Canadian programming is competitive in the global market.

29. **DWCC** does not have the expertise to provide a comprehensive intellectual property rights model for the Commission's consideration. As such, we are unable to answer this question at this time.

Q14. In light of an approach based on Canadian intellectual property rights retention, should the Commission maintain the requirement that the key producer roles (producer, co-producer, line producer and production manager) be filled by Canadians to ensure Canadian financial and creative control? If not, please explain why.

30. **DWCC** does not have the expertise to provide a comprehensive assessment regarding the retention of Canadian intellectual property rights and the requirement for key producer roles to be filled by Canadians. As such, we are unable to answer this question at this time.

Q15. How can the Commission incorporate the use of ownership and financial control of Canadian programs to help ensure the exportability of Canadian programming and formats through its modernized regulatory framework?

31. **DWCC** does not have the expertise to provide a comprehensive assessment on how the Commission can incorporate ownership and financial control of Canadian programs to ensure their exportability. As such, we are unable to answer this question at this time.

Q16. Is the current co-venture model used by the Commission relevant to a modernized definition of "Canadian program" that includes a requirement relating to the retention of intellectual property rights?

32. **DWCC** does not have the expertise to provide a comprehensive assessment of the relevance of the current co-venture model in the context of a modernized definition of "Canadian program" that includes a requirement related to the retention of intellectual property rights. As such, we are unable to answer this question at this time.

Q17. Are there any special considerations that the Commission should give to the ownership of intellectual property rights by public broadcasters?

33. **DWCC** does not have the expertise to provide a comprehensive assessment of special considerations regarding the ownership of intellectual property rights by public broadcasters. As such, we are unable to answer this question at this time.

Questions relating to expenditures on Canadian programming

Q18. How does the Commission's view regarding PNI align (or not align) with business models and the availability of programming in the current broadcasting system?

34. **DWCC** does not have the expertise to provide an assessment of how the Commission's view regarding PNI aligns with business models and the availability of programming in the current broadcasting system. As such, we are unable to answer this question at this time.

Q19. Would the proposed changes to the definition of “Canadian program” ensure continued financial support for Canadian programs previously supported through the Commission’s approach to PNI? Would the proposed changes ensure that those Canadian programs are not only made available to Canadians, but also exported internationally?

35. **DWCC** does not have the expertise to provide an assessment on whether the proposed changes to the definition of "Canadian program" would ensure continued financial support or the exportability of Canadian programs previously supported through the Commission’s approach to PNI. As such, we are unable to answer this question at this time.

Q20. Should the CPE requirements for traditional Canadian broadcasters and foreign online undertakings be similar or different? How can the Commission impose equitable requirements that respect the different business models of the various undertakings and broadcasting groups?

36. **DWCC** does not have the expertise to provide an assessment on whether the CPE requirements for traditional Canadian broadcasters and foreign online undertakings should be similar or different, or how the Commission can impose equitable requirements that respect the different business models of these entities. As such, we are unable to answer this question at this time.

Q21. Please explain how the Commission should determine:

(a) what types of expenditures would fulfill the needs in the broadcasting system relating to Canadian programming, in particular news programming; and

37. (b) how these expenditures should be allocated.

DWCC does not have the expertise to provide an assessment on what types of expenditures would fulfill the needs in the broadcasting system relating to Canadian programming, particularly news programming, or how these expenditures should be allocated. As such, we are unable to answer this question at this time.

Q22. Should different approaches be undertaken for the English- and French-language markets in a modernized CPE framework? For example, should the Commission impose a minimum expenditure requirement for Canadian original English- and French-language programs? If yes, should the approaches differ in both official language markets?

38. **DWCC** reserves the right to respond to this question at a later stage of this proceeding.

Q23: How can a modernized expenditure framework support Indigenous content and content created by and for equity-deserving groups, OLMCs, and Canadians of diverse backgrounds?

39. **DWCC** believes that a modernized framework must mandate a portion of expenditures for programming created by and for Indigenous, OLMC, and equity-deserving groups, including DDBHH creators. Dedicated funding should ensure that productions incorporate accessibility features such as ASL/LSQ, captions, and audio descriptions,

transcripts, and song lyrics, fostering equitable opportunities in storytelling and representation.

Q24: In the modernized CPE framework, what programming, such as news, should be viewed as risky and expensive to produce and difficult to monetize but exceptionally important to the achievement of the objectives of the Act? How is such programming not already supported by the various business models in operation in the Canadian broadcasting system?

40. Programming tailored to underserved communities, such as accessible news for DDBHH audiences, should be viewed as risky yet crucial. This type of content often requires specialized resources for accessibility features, such as sign language interpretation, captioning, transcripts and song lyrics, which current models do not adequately support. Additional regulatory incentives are needed to address these gaps.

Q25. How should expenditures on news programs be incorporated into a modernized CPE framework?

41. **DWCC** reserves the right to respond to this question at a later stage of this proceeding.

Q26: What other incentives, such as CPE credits, could be used to support certain types of programming (for example, original first-run programs and/or independent productions)?

42. **DWCC's** position such as additional CPE credits should be awarded for productions that incorporate robust accessibility measures. For instance, productions providing ASL/LSQ interpretation, captions, audio descriptions, transcripts, and song lyrics during both the development and production stages should qualify for enhanced credits. This would promote equity, inclusion, and ensure that content is accessible to all Canadians, including equity-deserving groups and the DDBHH community.

Q27. Should the Commission set out reporting requirements, as described above (for example, through a requirement to provide production reports), for all broadcasting undertakings operating in Canada, whether they are Canadian or foreign, and whether they operate on traditional platforms or online?

43. **DWCC** position is **Yes**, the Commission should set out reporting requirements, as described above, for all broadcasting undertakings operating in Canada, whether they are Canadian or foreign, and whether they operate on traditional platforms or online. Such requirements would ensure greater transparency and accountability in the broadcasting sector, fostering equitable access to information and supporting the ongoing development of Canadian programming.

Q28: Should the Commission require the public disclosure of the revenues and programming expenditures of all broadcasting undertakings subject to CPE requirements? Should the information be collected and published by the Commission or published by the undertakings themselves?

44. **DWCC** position is **Yes**, public disclosure of revenues and expenditures should be required for transparency and accountability. This information should be collected and published by the Commission to ensure consistency, enabling stakeholders such as

advocacy groups to analyze the data effectively. **DWCC** would like to see data and statistics for such information.

Q29: Should the published revenue and CPE data be broken down? Should it be published by service, by ownership group, or further, for example, by program category, language, or other elements?

45. **DWCC** believes that published revenue and CPE data should be broken down by service, ownership group, program category, language (such as ASL, LSQ, Indigenous Sign Languages, and other equity-deserving languages), and other relevant elements. This level of detail would help ensure equitable distribution of resources and highlight any gaps in support for underrepresented communities, including Indigenous, DDBHH, OLMC creators, and other marginalized groups.

Q30. What type of data should the production report include or not include (for example, language, region, producer information, and Canadian certification number)? Please explain.

46. **DWCC** believes that production reports should include detailed information on the accessibility features of programming. This should cover whether accessibility measures were provided, including captions, transcripts, audio descriptions, and song lyrics, as well as whether the programming was specifically in ASL, LSQ, or Indigenous Sign Languages. Additionally, data on the language of the production, region, producer information, and Canadian certification number should be included. This comprehensive reporting ensures transparency and accountability in supporting accessible and inclusive Canadian programming.

Q31. To make it easier to work with industry data and to compare such data, should the production report include an identifier that is unique for each program? If yes, please explain how this identifier should work (for example, a serial number or alphanumeric text). Should the identifier itself carry any metadata (that is, data providing information about one or more aspects of the data)?

47. **DWCC's** position is **Yes**, the production report should include a unique identifier for each program, such as a serial number or alphanumeric text. This identifier should carry metadata to provide additional context about key aspects of the program. To support accessibility, metadata could include tags for features such as ASL/LSQ interpretation, captions, audio descriptions, transcripts, and song lyrics. These tags would help ensure that accessible programming is discoverable and trackable, benefiting viewers with diverse needs. To address privacy concerns, the metadata should focus on program-specific information, rather than personal data, ensuring that accessibility remains a priority while respecting user privacy.

Q32. If the Commission decides to use unique identifiers, how could the production report be linked to audience measurement sources, providing information about the viewing patterns and availability of content produced?

48. **DWCC's** position is **Yes**, the production report should be linked to audience measurement sources. By connecting the unique identifiers with audience data, we can gain insights into the viewing patterns and the availability of content produced, specifically for ASL, LSQ, and Indigenous Sign Language programming. This linkage allows us to measure audience numbers, helping us gauge which programming resonates most with viewers. It also provides valuable data to adapt and evolve our content to align with viewer preferences and current trends, ensuring the accessibility of our programming remains relevant and impactful.

Q33: How should the Commission collect data regarding key creative positions, producer positions, and intellectual property for Canadian programming owned by people from the following groups: Indigenous peoples, equity-deserving groups, and OLMCs?

49. **DWCC's** position is that the Commission should collaborate with advocacy organizations to design data collection tools that respect self-identification and privacy. Engaging with stakeholders will ensure that demographic information is collected accurately and respectfully. This approach will help identify barriers and opportunities for these groups, fostering a more inclusive and equitable Canadian programming landscape. By involving the communities directly, the Commission can gather reliable data while protecting the privacy and agency of the individuals involved.

Q34: How should the Commission address concerns regarding privacy and self-identification issues? Could the use of a unique identifier help in addressing those concerns?

50. **DWCC's** position is that the Commission could use a unique identifier to balance privacy with data accuracy. This would enable the tracking of demographic representation without exposing personal information. The metadata within the unique identifier could indicate participation by equity-deserving groups, such as Indigenous peoples, OLMCs, and other marginalized communities, supporting the development of more inclusive policies. This approach ensures privacy while providing valuable data to foster equitable opportunities in Canadian programming.

Q35. Should certain types of data (relating to, for example, programming or the operation of undertakings) provided by broadcasting undertakings be presumed to be confidential when filed? If yes, please explain why.

51. **DWCC's** position is **Yes**. Certain types of data, particularly related to programming, key creative positions, and financial or operational information, should be presumed confidential when filed to protect sensitive business information.
52. However, **data related to accessibility**, including ASL/LSQ interpretation, captions, transcripts, song lyrics, and Accessibility Plans, **must remain transparent and accessible to the public**. Treating accessibility data as confidential creates barriers to accountability and undermines efforts to promote inclusivity and equity within the broadcasting system.
53. Balancing confidentiality with public interest is crucial to ensuring that accessibility-related data is visible and can be used to identify and address barriers for underrepresented groups, including Indigenous peoples, equity-deserving groups,

OLMCs, and the DDBHH community.

54. **Accessibility is a public good, and maintaining transparency ensures the Commission can develop inclusive and equitable policies** while safeguarding sensitive business information. This approach allows for the development of more inclusive and equitable policies while safeguarding proprietary information.

Q36: What is the best way to measure and evaluate the success of the new framework for expenditures on Canadian programming?

55. **DWCC's** position is that the success of the new framework should be measured by: **Increased representation** of equity-deserving groups, ensuring diverse and inclusive voices are included in Canadian programming.
- a. **Increased representation** of equity-deserving groups, ensuring diverse and inclusive voices are included in Canadian programming.
 - b. **Improved accessibility metrics**, such as captioning, ASL/LSQ use, and other key accessibility features (e.g., transcripts and audio descriptions), to ensure programming is accessible to a wider audience, particularly underserved communities.
 - c. **Audience engagement** from underserved groups, such as those from the DDBHH community, ensuring that programming resonates with the people who need it most.

56. Stakeholder feedback and independent audits should guide evaluations.

Q37. Given the Commission's preliminary view with respect to PNI, how can future data collection practices help track which types of programming are risky to produce and difficult to monetize, and consequently require regulatory incentives?

57. **DWCC's** position is that we do not have the expertise to answer this question. However, we emphasize the importance of ensuring accountability for accessibility data collection as part of any future data practices related to this topic.

Q38. How can the Commission measure whether the future modernized definition of "Canadian program" is meeting the desired goals as specified in paragraph 7 of this notice?

58. **DWCC's** position is that we do not have the expertise to answer this question.

Q39: How can the Commission measure and evaluate the success of the framework for achieving the objectives relating to promoting and protecting the French-language and supporting the vitality and development of OLMCs?

59. **DWCC's** position is that success can be measured by tracking the production and distribution of French-language content and content designed for OLMCs. **Accessibility metrics**, such as **LSQ captions**, should also be incorporated into the evaluation process. Regular **stakeholder surveys** should be conducted to assess the impact and satisfaction of these communities, ensuring that their needs are being met and that the framework supports inclusivity and representation.

Q40: Can AI-generated material be considered Canadian content? If yes, on what basis? Please explain.

60. **DWCC's** position is that AI-generated material can only be considered Canadian content if it is developed under Canadian creative and financial control and adheres to Canadian values of inclusivity and accessibility. For example, AI-generated material should include accessibility features such as ASL/LSQ interpretation, captions, audio descriptions, transcripts, and song lyrics, ensuring it serves all Canadians, including equity-deserving groups and the DDBHH community.

61. Furthermore, Canadian creators must play a central role in overseeing the use of AI technologies to ensure they align with cultural and creative standards. Productions relying on AI should also demonstrate that accessibility considerations are integrated during both the design and implementation stages, reflecting Canada's commitment to equity and diversity in content creation.

Q41: What could the potential impact of AI be on pre- and post-production, including but not limited to tasks such as visual effects?

62. **DWCC's** position is that AI can streamline production processes, reduce costs, and increase efficiency. However, its use must prioritize accessibility to ensure outputs meet inclusivity standards, such as visual effects that are understandable to audiences requiring tactile or visual accommodations.

Q42: How could the use of AI impact discoverability of Canadian content?

63. **DWCC's** position is that AI can enhance discoverability by personalizing recommendations. However, algorithms should prioritize accessibility and equity, ensuring content for underserved groups, including DDBHH audiences, is easily discoverable.

Q43: If the 75% threshold should not be maintained, please explain why and provide an alternative that would ensure continued and significant investment in Canadian resources.

64. **DWCC's** position is that the 75% threshold should be maintained to ensure Canadian resources and talent remain central to productions. This threshold guarantees meaningful investment in Canadian creators and should be expanded to include measurable investments in accessibility.

Time credits

Q44. Should the Commission discontinue the use of time credits as an incentive to make Canadian programming available? If no, please explain why.

65. **DWCC** does not have the expertise to answer this question.

Q45. Is there still a need for the Commission to continue incentivizing the dubbing of productions in Canada by Canadians? Please explain.

66. **DWCC** does not have the expertise to answer this question.

Q46. If you reply “Yes” to Q45, what types of incentives should be used to ensure that Canada’s dubbing industry continues to thrive? What types of regulatory tools could the Commission use to incentivize the dubbing of productions in Canada by Canadians in a modernized expenditure framework?

67. **DWCC** does not have the expertise to answer this question.

Foreign courtesy credits and affidavits

Q47. Do you agree with the Commission’s proposal to consolidate the foreign courtesy credits, remove the equivalency-based approach, and replace the notarized affidavit with an attestation of duties for each person who receives a courtesy credit? If not, please explain.

68. **DWCC’s** position, Yes, this consolidation aligns with streamlining the process while ensuring transparency and accuracy. Additionally, the simplified affidavit process should not diminish accountability for accessibility. We recommend that production reports include accessibility features as part of these duties, such as ASL/LSQ, captions, audio descriptions, and other essential accessibility elements, to guarantee that Canadian productions meet inclusivity standards.

Discontinuation of Canadian certification for certain types of productions

Production packages and twinning

Q48 Given that the Commission rarely receives applications for Canadian certification of production packages and twinnings, should the Commission discontinue certification of these types of productions? Please explain.

69. As production packages and twinnings are rarely applied for, discontinuing certification would streamline regulatory processes. However, any future certification should emphasize the importance of accessibility features. Productions applying for certification should be required to demonstrate how they integrate accessibility measures such as captions, transcripts, audio descriptions, song lyrics, and ASL/LSQ interpretation, ensuring equitable access for all Canadians, including those from equity-deserving groups.

Pilot projects

Q49. Should the Commission eliminate pilot projects from the definition of a Canadian program? Please explain.

70. **DWCC’s** position is: No, pilot projects should not be eliminated from the definition of a Canadian program. However, we recommend providing exemptions for pilot projects from some stringent regulatory requirements, as they serve the purpose of “testing the

waters.” That being said, pilot projects must ensure that accessibility features, such as ASL and LSQ interpretation, are provided for both cast and crew. This ensures inclusivity from the outset while also allowing pilot projects to inform and improve future regulatory processes.

Adult programming

Q50. By reference to the factors set out in subsection 10(1.1) of the Act or section 13 of the Government of Canada’s policy direction, should adult programming continue to be recognized as Canadian programming? Please explain.

71. **DWCC** does not have the expertise to answer this question. XXX

Participation in the proceeding

72. **DWCC** and partnering organizations, as **DWCC**, will have a more fulsome response to the 50 questions if permitted to interview and submit by **February 20, 2025**. The aim is to gather up to 15 DDBHH groups’ perspectives and experiences to give an ample perspective on Canadian broadcasting cast and crew and content. We look forward to contributing our documents to this critical proceeding and participating in the reply phase.

73. **DWCC** trusts it will accumulate sufficient evidence, concerning its accessibility group to significantly and meaningfully contribute to the CRTC proceeding BNC 2024-288: Call for comments – Development of a regulatory policy for closed captioning provided by online streaming undertakings.

74. **DWCC** appreciates the opportunity to participate in this proceeding, and for the requirement to participate in a public hearing, **DWCC** hereby requests accessibility for its minimum of three panelists to answer queries and discuss the topic of this proceeding in Gatineau, Quebec.

75. **DWCC** requests ASL interpretation and CART for its communication needs. LSQ should also be booked for language equity.

76. **DWCC** appreciate the Commission’s consideration of its Interventions and documents submitted thereafter. Should you have any questions, please do not hesitate to contact all of us.

Best regards,

Jeff Beatty
Chairperson
Deaf Wireless Canada Committee (DWCC)