



**Including the Accessibility Needs of Ontarians with Speech and Language Disabilities in the  
Accessibility for Ontarians with Disabilities Act (AODA)**

**Issue**

The **Accessibility for Ontarians with Disabilities Act (AODA)** and its regulations are not inclusive of the communication accessibility requirements of people with speech and language disabilities, not caused by hearing loss.

**Executive Summary**

The AODA's purpose is to achieve accessibility for Ontarians with disabilities. Mandated by the AODA *Customer Service Standards*, Ontarian government services, private, non-profit and public sectors have a legal obligation to make their goods and services, facilities, accommodation, employment, buildings, structures and premises accessible to people who have disabilities. The AODA's *Integrated Accessibility Standards* applies to the accessibility of information and communications, employment and transportation. People with speech and language disabilities have specific accessibility requirements when communicating with service providers in these organizations. The AODA largely fails to account for these accessibility requirements.

**Background**

Over 165,000 people in Ontario have speech and language disabilities that are caused by conditions such as cerebral palsy, autism, intellectual disability, brain injury, stroke, Multiple Sclerosis, Parkinson's disease, Amyotrophic Lateral Sclerosis, and other neurological disabilities. They may or may not have difficulty processing spoken language; they may have unclear speech, word-finding difficulties, or they may communicate using picture, letter boards or devices. Communication is the foundation to access all goods and services. When a person has a speech and language disability, they can experience significant barriers when accessing businesses and organizations because their messages may not be understood; unauthorized people may speak for them; or their capacity to make their own decisions may be underestimated. These barriers can lead to serious consequences in situations where communication is critical such as healthcare, emergency services, police, legal and justice services. Communication barriers also significantly contribute to unemployment, poverty, and isolation amongst people with speech and language disabilities.

For people with speech and language disabilities, communication access is about understanding what people are saying; having their messages accurately understood by others; being the author of their own communication and decisions; having the right to use their preferred methods of communication; being able to communicate over the telephone or use alternatives to the telephone; being able to understand and read print and internet communications and being able to complete forms, take notes

and sign documents in ways that are accessible to them.

The AODA regulations currently fail to address the accessibility needs of this population in that they do not:

- Include the communication supports that may be required by people who have speech and language disabilities such as communication assistants and intermediaries.
- Define communication as a two-way process of understanding and expression of messages within contexts that are significant for people with speech and language disabilities such as face-to-face interactions, telephone communications, reading, writing and communicating at public events and meetings.
- Specify that accessibility training must include information about barriers and communication supports for people with speech and language disabilities.
- Address the accessibility accommodations for people with speech and language disabilities within sectors where communication is critical, such as healthcare, government services, emergency services, education, financial services, police, legal and justice services.

By excluding accessibility accommodations for this population, the AODA fails to protect the rights of people with speech and language disabilities to full and equal access for businesses and organizations in their communities.

### **Current status**

People with speech and language disabilities can experience discrimination and violation of rights at all levels. Without communication access accommodations, people with speech and language disabilities are at risk of losing their autonomy when making and communicating important decisions, such as consent to treatment and end of life directives; having their capacity underestimated and losing their right to live independently and direct their personal support services. They are currently denied full access to police, legal and justice services because they do not have communication supports to effectively communicate in these situations. They may receive reduced quality of services in healthcare and, in some cases, ineffective communication in healthcare settings can lead to death.

### **Key Considerations**

The purpose of the AODA is to increase access to goods and services for all people with disabilities. However, unlike other disability groups, such as people with mobility, sensory, intellectual and mental health issues, people with speech and language disabilities are not benefiting because their accessibility requirements are not represented in the AODA regulations in ways that tangibly increase accessibility.

Given the serious consequences of ineffective communication, people with speech and language disabilities require legislation that protects their right to full and equal access to goods, services,

facilities, accommodation, employment, buildings, structures and premises, as well as information and communications and transportation. To be meaningful for people with speech and language disabilities, the AODA must reflect the specific communication accessibility requirements of this population.

Communication access for people with speech and language disabilities crosses all sectors and must be embedded within all AODA standards.

## Recommendations

Amend the AODA's *Integrated Accessibility Standards* to include the following changes in bold font:

- # 2 Definitions: "communication supports" may include, but are not limited to, captioning, augmentative and alternative communication supports, **communication assistants, communication intermediaries**, plain language, sign language, and other supports that facilitate effective communication.
  
- #9 (1) Definitions and Exceptions: "communication" (omit the "s") means an interaction between two or more persons or entities, or any combination of them, where information is provided **and understood in face-to-face interactions, telephone communications, reading, writing and communicating at public events and meetings.**  
  
"Information" includes data, facts, knowledge, **feelings, opinions, questions and decisions** in any format, including **speech, augmentative and alternative communication method(s)**, text, audio, digital or images, and that conveys meaning.

Amend the AODA's *Accessibility Standards for Customer Service* to include the following changes in bold font:

- #4 Use of service animals and support persons
  
- New **Where arms-length, professional communication assistance is required, including but not limited to police, legal and justice services, it is the responsibility of the organization to provide appropriate communication supports that are approved by the individual being supported.**
  
- #6 Training  
2.1. How to interact and communicate with persons with various types of disabilities, **including speech and language disabilities in face-to-face, telephone and group interactions.**
  
- #7 (2) Feedback  
The feedback process must permit persons to provide feedback in person, by telephone, in writing, **via a communication support person**, or by delivering an electronic text by email or on diskette or otherwise.

New regulation for both *Accessibility Standards for Customer Service* and *Integrated Accessibility Standards*

**Services where communication is critical, including but not limited to healthcare, education, emergency, government services, police, legal and justice services require specific communication access policies, practices and trainings to ensure effective communication for people with speech and language disabilities.**

## **Conclusion**

While other disability groups are benefiting from the AODA, people with speech and language disabilities continue to experience significant barriers when using businesses and organizations in their communities. As legislation aimed at increasing accessibility to goods, services, facilities, accommodation, employment, buildings, structures and premises for all Ontarians with disabilities, the AODA currently fails to include the accessibility requirements of people with speech and language disabilities. The government can rectify this situation and ensure an accessible province for all by adopting the recommendations outlined herein.