



**Communication Disabilities Access Canada**

Dec 17, 2018

Hon. David C. Onley  
University of Toronto Scarborough  
1265 Military Trail  
Toronto  
ON M1C 1A4

Dear Honorable Mr. Onley,

**Re: Third Review of Accessibility Act for Ontarians with Disabilities (AODA)**

We are pleased to submit this brief as a contribution to your review of the implementation of the AODA. We hope you will accept it, as we were not informed of your deadline or consultation dates for this review.

As you know, Communication Disabilities Access Canada (CDAC) advances accessibility to goods and services for people who have speech, language and communication disabilities. While many of the existing standards within the AODA are beginning to have a positive effect for people with disabilities in Ontario, CDAC is concerned that people with speech, language and communication disabilities, especially those with multiple and complex disabilities, continue to experience significant barriers to services because there are few standards that specifically address their accessibility needs.

The lack of meaningful communication standards is due in large part, to an overall lack of awareness of the essential role of communication in accessing all services, the accessibility needs of people who have a wide range of disabilities that affect their communication, and the lack of representation of people with speech, language and communication disabilities and their allies on many of the standards development committees. These factors contribute to a haphazard approach to communication access that falls short of meaningfully addressing the needs of people with significant speech, language and communication disabilities.

We propose a number of ways that the AODA could be strengthened in order to be more inclusive of people with speech, language and communication disabilities.

**1. The AODA should develop distinct, inclusive Communication Access Standards for people with disabilities that affect their communication.**

The AODA currently provides a splintered approach to communication access where essential communication elements may or may not be addressed within specific sector or integrated standards. Standards that do relate to communication, typically fail to provide sufficient detail on what is required to make services accessible for people with speech, language and communication disabilities. This has resulted in confusion on the part of organizations and very little improvement in

access to services for people with speech, language and communication disabilities. CDAC frequently receives inquiries from organizations wanting to know if they should provide communication technology for their clients to use and asking if they are responsible for providing communication assistance services. The AODA provides no clarification on these important issues, although CDAC addresses them when requested. In addition, people who require communication supports report ongoing barriers to services and are frustrated that there is no effective means to address these barriers within the AODA.

Communication access is as important as physical access and applies to all organizations that provide services to the public, in face-to-face and telephone interactions, at meetings and public events and through reading and writing. Like built-environment, there is a need for a generic, inclusive set of communication standards that apply to all organizations and describe their responsibilities in making services accessible for people who have disabilities that affect their communication. This includes people who have speech, language and communication disabilities, people who are Deaf, deafened, hard of hearing, people who are blind and have vision loss and many others who have disabilities that affect their communication. A generic, inclusive set of communication standards is needed as a foundation that can be adapted for specific sectors such as healthcare, transportation, justice and education services. It is important to note that there are many experienced people who could be engaged to develop and give advice on inclusive communication standards. There are also many excellent, evidence-based resources that could be incorporated into guidelines and trainings.

In an effort to systemically address communication access, CDAC recently proposed to the HUMA committee, that the federal government make communication access a stand-alone priority area in the Accessible Canada Act. Bill C-81 has since been amended to include communication as a priority area, distinct from information and communications. We recommend that the AODA also develop a distinct, inclusive set of communication access standards for people with disabilities that affect their communication.

## **2. People who have speech and language disabilities and people who can represent their accessibility needs should be included on all standards development committees.**

Many of the standards development committees do not have members who can represent the accessibility needs of people with speech and language disabilities. The accessibility needs of people with speech and language disabilities must be represented by people who have lived experience of a disability that affects their communication as well as a Speech Language Pathologist who can represent the broader needs of people who have disabilities that affect their communication in different ways and communicate using a variety of different communication methods. Without representation, the needs of people with speech and language disabilities will continue to be omitted, over-simplified and inadequately addressed.

## **3. The AODA should mandate training in diversity, equity and inclusion.**

The AODA has no standard that mandates organizations to train staff in values and principles of inclusion, dignity, autonomy, non-discrimination practices, language, human rights, and accessibility rights to address ableism, attitudes and stereotypes that devalue the inclusion of people with disabilities. This training should be distinct from communication access training as it applies to all people with disabilities.

**4. The AODA must provide an effective and accessible mechanism to resolve complaints.**

To date, people with speech and language disabilities report that the Accessibility Directorate of Ontario (ADO) does not provide an effective response to their complaints. In most cases, complainants have been advised to resolve the issue themselves or to take their complaints to the Ontario Human Rights Commission. These are not feasible options for many people who have speech and language disabilities. The AODA must provide a proactive mechanism whereby people can have their complaints effectively and efficiently addressed.

**5. The AODA must clarify the communication accessibility accommodations and supports that organizations are expected to provide.**

There is significant confusion about what organizations are expected to provide in order for a person with a speech and language disability to access their service. Many groups contact CDAC, asking if they should purchase ipads and other technical devices. We explain that people typically have customized communication systems and if not, an organization may provide simple non-technical tools such as pen and paper or a letter board. However, hospitals and emergency services should have access to appropriate low-tech communication tools and service providers who are trained in how to support people communicating. Police, legal and justice services should provide communication intermediaries to assist people communicating in these situations. Organizers of public events should offer and provide communication assistance services in the same way they offer sign language interpreting services. The AODA should provide clarity on the range of accommodations and supports, that people may require, who provides these supports and how.

**6. The AODA should ensure that people who have speech and language disabilities are involved in providing communication access trainings.**

The AODA states that training must include how to interact and communicate with persons with various types of disability and how to interact with persons with disabilities who use an assistive device or require the assistance of a guide dog or other service animal or the assistance of a support person. CDAC is not aware of any qualified organization providing this training or any person with a communication disability who has been engaged to participate in these trainings. CDAC has developed and field-tested a generic webinar and many resources on making services accessible for people with communication disabilities. People with communication disabilities are the instructors on the webinar. Hundreds of people have already accessed this webinar, which was launched in October 2018. The ADO should capitalize on existing training resources that include people with speech and language disabilities and have been field tested and proven effective in advancing communication access for people with communication disabilities.

**7. The AODA must include plain language content and accessible forms in information and communications standards.**

Standards for Information and Communications focus on the provision of accessible digital information, website requirements, formats, within educational and training institutions and public libraries. Written information and communications must also produce plain language content that

can be easily read and understood by people with speech and language disabilities. In addition, these standards must address the need for accessible forms, note-taking supports and alternate signature arrangements for people who need support in writing or typing.

**8. Standards development for education and healthcare should continue.**

People with speech and language disabilities have identified these sectors as high priority areas. The healthcare standards should include all healthcare, rehabilitation and emergency contexts that go beyond accessibility in hospital settings.

**9. New standards should be developed for police, legal and justice services.**

Victims, witnesses and accused person with speech and language disabilities have identified the need to address significant communication barriers in police, legal and justice services. Despite the fact that CDAC provides a roster of communication intermediaries in Ontario, the AODA currently fails to obligate these sectors to engage communication intermediaries to assist people communicating within these contexts. Without communication intermediary support, these services continue to remain inaccessible to many people with speech and language disabilities.

We hope that you can address the issues we have raised in your review. Please find enclosed our reports:

- Public Consultation on Federal Accessibility Legislation: Input from Canadians who have Speech, Language and Communication Disabilities (January 2018)
- Communication Intermediaries in Justice Services: Access to Justice for Ontarians who have Communication Disabilities (Sept. 2017)

We would happy to answer any questions and to meet with you to discuss these matters.

Yours sincerely,



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Communication Disabilities Access Canada

cc. Hon. Raymond Cho, Minister for Seniors and Accessibility  
David Lepofsky, Chair AODA Alliance  
Robert Lattanzio, Executive Director ARCH Legal Disability Centre