



**Communication Disabilities Access Canada**

March 1, 2019

Standing Senate Committee on Social Affairs, Science and Technology  
The Senate of Canada  
Ottawa, Ontario  
Canada, K1A 0A4

Senator Chantal Petitclerc, Chair  
Senator Judith Seidman, Deputy Chair

**Re: Bill C-81, *An Act to ensure a barrier-free Canada***

Dear Senators Petitclerc & Seidman,

Please accept this submission as a formal request to appear in front of the Standing Senate Committee on Social Affairs, Science and Technology in its study of Bill C-81, *An Act to ensure a barrier-free Canada*.

Communication Disabilities Access Canada (CDAC) enthusiastically supports Bill C-81 and wants to see it receive Royal Assent as soon as possible. In October 2018, we were honored to present to the HUMA Standing Committee and as a result, Bill C-81 was amended to include communication as a priority area for accessibility. Although we believe the addition of communication was a considerable step forward, CDAS believes that Bill C-81 needs to be strengthened further.

Bill C-81 provides a unique opportunity for Canada to play a leading role in developing inclusive communication access standards that recognizes the half-million Canadians who have speech and language disabilities. As you know, Canada recently signed the Optional Protocol to the United Nations Convention on the Rights of Persons with Disabilities (CRPD), which endorses the rights of people with communication disabilities to access and participate equally in society. At this time, provincial, territorial and international accessibility legislation and guidelines tend to focus on the provision of sign language, captioning and alternate formats. To date, the accessibility needs for people who have unclear speech, or who use a picture, symbol or letter board or a speech generating device have not been addressed and there is little or no representation of people with speech and language disabilities on accessibility committees.

People who have disabilities that affect communication, and who do not have significant hearing loss, may have life-long disabilities, such as cerebral palsy, autism spectrum disorder, Down syndrome, learning disability, or cognitive disability. Other people may have acquired disabilities, such as traumatic brain injury, aphasia after a stroke, dementia, Amyotrophic Lateral Sclerosis (or ALS), Parkinson's disease, and Multiple Sclerosis. Having a communication disability can affect one or more areas of a person's ability to speak, understand what others are saying, read and / or write.

We strongly believe that communication access is as important as physical access to a building or space. Therefore, we recommend the following amendments Bill C-81 to address communication access:

131 Barber Greene Road, Toronto, Ontario, Canada M3C 3Y5 Telephone: 416.444.9532 Email: [admin@cdaacanada.com](mailto:admin@cdaacanada.com)  
Information: [www.cdaacanada.com](http://www.cdaacanada.com)

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## 1) Greater Clarification

Typically, accessibility guidelines that focus on information and communications are limited to (a) how people get information, for example, large font or plain language, and (b) the provision of sign language and captioning services.

The area of communication referred to in paragraph 5(c.1) *is a two-way process in which people get information and express themselves, using a range of communication methods in face-to-face interactions, over the telephone, online and via reading and writing.* It does not include broadcasting as defined in subsection 2(1) of the Broadcasting Act or telecommunications as defined in subsection 2(1) of the Telecommunications Act.

A broader definition of communication is required that describes ***communication as a two-way process of expression and comprehension between two or more people either in person, over the telephone or via written communication.*** By including “expressive communication”, this definition highlights the needs of people who have little or no speech and who use augmentative and alternative communication methods such as picture, symbol and letter boards, speech generating devices as well as ASL/LSQ interpreting, captioning, informal and formal communication assistance.

## 2) Recognition of communication methods

This Bill can be strengthened by acknowledging that people communicate in many different ways and that they have a right to use the communication methods that best suit their needs, the needs of the person with whom they are communicating and the context.

Therefore, we suggest that **all persons must have the right to communicate using their preferred communication method(s) which includes speech, writing, picture, symbol and letter boards, speech-generating devices and human services such as ASL/LSQ interpreting, CART, informal and formal communication assistance.**

The CDAC would also like to propose the following observations for the committee’s consideration:

### 1) Funding for increased awareness of communication access rights

Communication access rights, for people who have speech and language disabilities, are relatively new. The majority of people who have speech and language disabilities are not aware of having any rights when using services. In addition, they need resources to guide them in communicating about their accessibility needs to a service provider.

As Glenda Watson Hyatt, a woman who uses a device to communicate, notes: *“As a woman with a disability, I was always very aware of my rights to access a building. However, I had never considered my communication rights. This is an area that we need to know about. We need to know what to expect from an accessible service.”*

Therefore, we recommend that **increased funding is required to enhance awareness of communication access rights and develop resources for how to negotiate accessibility requirements for people who have disabilities that affect their communication.**

## 2) **Develop generic, inclusive, baseline communication standards before other sector-specific standards**

Generic, baseline communication standards must be developed because, like built-environment standards, communication access applies to all jurisdictions. Establishing a baseline for communication access will form the foundation for sector-specific standards. Service providers need to know what they are expected to do in order to make their services accessible for people with a wide range of disabilities that affect their communication. Inclusive baseline communication standards should be developed at all points of service provision and be tailored for specific contexts. Examples include:

- **Face-to-face, telephone and group interactions.** Training is required for all service providers who interact with the public within these contexts, so that they have the knowledge and skills to interact with people who communicate in ways other than speech. They need to know how to make telephone services accessible and how to make meetings and public forums inclusive for people who have communication disabilities. People with disabilities that affect their communication must be employed as the primary trainers.
- **Communication supports.** Service providers need information about how and when to provide and work with communication assistants, intermediaries, sign language interpreters and other formal communication support services.
- **Reading and writing.** Service providers need information and resources to provide documents in plain language and alternate formats. They need to know how to provide and use non-technical communication tools and how to make websites and social media accessible. They also need to know how to make forms accessible and how to negotiate alternative signatures.
- **Environmental accommodations.** Services need guidelines on creating accessible signage, counter spaces, and elevators.
- **Policies** are required to address communication in emergency evacuation situations, as well as authentic communication assistance in critical contexts, including medical assistance in dying, police, legal and justice settings.

We recommend that the Government of Canada work with the Canadian Accessibility Standards Development Organization (CASDO) **to establish an advisory committee dedicated to developing specific communication standards that address these areas. This advisory committee should include people or organizations that represent individuals who have speech, language and communication disabilities; people who are Deaf, deafened and hard of hearing; people who are Deafblind, blind or have significant vision loss.**

We also recommend that following the development of generic baseline standards, **sector-specific communication standards should also be developed.** An example of a generic baseline communication standard would be mandatory training for all service providers on how to communicate with a person who has unclear speech or who uses a communication device. An example of a sector-specific communication standard would be that federal courts must provide appropriate and trained communication support services when required by victims, witnesses or accused persons who have disabilities that affect their communication.

### 3) Add Diversity, Equity and Inclusion as a priority training theme for employers

Diversity, equity and inclusion topics should be addressed separately from communication as they apply to all people with disabilities, regardless of their communication support needs.

As such, **training on the values and principles of inclusion, dignity, respect, autonomy, non-discrimination practices, human rights and accessibility rights be mandatory for all government employees across all jurisdictions.**

### 4) Greater collaboration with the provinces and territories

Many provinces have little or no government funding for communication assistive devices. Without access to the assistive devices people need, such as computers, and speech-generating devices, people with communication disabilities cannot access services and employment opportunities at a local, provincial, territorial or federal level. In addition, many people who have speech and language disabilities require human communication supports and these services are significantly underdeveloped. We see an important role for the Minister in collaborating and working with provincial and territorial governments to ensure that people have the communication services and devices they need to effectively interact with service providers.

Therefore, CDAC believes that the **Minister responsible for Bill C-81 must make every reasonable effort to collaborate with provincial and territorial authorities in order to coordinate efforts in matters relating to accessibility including ways to ensure that people have the assistive devices and supports they need to access all services across the country, gain employment and participate fully in society.**

Thank you for your consideration of our proposed amendments and observations. We would appreciate an opportunity to present to your committee to further discuss these issues.

Yours sincerely,



Barbara Collier, Reg. CASLPO. F. ISAAC  
Executive Director, Communication Disabilities Access Canada  
[www.cdacanada.com](http://www.cdacanada.com)  
[Barbara.collier@rogers.com](mailto:Barbara.collier@rogers.com)



Hazel Self  
Chair of the Board of Directors, Communication Disabilities Access Canada  
[hazel.self@gmail.com](mailto:hazel.self@gmail.com)

Cc: Minister Carla Qualtrough  
Members of the Senate Standing Committee on Social Affairs, Science & Technology  
Daniel Charbonneau, Clerk of the Committee