



TORONTO ASSOCIATION OF THE DEAF

Incorporated 1937

Toronto Association of the Deaf's Response to CRTC Telecom Notice of Consultation 2013-155: File Number: 8665-C12-201303536 & 8665-C12-2000807943

26 May 2013

Request to Appear for Oral Presentation at the CRTC Hearing

The Toronto Association of the Deaf (TAD) respectfully requests TAD representative(s) (David Rosenbaum, TAD Board member) be invited to make an oral presentation at the CRTC public hearing on October 21, 2013 in Gatineau, Quebec. We would like to discuss the key concerns, issues and recommendations to CRTC Commissioners in addressing the needs of the implementation of national bilingual Video Relay Services and its advantages that will meet the actual telecommunication needs and benefits of our TAD members and all Canadians, including Torontonians. We request for the provision of qualified ASL/English sign language interpreting and Communication Access Real-time Translation services as our communication accessibility requirement for our participation in the CRTC public hearing

Toronto Association of the Deaf Profile

TAD is founded in 1929 and incorporated in 1937. The TAD's mission statement is to unify and promote the rights, living standards, and well-being of Deaf people from diverse backgrounds in the Greater Toronto area. The TAD's vision statement is that a community where people from all walk of life fully share and respect each other; and fully participates in the cosmopolitan city of Toronto. The TAD core values are Deaf, Enlightenment, Advocacy and Fulfillment.

Deaf Population in Greater Toronto Area

According to Ontario Ministry of Colleges and Universities' Provincial Review of Visual Language Interpreting Services, Intervention Services for Deaf-Blind Persons, and Text-based Services for Deaf and Hard of Hearing Person, April 1992, it states that it is estimated some 10 per cent of the Canadian population, there were reportedly that there were 200,600 in Canada and 72,200 Deaf or Hard of Hearing people with severe hearing loss (unable to use normal voice telephone, approx.. 0.8%). The Canadian Association of the Deaf reports that there are 350,000 Deaf Canadians. In other words, there are 120,000 Deaf Ontarians including 30,000 Deaf Torontonians.

Statistics on the Status of the Level of Education, Literacy and Employment of Deaf Canadians

The Canadian Hearing Society reported that the literacy level of Ontario deaf, deafened or hard of hearing population falls below that their hearing counterparts. Overall, 52% have a low level of skills in document literacy, compared to 38% among the general population. Although those with partial hearing loss tend to have a somewhat lower incidence of low literacy than the Ontario average (33% vs. 38%), those completely unable to hear have a much higher incidence (71%) (Ontario Ministry of Education and Training, 1998). Tied to the impact of hearing loss on literacy, the following levels of education have been reported for "persons who are unable to hear in one-person conversations" (Statistics Canada, 1992):

- Less than grade 8 52%
- Secondary 24.4%
- Trades certificate/diploma 13.1%

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- Post-secondary 7.9%
- University degree 1.7%

CHS Report on Toward an Enhanced Model of Specialized Employment Services Delivered by CHS to Deaf, Deafened and Hard of Hearing Consumers, 2005 indicates that research studies have revealed serious levels of unemployment and underemployment among deaf, deafened and hard of hearing people, and have shed light on the significant employability obstacles they face:

- o Although there are no clear estimates of the rate of unemployment among the hard of hearing in Canada, one study among the Deaf estimated the unemployment rate to be an astonishing 38%; furthermore, this same study reported that among the Deaf who are employed, almost two-thirds are under-employed (Canadian Association of the Deaf, The Employment and Employability of Deaf Canadians, James Roots & David Kerr, 1998)
- o Deaf people are underrepresented in professional and administrative occupations and are generally found in entry-level, unskilled or semi-skilled positions that pay low wages, provide few benefits, provide little job security and have little potential for advancement (Roots & Kerr, 1998)

CHS written submission in response to Ontario Social Assistance Review, February, 2012 reported that the vast majority of consumers who wise the services of the CHS experience difficulty in securing full access to government and non-government services. Many have suffered inadequate literacy skills, unemployment, underemployment, employment barriers, discrimination, marginalization, abuse, and have mental health or addiction issues, or are newcomers to Canada. Employment is consistently ranked as the number one concern among culturally Deaf, oral, deafened and hard of hearing.

According to Ontario Ministry of Community and Social Services Ontario Disability Support Program (ODSP), December, 2012, in Ontario, the number of deaf and hard of hearing persons on ODSP Income Support has increased from **2,732 in 2002 to 5,121 in 2012**. This represents 87% increase in 10 years. In Toronto, the number of deaf and hard of hearing persons on ODSP Income Support has increased from **663 to 1,297 in 2012**. This represents 95% increase in 10 years.

Support of Written Submissions of Canadian Association of Deaf, Ontario Association of the Deaf, BCVRS Committee, Ontario VRS Committee and Canadian Hearing Society in response to CRTC Telecom Notice 2013-155

The Toronto Association of the Deaf wholeheartedly endorses the written submissions from Canadian Association of Deaf, Ontario Association of the Deaf, BCVRS Committee, Ontario VRS Committee and Canadian Hearing Society and their recommendations for the implementation of bilingual national VRS as a mandated telecommunication service regulated and funded by CRTC.

ANSWERS TO QUESTIONS IN PUBLIC NOTICE

I. Benefits of Video Relay Services

26 i)

- Equal access to functionally equivalent communication
- Increase consumer choices
- Quick, easy and convenience telecommunication access
- Increase empowerment and employability

Our experiences as Deaf consumers put ourselves at risk whenever placing a TTY, TTY Relay or IP Relay call as to whether the relay agents present us as intelligent or professional. The hearing users are often not at ease and anxious to terminate the conversation

Deaf consumers have deaf friends and business associates who are intelligent. Yet when I talk with them via text (email, writing or TTY), we find that their English may not reflect what we know about them. When communicating with them in sign language, we find them to be articulate.

With Video Relay Service, the deaf user is in more control of the situation because the user can see the interpreter. Sign language includes facial expressions and the conversation can be held more spontaneously than if each user had to take turns and slow down due to limitations of the TTY in either TTY-to-TTY or TTY-Relay conversations.

More information can be conveyed during a VRS conversation than during a TTY conversation.

VRS gives deaf people more control to control their destiny. They can now call anyone - vendors, suppliers, tradespeople, employers, real estate agents, or practically anyone with more confidence of productive conversations taking place efficiently and within less time.

VRS will address numerous issues, improve the quality of lives of deaf people, empowerment, self-esteem and also improve communications and relationships between deaf and hearing people.

With more control, deaf people have increased chances of pursuing education and employment and obtaining information independently, at their own pace, and be taken more seriously by hearing users.

Hearing users will come to realize and treat deaf users with more respect because the method of communication now presents impressions of the deaf user in more accurate light.

Existing Telecommunication Communication Options and its Disadvantages in Canada

ii) The only existing telecommunications communication options deaf users currently have in Canada are TTY, TTY Relay/IP Relay, text/SMS, and emails.

Use of sign language enables communication to take place much more efficiently just like the spoken language,

If you combine sign language with video capabilities of the Internet, you have bypassed numerous obstacles that the Deaf user experiences by using a TTY (either IP Relay or TTY Relay). In fact TTYs are pretty much obsolete. We have a TTY only for emergency safety reasons, and many of our deaf friends and associates do not even have TTYs.

The disadvantages of typing speed and time involved for operator: a) to relay text to speech, and b) comprehend and type back speech to text results in a lengthy conversation that does not put both the deaf user and the hearing person on equal footing.

We often experienced being exhausted or aggravated by the end of the conversation and have very little positive outcome to show for the time and effort spent on the task at hand.

iii) VRS should be used in place of any TTY-to-TTY, TTY Relay or IP Relay situations. VRS should be a telecommunication option offered to any telecommunication user.

iv) Current message relay services do not meet sign language users.

Deaf people whose primary language is sign language find that use of TTY is not an option. Many do not have, or do not own TTYs. We communicate with friends and associates in sign language who play major roles in community, leadership, business or work. We can have intelligent conversations.

But these same people do not have ability to write or read complicated dialogue or documents. As a deaf person, we already know their English does not reflect what we know about them.

The current TTY-to-TTY, TTY Relay and IP Relay technology is obsolete. We can turn to the USA as an example where VRS volume is on the upswing and TTY Relay/IP Relay Centers are being closed. In the past month alone one major TTY Relay provider has ceased TTY Relay operations, and another TTY Relay provider has closed another TTY Relay Center due to declining TTY relay traffic.

A statewide agency in Texas, USA, announced and closed down their TTY phone lines.

It is VRS that is filling in the void by meeting needs of sign language users properly, efficiently, professionally and with minimal effort.

Telecommunications is a two-way street. Both the sign language user, and the hearing user, need to conversations comfortably. VRS can meet this need. TTY has proven not to meet this need.

II. Implementation of VRS, if approved

A. Funding and Administration

27 i) Yes, the Commission should include VRS to apply to all situations - home, employment, emergency, recreation. There should be no restrictions in manpower, operating hours or number of calls.

B. Interpreter challenges

28 i) Multiple VRS Centers should be located across Canada to reach out and be more accessible to a wider sign language interpreting pool.

C. VRS Technology

29 i) All equipment used to access the VRS need to be interoperable and work with each other. CRTC needs to draft guidelines requiring these devices work both video-to-video, and video-to-VRS.

CRTC should have the ability to review and certify equipment that meets video-to-video and video-to-VRS criteria. These criteria should be developed by a panel of experts including representatives from the sign language community.

ii) These equipment certified by CRTC would allow videophone-to-videophone, VRS and emergency calls.

iii) Emergency calls should work in the same manner as emergency voice calls i.e. via a 9-1-1 equivalent.

iv) Mobile capability could be included in the criteria described above under 29 i).

D. Service delivery

30 i) VRS needs to be offered 24 hours a day, seven days a week for the simple reason that this communication capability is available whenever needed at any time for any reason whatsoever.

ii) We are not in favor of a restricted schedule. It is counterproductive to providing equal access and could put in jeopardy the livelihood, or endanger the lives, of deaf consumers.

iii) We are not in favor of any restrictions.

iv) Ancillary services should be determined in two categories: essential, and nonessential. Essential would include video mail, missed calls. Nonessential would include call waiting. A panel representing all constituencies should be involved in this determination process.

CRTC should regulate reimbursement costs for both essential and nonessential services.

v) As VRS is based on the Internet, VRS users should not be expected to pay to make or receive VRS or videophone-to-videophone calls in any way.

E. Other consumer considerations

31 i) A concerted effort should be made to launch and coordinate an aggressive awareness campaign to educate both deaf and hearing users of the availability of VRS services.

CRTC should hire a deaf person to manage and subcontract campaign initiatives. This deaf CRTC employee should work with CRTC panel representing all constituencies to determine objectives and means of measuring progress and results.

Costs of this outreach/education effort should be included as part of VRS operational costs.

ii) Privacy and confidentiality considerations should be set up in accordance with sign language interpreting code of ethics.

iii) CRTC should mandate that all telecommunications provider provide basic VRS internet packages - and ability to customize packages without requiring services or features that do not benefit deaf users.

F. Compensation model for VRS provider(s) in the case of a centralized fund

32 i) Competition of VRS providers are absolutely necessary. Based on experience of dealing with current exclusive TTY Relay/IP Relay provider who has no competition, the quality of services has deteriorated; the service is inferior, and the relay agents not culturally sensitive or appropriately trained and held to a certain threshold.

Competition will keep costs down. I would suggest start-up funds are included in reimbursement only for those VRS providers who agree to start services on date that VRS service becomes effective in Canada. Afterwards any additional VRS providers would no longer be able to get reimbursed these certain start-up costs.

G. Cost of VRS

33 ii) VRS interpreter must be available when needed. There should be no waiting period, or any provision to make appointments for time-sensitive calls as this is counterproductive to providing equal access. VRS providers must be required to make provisions to have more than adequate interpreters around the clock.

VRS providers should be required to make arrangements for another VRS provider to take over overcall in worse case scenarios.

Response time to incoming calls should be set and penalties assessed upon VRS providers who fail to answer calls 5% of the time.

H. VRS providers

34 i) Minimum of 2 VRS providers should be required to offer consumer choices. This would ensure competition and initiative among providers to meet needs of consumers.

VRS providers would be selected based on criteria of experience, knowledge of the deaf community, technology capability.

I. Feasibility

35 i) The Commission should require provision of VRS in Canada. VRS technology is prevalent in many other countries and in delaying implementation of VRS; Canada has put Deaf people at a major disadvantage and limited their accessibility to society.

VRS is necessary to allow deaf and hearing people to have productive and efficient communications whether it is to transact business, service-oriented, employment, personal family, health related or for any reason whatsoever. Denying VRS is discriminating and violating the rights of Deaf Canadians.

J. Monitoring

36 i) If VRS is implemented; its effectiveness should be measured against the criteria that was set forth: performance, ability to answer incoming calls within time limit, quality of interpreters, consistency and cost efficient. A panel

representing constituencies should also be involved in the monitoring process. Penalties should be assessed upon VRS providers who do not meet these criteria.

ii) CRTC should impose licensing terms and reevaluate each provider prior to end of each term. Evaluation includes provider's track record in meeting criteria and follow-up on issues that may have been raised, and their ability to update, modify and comply with subsequent CRTC orders and requests.

iii) A CRTC panel with deaf CRTC employee and panel representing constituencies need to review infrastructure on an ongoing basis. They should issue briefing reports and requests to VRS providers to update and ensure their compliance.