



The CRTC and 21st century expectations of openness, transparency and accountability: a month of comments on how Parliament's delegate performs its responsibilities

8: Openness means accessible to all, not just to some or most

8 March 2023

This is the sixth of a series of comments by FRPC about the openness, transparency and accountability of the Canadian Radio-television and Telecommunications Commission (CRTC). Parliament established the CRTC on 1 April 1968 and delegated responsibility to it for implementing Parliament's broadcasting and telecommunications policies for Canada.

The Ministers of Canadian Heritage and Innovation, Science and Economic Development wrote Chairperson Eatrudes in early February 2023 to offer congratulations on her appointment to the Commission¹ and also to "inform her of the Government's vision and priorities with respect to Canada's broadcasting and telecommunications system".² The Ministers referred to "a perception among many that access to CRTC processes is unequal" for the public and civil-society organizations. Among other things the Ministers expressed confidence in the new Chairperson's ability to see to the CRTC's "to being more open ...".

Parliament's broadcasting and telecommunications policies touch on concerns that Canada's communications system be accessible to all. Parliament said in [1991](#) that programming should be provided that is "accessible by disabled persons" (3(1)(p)), and in [1993](#) that telecommunications should "render reliable and affordable telecommunications services of high quality accessible to Canadians in both urban and rural areas on all regions of Canada" (7(b)). Parties representing the Deaf, the Hard of Hearing and the Deaf Blind in may apply for reimbursement of their participatory costs in [telecommunications](#) through the CRTC and in broadcasting through the [Broadcasting Participation Fund](#).

In 2019 Parliament passed the [Accessible Canada Act](#) to realize a barrier-free Canada before 2040 by identifying and removing barriers to accessibility.³ Barriers are anything that hinders "the full and equal participation in society of persons" with physical, communication, functional or other limitations.⁴ While the CRTC has been inviting the public to participate in many of its proceedings since it came into existence in April 1968 and also held "[Stakeholder Consultations on Accessibility Issues for Persons with Disabilities](#)" in 2008, the Commission published its [first plan](#) to improve its accessibility at the end of 2022.⁵ Removing accessibility barriers in the CRTC's proceedings would help to ensure that it is not only open to members of the public who are not Deaf, Hard of Hearing or Blind.

In the context of CRTC public processes, accessibility could refer to the degree to which its public hearings and written-only proceedings facilitate the participation of all members of the public, including those who have difficulty hearing and/or seeing. While members of organizations representing the Deaf have been appearing before the CRTC for at least the last 40 years, the CRTC's [Accessibility Plan](#) says that the Commission published its first Notice of Consultation in American Sign Language (ASL) and Lange des Signe Québécoise (LSQ) in 2013 and that since then "many" – but apparently not all – "decisions and information bulletins have been published in ASL and LSQ" (page 5).

¹ CRTC, "[Meet Vicky](#)" (accessed 1 March 2023).

² Department of Canadian Heritage, "[New CRTC Chair's Leadership Will Help Shape the Future of Canada's Communication System](#)", News release (Gatineau, 6 February 2023).

³ [Accessible Canada Act](#), section 5.

⁴ [Accessible Canada Act](#), section 2 ("barrier").

⁵ CRTC, [Accessibility Plan, 2023-2025](#), (Ottawa, 2022) website page dated 28 December 2022.



The CRTC's two-year [Accessibility Plan](#) also says it plans to live stream its public hearings in English and in French with closed captioning (pages 5 and 22). Considering that [the first exhibition of closed captioning](#) took place 52 years ago in the United States the CRTC's commitment to live-caption its public hearings in 2023 is a welcome development. By way of comparison, the CRTC had previously required an organization representing the Deaf to hire their own interpreters for a CRTC hearing.⁶

The Commission's [Accessibility Plan](#) adds that it provides "hearing transcripts promptly and in screen-read compatible formats" (page 22). As the CRTC has posted transcripts from its hearings beginning in 1998, it would be interesting to know whether all of these are or will also be accessible through screen readers.⁷

Finally, the Commission also says that it plans to explain its proceedings' accessibility practices in an online document available in ASL and LSQ sometime in 2023 and "to develop outreach strategies to promote greater awareness of what the CRTC does and how its proceedings work by 31 December 2023". It plans to "identify a list of potential stakeholders and review how it can promote the participation of these participants" and committed "to making available a live and pre-recorded general information session and to pilot consultation-specific information sessions in plain language" before April 2024 ([Accessibility Plan](#), page 24).

However welcome the CRTC's plan for reducing barriers to participation in its proceedings may be, it is unfortunate that the main reason that the CRTC is taking steps to become more open is because it is expressly required to do so by law. The [Accessible Canada Act](#) defined the CRTC as a "regulated entity"⁸ in 2019 and the [Accessible Canada Regulations](#)⁹ required such regulated entities to submit their plans for dismantling barriers to participation for their own employees and the public in general.

Recommendation

While the CRTC currently plans to develop information pilot sessions promoting the participation of accessibility stakeholders before April 2024, new legislation affecting the broadcasting system may be in place in 2023 – and the CRTC should therefore work to ensure that before launching proceedings related to a new regulatory framework for broadcasting, its hearings and written consultations are fully accessible – and open – to all people in Canada.

Maintaining the *status quo* – placing the onus of informed participation on those who already face barriers to participation – would surely contradict the concern raised by the Ministers to whom the CRTC reports.

~ Forum for Research and Policy in Communications (FRPC)

Other comments in this series

1 March 2023: [Openness means not hiding applications from public view](#)

2 March 2023: [Openness means not just describing but explaining the CRTC's process and proceedings](#)

3 March 2023: [Openness means 'real' public hearings, published decisions and published meeting schedules](#)

⁶ In 2016 an organization representing the Deaf and Hard of Hearing was required to pay for interpreters for three days of a CRTC public hearing. See Telecom Notice of Public Hearing 2016-293, Costs, Deaf Wireless Canada Committee, Application for Costs (DM#2861749, p. 7 of 54).

⁷ American Foundation for the Blind, [Screen Readers](#), "Screen readers are software programs that allow blind or visually impaired users to read the text that is displayed on the computer screen with a speech synthesizer or braille display."

⁸ [Accessible Canada Act](#), sections 7(1) and 69(1) and Schedule V,

⁹ [Accessible Canada Regulations](#), SOR/2021-241, subsection 4(1).



- 4 March 2023: [Openness means publishing information about CRTC meetings with those it regulates](#)
- 5 March 2023: [Openness today means easier access to CRTC programming, ownership and financial data](#)
- 6 March 2023: [Openness means knowing who sets the CRTC's agenda](#)
- 7 March 2023: [Openness means disclosing relevant evidence](#)