

Standing Committee on Human Resources, Skills and Social Development and the Status of Persons with Disabilities

HUMA

● NUMBER 116

● 1st SESSION

● 42nd PARLIAMENT

EVIDENCE

Monday, October 22, 2018

Chair

Mr. Bryan May

Standing Committee on Human Resources, Skills and Social Development and the Status of Persons with Disabilities

Monday, October 22, 2018

● (1800)

[English]

The Chair (Mr. Bryan May (Cambridge, Lib.)): I call the meeting to order.

Good evening, everyone.

First of all, I want to thank everybody for joining us this evening. We are going to continue with the study of Bill C-81. I have a bit of a preamble here, so please bear with me.

Welcome to today's meeting on Bill C-81, an act to ensure a barrier-free Canada. The objective of today's meeting is to continue the committee's thorough review of the bill.

I would like to take a moment to remind both those participating in the proceedings and those observing the proceedings in person and on video that the committee adopted a motion on September 18 that included instructions for the clerk to explore options to allow for the full participation of all witnesses and members of the public on this study. As a result, the committee has made arrangements to make all meetings in relation to the study of Bill C-81 as accessible as possible in a variety of ways.

This includes providing sign language interpretation and near-real-time closed captioning in the room. Please note that both American Sign Language and Quebec Sign Language are being offered to those in our audience. Those who would like to watch the American Sign Language interpretation should please sit on the benches to my left. Those who would like to watch the Quebec Sign Language interpretation should please sit on the benches to my right. In addition, please note that the first few rows of benches have been reserved for those who wish to avail themselves of these interpretation services.

Screens displaying the near-real-time closed captioning have also been set up. The English text is to my left, and the French text is to my right. The sign language interpreters in the room are also being videorecorded for the eventual broadcast of the meeting on ParlVu via the committees website.

In light of these arrangements, the committee would ask that if you need to leave the room during the meeting, please do not walk in front of the sign language interpreters. Instead, please use the extremities of the room. In addition, we would ask that those in the room remain seated as much as possible during the meeting so that

everyone in attendance can clearly see the sign language interpretations.

Finally, if a member of the audience requires assistance at any time, please notify a member of the staff or the committee clerk.

I will also ask the witnesses present today or appearing via video conference and all of my colleagues to keep your speech at a slow pace to allow the interpreters to do their job and be able to keep up. If at any time I see that anybody may be going a little bit too fast, I will interrupt, so I apologize in advance. We want to make sure that your words are captured by the interpreters throughout the meeting.

I'm very pleased to welcome our first panel here this evening. From the Vancouver Airport Authority, we have Mr. Craig Richmond, President and Chief Executive Officer, joining us via video conference from Vancouver, British Columbia.

Can you hear me okay, sir?

Mr. Craig Richmond (President and Chief Executive Officer, Vancouver Airport Authority): Yes, sir.

The Chair: Excellent.

We also have in attendance here today, from the Canadian Transportation Agency, Mr. Scott Streiner, Chair and Chief Executive Officer. From VIA Rail Canada, we have Yves Desjardins-Siciliano, President and Chief Executive Officer, and John-Nicolas Morello, Senior Legal Counsel, Legal and Corporate Affairs.

Welcome to all of you.

We're going to start this first round with five-minute statements, and then we'll go to rounds of questions.

Mr. Richmond, the first five-minute statement is all yours.

• (1805)

Mr. Craig Richmond: Thank you, Mr. Chair.

Thank you to the committee for inviting me to speak today.

I'm very grateful to have this opportunity to talk about accessibility. I'd like to provide you with a broad perspective on behalf of the airport community, because it's an important topic that will impact us all.

First I'd like to quickly give some context. As you may know, most Canadian airports are managed by local, not-for-profit organizations. Under this unique model, we do not receive any money from the government. Instead, we operate as private companies, having to compete and innovate to stay ahead of the competition. However, we are not beholden to shareholders. We reinvest all profits back into our airports, which allows for constant improvements. Underpinning this is a commitment to provide an exceptional experience for everyone.

YVR has become a model of accessibility and inclusion because we believe that everyone who wants to fly should be able to fly, and everyone who wants to work at the airport should have that opportunity. We have spent the last 25 years making our airport barrier-free.

For instance, we have universal food and service counters that welcome people using wheeled mobility devices. We use low-resistance carpeting on our floors for easier movement and greater stability. We work with a range of partners to ensure that YVR meets high standards through terminal audits. We host experiential tours to test our facilities. This includes a tour for families living with autism and a tour for those living with spinal cord injuries.

We also address non-visible disabilities. For instance, we just introduced our Fly Calm initiative with the Canadian Mental Health Association. This program helps travellers de-stress prior to air travel.

In addition to making our airport barrier-free, we also strive for employment equity. We've been named one of Canada's best diversity employers, and just recently the federal government has recognized our achievement with the Sector Distinction award and the Employment Equity Champion award.

We got to this point because we set equity targets, closely monitor them, and take action. Currently women make up 42% of our workforce; visible minorities make up 33%; aboriginal peoples make up almost 2%; and persons with disabilities make up 3%. In fact, persons with disabilities made up 4.8% of our hires this year. Yes, we have work to do, but we're heading in the right direction.

We also have a large range of programs to promote a diverse workplace, and we have overhauled our procurement process, looking at how we can reward companies that value diversity. We're doing a lot, and of course there's always a lot more to do. That brings me to Bill C-81.

Overall, we're very happy to see a bill of this nature, and we believe it's about time. The preceding was to let you know that we are not afraid of the bill. We're ready.

However, I'm worried that the bill is a bit heavy-handed. It also presents possibly significant administrative burdens, and I believe we'll run into some major issues in applying standards.

Additional feedback and reporting requirements in the bill would add a considerable burden, which is even more challenging when we consider the differences among airports. There are a lot of small airports that don't have the resources that we do. These airports would be much better off spending funds to install accessibility ramps than producing reports. For them, it's often one or the other. This brings me to the proposed Canadian accessibility standards development organization. Do we really need this to do what's needed? My concern is duplication and redundancy with what other organizations are already doing in the built environment.

How can we leverage what already exists, rather than creating another body that will bring more costs and bureaucracy? An alternative would be to bring in organizations that are already doing accreditation. It could start with a general visit and not a compliance audit. For instance, we just got certified at YVR, the Vancouver airport, by the Rick Hansen Foundation.

I also agree that it's important to set standards and hold everyone accountable. Ultimately, of course, the way to ensure that is through fines. However, fines should be the last resort.

I'm co-chair of the Presidents Group, a network of business leaders in Vancouver committed to improving employment outcomes for people with disabilities in B.C. One reason the group was formed was to find less punitive ways to get organizations to comply. My question is, how much of a hard stance will we take on fines? Is there a grace period to implement the measures needed? If so, how long is it?

The reality is that there will always be areas in which we will be underperforming. We are never fully compliant. Nobody is. We're always evolving our buildings, so grandfathering is very much an issue. We're committed to getting it right, but the solutions are often expensive and time-consuming.

In conclusion, overall we support the bill and think it will go a long way to removing barriers and improving accessibility across Canada. I look forward to working with you to further improve our accessibility, and thank you for providing me with the opportunity to voice YVR's perspective today.

● (1810)

The Chair: Thank you very much, sir.

Before we go on, I remind you to keep your pace a little bit slow. That would be great. I have not been very heavy-handed this session with the timing, so if you go over a little bit, it's not the end of the world. Just keep that in mind.

Next, from the Canadian Transportation Agency is Mr. Scott Streiner, Chair and Chief Executive Officer.

The next five minutes are all yours, sir.

Mr. Scott Streiner (Chair and Chief Executive Officer, Canadian Transportation Agency): Thank you, Chair, and thank you to the committee for inviting me here today.

[Translation]

It's a pleasure to be here today to provide an overview of the Canadian Transportation Agency's (CTA) accessibility-related responsibilities and activities as part of the committee's hearings into Bill C-81, the proposed Accessible Canada Act.

[English]

The Canadian Transportation Agency, CTA, has been around since 1904. We are Canada's longest-standing independent expert tribunal and regulator. In 1988 our enabling legislation was amended to add accessible transportation as one of our core mandates. As the Supreme Court of Canada said in a 2007 ruling upholding one of our decisions, "Parliament charged the Agency with the public responsibility for assessing barriers [because the] Agency uniquely has the specialized expertise to balance the requirements of those with disabilities with the practical realities...of a federal transportation system."

Ensuring that Canadians with disabilities are able to travel independently and with dignity is in the CTA's DNA. We all know that transportation services are integral to modern life whether we're going to visit family, see new places or conduct business. As the UN Convention on the Rights of Persons with Disabilities states, transportation services to which persons with disabilities have equal access "enable persons with disabilities to live independently and participate fully in all aspects of life".

The CTA's vision is to make Canada's national transportation system the most accessible in the world. We know that this is an ambitious vision, but we believe that in a country whose fundamental values include equality and inclusion we should aspire to nothing less.

[Translation]

We're taking major steps to translate that vision into reality. Let me briefly highlight four examples.

First, in 2016, we established the CTA's centre of expertise for accessible transportation, which serves as the hub of activity within and beyond the CTA for all matters related to the removal of barriers to persons with disabilities in the national transportation system.

[English]

Our second action relates to regulation.

Following two years of intensive consultations with disability rights organizations and industry, we're drafting new accessible transportation regulations that will integrate two existing regulations and six voluntary codes into a single robust, binding and enforceable instrument. The consultative process included multiple discussions with our accessibility advisory committee, which brings together 19 disability rights groups plus representatives from the air, passenger rail, and interprovincial bus and ferry sectors. We hope to have the new accessible transportation regulations ready for publication in the Canada Gazette in early 2019.

Third, we've organized multi-stakeholder discussions, including a working group focused on the significant and growing challenges associated with the transportation and storage of wheelchairs and

other mobility aids on aircraft. That working group's recommendations are expected to be ready by the spring.

Finally, together with our partners in Global Affairs Canada and Transport Canada, we're spearheading efforts to give accessible air travel more profile within the International Civil Aviation Organization, ICAO. One of our goals is make sure that accessible air travel figures prominently on ICAO's agenda during its triennial general conference next September in Montreal.

(1815)

[Translation]

We're also getting ready to implement Bill C-81, should it be passed.

We're putting the pieces in place for the launch of a proactive education and compliance monitoring and enforcement program within 60 days of royal assent.

[English]

We're revising the standard wording that we apply to accessibility adjudications to reflect the language of Bill C-81 and we've held discussions with the other implementation bodies named in the bill to begin working toward coherent, well-aligned approaches to the delivery of our respective accessibility mandates.

Accessible transportation is a fundamental human right. The CTA is committed to ensuring that this right be realized in practice through clarity of purpose and concrete action.

Thank you for your attention. I look forward to answering your questions.

The Chair: Thank you very much, sir.

Now from VIA Rail Canada, we have Yves Desjardins-Siciliano, President and Chief Executive Officer, and John-Nicolas Morello, Senior Legal Counsel, Legal and Corporative Affairs.

You have five minutes, sir.

[Translation]

Mr. Yves Desjardins-Siciliano (President and Chief Executive Officer, VIA Rail Canada Inc.): Good evening, Mr. Chair and members of the committee.

Thank you for inviting VIA Rail—my colleague John-Nicolas Morello and me—to present our position on this ambitious bill and, if necessary, on accessibility.

VIA Rail did not wait for this bill to be introduced to serve more than 4.4 million passengers, many of whom have some kind of disability affecting their mobility, vision, hearing, and so forth. We offer the required services for inter-city transport in Canada that is accessible to everyone, from sea to sea. When one in seven Canadians has a disability, if we are to achieve a society without barriers, it is essential to provide access to efficient and safe transportation between cities, for those travelling on business, for family reasons, tourism or simply to enjoy Canada's bucolic landscapes.

[English]

Furthermore, not only are we confident we can meet the requirements of the proposed legislation, but we have been acting with the intention of doing what that act purports to do.

[Translation]

Indeed, inclusive and sustainable mobility is central to VIA Rail's mandate, which is to better serve Canadians.

[English]

We've taken action by anticipating the mobility needs of people with disabilities and increasing the space available to them over the past few years. More than 1,450 accessible spaces have been added on board our trains since 2014. At present our capacity to accommodate Canadians with disabilities is already six times greater than it was just a few years ago.

To ensure that our services go beyond what is already in place, thanks to the Government of Canada VIA Rail has invested more than \$162 million since 2010 in the following areas: on our trains we just recently awarded a contract for \$54 million to make 17 cars fully accessible on the oldest generation of VIA Rail trains, which cover the country from one ocean to the other all the way to Churchill, Manitoba; we've consulted groups in devising the new functionality that makes those cars accessible; and as well, again, thanks to budget 2018, we are in the midst of procuring a totally new fleet to serve the business corridor between Quebec City and Windsor, where we currently serve over 4.5 million Canadians. That fleet will be totally accessible.

I want to salute in this room today Bob Brown, a member of the Council of Canadians with Disabilities. He and his colleagues from the council and other organizations representing people with disabilities have met with VIA to set out the specifications required to adapt to their disabilities, and as well have been part of the visits we've made to manufacturers to ensure the product that is being designed meets those requirements.

Here in Ottawa over the last two years we've spent \$20 million to retrofit the Ottawa station, which we want to see as a model of universal access not only here in VIA Rail's network but around the world. We are currently working with the Union Internationale des Chemins de fer to devise a way for people with blindness or other sight disabilities to find their way from their front door all the way to their train seat without the aid of other individuals, providing them not only with mobility but freedom.

The introduction of a continuous improvement process at VIA to ensure greater accessibility is part of our DNA, to use Scott Streiner's expression. We've already become, in our view, a world leader in accessibility. As we celebrate our 40th anniversary, as I said, we're just about to procure a new fleet that will be 21st century in terms of accessibility.

We've also proposed to build a dedicated infrastructure for VIA Rail services between Quebec City, Montreal, Ottawa and Toronto. That high-frequency rail network would also provide universal accessibility not only on its cars but at all of its stations.

● (1820)

Because it will be fully accessible and fully available to VIA Rail services, it will provide three times the number of frequencies that we have today on freight networks, making greater accessibility in a broader sense available to all Canadians.

[Translation]

Lastly, as an employer, VIA Rail understands the importance of integrating people with disabilities into our workforce. That is why, as president and CEO of Via Rail, my objectives include recruiting a certain number of persons with disabilities among our new hires. Right now, 3% of our employees have a disability. This year, we want to maintain that percentage.

In fact, among my performance objectives for 2018, I was aiming for more than 32% of employees from diversity communities, including persons with disabilities, and we are already at 42%!

[English]

I like to under-promise and over-deliver.

[Translation]

In other words, this year alone, VIA Rail has hired 12 new employees who have a disability.

In short, at VIA Rail, we recognize that we are an important pillar of inclusion and sustainable mobility, and that all Canadians cannot be truly equal unless they can fully enjoy their freedom as Canadians, not only in their thoughts, but also in their mobility.

That is why we are committed not just to meeting the objectives of this very important bill you are discussing today, but in fact to exceeding them.

Thank you, Mr. Chair.

The Chair: Thank you very much.

[English]

Up first for questions, we have MP Finley for six minutes, please.

Hon. Diane Finley (Haldimand—Norfolk, CPC): Thank you, Mr. Chair.

Over the last few years, I spent about two of those years travelling across the country with the aid of at least a cane and often a walker or a wheelchair. One thing I noticed in particular was the dramatic difference in accessibility in different airports.

For example, here in Ottawa, if anyone tries to drop you off at the airport by car and then go in to get a wheelchair for you, the parking police come along to give you a ticket. If you go to Toronto, the wheelchairs are at the very back of the terminal, and it's the same deal. You're not allowed to stop and wait while somebody goes and gets your wheelchair.

In other places, the airlines say that the delivery of the service is up to them, and they'll come right to the curb and pick you up.

There's no consistency. Would this bill change that situation? If so, how?

Mr. Scott Streiner: Mr. Chair, perhaps I can provide an initial response.

The issue of wheelchair services is one that we at the Canadian Transportation Agency have seen crop up again and again. Of all the different issues around which we receive accessibility-related complaints, it's the most common topic.

Also, as I noted in my opening remarks, we recognize that the transportation of wheelchairs and other mobility devices on aircraft is becoming a more challenging issue. That's because there's a positive development, in that wheelchairs are becoming larger, more technologically complex, more customized and better at meeting the needs of the individual traveller, but that means it can sometimes be more challenging to transport them and to store them on aircraft. That's the reason we set up a multi-stakeholder working group to deal with this challenge.

The member asked about whether positive change is coming. What I can say is that the CTA has been working for several years now on its new accessible transportation regulations, which will include a section on the obligations of airports and airlines in respect of the provision of wheelchair services. Those provisions should help to ensure more consistent service delivery and a better quality of service delivery. I think we're confident, after two years of consultations and development, that these new regulations will help to make a positive difference in the area that you've identified as one of concern.

(1825)

Hon. Diane Finley: It's totally inconsistent right now. You just never know what to expect.

Mr. Richmond, I don't know if you have any comments on that; I know that you've worked in many different airports around the world. If so, I welcome them.

Also, I'm wondering, because you did refer to smaller airports, what you anticipate would be the impact on these airports of the unfunded mandate that would be inherent in the passage of Bill C-81.

Mr. Craig Richmond: Thank you very much.

As Mr. Streiner said, it's a growing issue, especially as we have an aging population all over the world. It's not uncommon for us now to have requests for 50, 75, or 100 wheelchairs to meet airplanes from certain areas of the world. We have seen as many as 150 requests from one aircraft, which is more than all the wheelchairs we have in the airport.

We are working at the airport to try to grapple with this problem as well. In Vancouver, there are places where you can drop off or be picked up that are very accessible, with wheelchairs nearby.

I wanted to highlight my colleagues who are in smaller airports, but not because I don't think that they do a good job; in fact, I think in a lot of the smaller ones, it's much easier to do a good job. Over the past two decades, as I look at airports from coast to coast, they are much more accessible than they were in the past. Everybody has incorporated accessibility into their standards.

You're right, though: it is not as consistent as it might be across the country.

Hon. Diane Finley: What do you see as the financial impact of this unfunded mandate, particularly on smaller airports?

Mr. Craig Richmond: That's a good question, and that's why I raised it.

For the most part, I think that anybody who has built a new terminal—and most airports in Canada are new—have conformed to CSA-B651, which is a very good built environment code.

I don't know what will happen if airports are mandated to be standing at the curb with wheelchairs. That, to me, could be quite a serious cost for smaller airports, and large airports as well.

Also, I think that whatever we can do to make the reporting requirements under this bill as reasonable as possible would go a long way.... Many of the small airports in Canada run with a staff of 20 people. They do all kinds of jobs, and having to add more reports adds more cost and more difficulties for small airports.

I'm not worried so much at the large airport, but obviously we wouldn't want it to be onerous.

Hon. Diane Finley: Thank you very much.

Mr. Streiner, you said that you want Canada to be the best in the world, which suggests that we're not right now. I'd ask who is the best, and what do they do that's so terrific and to which we should aspire?

The Chair: Give a very brief answer, please.

Mr. Scott Streiner: My very brief answer is that different countries are very successful in different areas. I didn't mean to suggest, Mr. Chair, that Canada isn't a leader in some respects in the area of accessibility, but there certainly are other countries that we can learn from.

We can learn from both the successes and the failures, for example, of a piece of legislation like the Americans with Disabilities Act. That legislation contributed to significant improvement in accessibility in some areas, but there were also some challenges with its implementation.

We try to learn from the lessons of every jurisdiction that has attempted to advance this issue.

● (1830)

The Chair: Thank you very much.

Now we go over to MP Hogg for six minutes.

Mr. Gordie Hogg (South Surrey—White Rock, Lib.): Thank you to all of the witnesses.

You all seem to have a positive outlook in terms of the directions you're taking and are feeling quite comfortable with that.

I'm following up on MP Finley's comment or question with respect to referencing. I was wondering how you were going to tell. She stole the question right out of my mouth when she asked about your statement that you wanted to be the best in the world, which clearly we'd like to be.

You've referenced some areas that we are worse in and some that we're better in. What are the areas we need to look at, and what impact would this bill have in terms of being able to turn those around?

Mr. Scott Streiner: In respect to transportation, we have a number of areas in Canada where we are clearly ahead of the curve. For example, we were one of the first countries to implement mandatory training requirements in the personnel training regulations that we currently have at the Canadian Transportation Agency. While those regulations aren't perfect, they drew the attention of service providers to the need to ensure not only that the built environment is accessible and not only that there's the right equipment, but that personnel are trained in order to interact appropriately with and provide services to people with disabilities.

In other areas we face some significant challenges. What I would say is that there are a few ingredients, I think, to advancing this agenda. One of them is to have a set of modern regulations that draw upon Canada's experience over the last 25 years since the CTA first got its accessibility mandate and, as I said in response to the member's question, on best practices in other countries. Our work on those regulations is well advanced.

Bill C-81 will reinforce our regulation-making power, but we already have that power, and it's pursuant to the current power that we've been working on these regulations.

Regulations by themselves are a start, but they're not enough. There are other ingredients required. We need a strong, proactive compliance assurance program. At the CTA, we've been working on creating a program that is risk-based so that we will target our efforts in those areas where the risk of non-compliance or the impact of non-compliance is highest. Bill C-81 adds to the CTA's compliance tool kit. It gives our compliance enforcement officers additional tools to get out there and to ensure that people are complying.

I think that the third leg, very briefly, is information. It's making sure that both persons with disabilities and service providers know what their rights and responsibilities are. In addition to a compliance program, the CTA is planning to undertake, should the bill be passed, a very proactive information program for those communities.

Mr. Gordie Hogg: I'm assuming that there is some type of concurrence around the world with respect to what best practices are so that we know what we're implementing.

If I can quickly go to Craig Richmond, I want to get it on the record to say hi to your dad, who was the Speaker of the House when I was in the legislature, and to your sister, who was my ministerial assistant for a number of years. Please pass along my best wishes to them.

Mr. Craig Richmond: Yes, sir.

Mr. Gordie Hogg: I haven't been able to find Valerie's number recently.

You made reference to thinking that going to legislation was maybe a bit premature, that there were a lot of processes by which we might look at changing and shifting accessibility inclusion, and I assume that you're talking about how we change the culture and how the culture starts to change.

Can you talk about the changes that have been made at YVR with respect to the culture, particularly in response to what happens with staff?

I know that in some areas I've talked to, the staff have been reluctant to respond to some of those initiatives. What is the process of the culture changing so that there's not a disparity between the culture, values and principles and how those are reflected in the legislation?

Mr. Craig Richmond: I'm not opposed to the legislation. As Mr. Streiner said, there's a lot of information out there. Compliance audits are very heavy-handed from the very beginning, and I just hope that it doesn't come across as heavy-handed, especially at airports that may be a little bit behind.

I think we also have to think about the fact that our building, for example, is the largest building in B.C., and it's constantly growing. We're going to need some grandfathering, because we can't constantly keep it up to the latest standards. We have that in many other aspects of the building, but not in terms of accessibility, because there hasn't been a standard before.

I think the culture is a good point. Something we're very proud of in Vancouver is the culture, and it all begins with empathy. We do a lot of training. Our employees are very encouraged, and about 80% of them have spent half of a day in a wheelchair. They also spend time with vision-blocking devices to see what that's like. I know that the airlines have the same kind of training. I think there is a tremendous amount of empathy for the passenger who is travelling with a disability.

Our culture goes back to the formation of the airport authority back in 1992. When I went there as a young person, I was always very impressed with the attention and care that everybody, from the airport to the airline, is trying to take for persons with disabilities.

● (1835)

Mr. Gordie Hogg: Thank you.

To Mr. Desjardins-Siciliano, you made reference to the retrofit that you're making in the Ottawa station and that you want to see as being the most accessible in the world. Can you describe what that would look like in terms of how different it would be from what it is now?

I assume that in order to make that statement, you've looked at some of the other stations around the world. What are the changes that you'll make to make that accessible and then—?

The Chair: You have about 30 seconds, I'm afraid.

Mr. Yves Desjardins-Siciliano: The changes that have been made include a level boarding platform—so they're eliminating steps or elevators to get into the train itself—and the construction of elevators to allow movement between the floors of the train station.

Mr. Gordie Hogg: Do they not exist anywhere else in the world?

Mr. Yves Desjardins-Siciliano: No, they don't exist in the Ottawa station. My point is that the combination of all of these—plus the element that I mentioned in terms of people with sight impairments—is new and does not exist anywhere in the world today.

Mr. Gordie Hogg: Thank you.

The Chair: Thank you.

MP Hardcastle is next, please, for six minutes.

Ms. Cheryl Hardcastle (Windsor—Tecumseh, NDP): Thank you, Mr. Chair.

Right now, gentlemen, as I'm sure you're aware if you've read Bill C-81, there are no requirements, there are no timelines. Your jurisdiction in particular, in transportation, is exempt. You do not have to offer a rationalization for a decision. There's no appeal process for a person in the disability community. Do you think that needs to change before we actually pass Bill C-81?

Mr. Scott Streiner: I want to be sure, Mr. Chair, that I understand the question. Perhaps I can give an initial answer, and then if the member feels I haven't responded—

Ms. Cheryl Hardcastle: I can repeat it.

Mr. Scott Streiner: Certainly.

Ms. Cheryl Hardcastle: Right now there is an exemption. You can be exempt—

Mr. Scott Streiner: It's exemption power, right. Okay.

Ms. Cheryl Hardcastle: —without giving a reason, without giving a rationale. If there is a civil activist, if there is someone in the disability community who wants to understand your decision—if any civil society member wants to understand the decision—you don't have to give that rationalization. Do you believe that any aspect of that should change before Bill C-81 is actually brought to fruition as our first national accessibility act?

Mr. Scott Streiner: I want to thank the member for her question. Let me just preface my answer by saying that as the chair of an independent tribunal, I don't presume to pronounce on policy choices made by the government when it advances legislation or on decisions that Parliament will make on the legislation. I'll talk a bit about what we do now and how we use our powers. As to your question, "Should the bill change?", I'll defer to parliamentarians and to ministers on that.

The-

Ms. Cheryl Hardcastle: Forgive me; I'm extremely limited in my time. I'm the only member of the NDP caucus who sits on this committee and I'm very, very limited to the perspective I want to bring forward.

Having said that, I don't need to understand where you're at now. With the bill, you did mention that you are looking towards binding and enforceable regulations. Maybe you can expand on that, and perhaps we can get some of those perspectives on how we can move forward with improvements to binding and enforceable regulation.

Mr. Scott Streiner: Absolutely. The only thing I'll say about exemptions is we actually currently have an exemption power in the law that we have never used.

In terms of the regulations, the regulations that we're working on will, as I said, integrate two existing regulations and six voluntary codes into a single binding regulation that builds upon the lessons we've learned and the feedback we've received from disability rights organizations and transportation service providers. Those regulations will cover everything from service delivery to facilities, to equipment, to training, to communications and to reporting. These

are comprehensive, across-the-board regulations that are fully enforceable through administrative monetary penalties.

The work on those regulations is well advanced. On October 1, we had a special ad hoc meeting of our accessibility advisory committee and we received some final rounds of feedback from its members. We are looking forward to finalizing those regulations and to rolling them out in 2019.

Ms. Cheryl Hardcastle: Gentlemen, does anybody else want to talk about enforcement or binding regulation? How should we be proceeding with that under Bill C-81?

Mr. Richmond, you were concerned about how heavy-handed Bill C-81 is right now. Maybe you can elaborate on areas you think we need to look at in order to proceed successfully.

(184)

Mr. Craig Richmond: Well, as I said, I really liked it when Mr. Streiner talked about information packages. I'm speaking for airports now. If an airport is falling short on some important aspect of accessibility—I think we would have heard by now, but you never know—give the airport a lot of information and a lot of opportunity to voluntarily fix what is wrong.

As I said, sometimes that may take some time. Sometimes it's about grandfathering: For example, going back and fixing a terminal that might be full of asbestos could be a real problem, so you're just going to say, "Look, I'm going to wait until I demolish that part of the terminal."

I think that having some flexibility is a good idea, but I'm not saying that to get out of doing the right thing. In fact, without any legislation, I would always make available our rationale for making decisions in the built environment. I would already do that voluntarily.

Ms. Cheryl Hardcastle: What about timelines? Right now this bill doesn't have any timelines to move forward. You probably have some insight.

Mr. Richmond, you mentioned grandfathering, I think. A few of you have mentioned having a grace period on implementation.

Can anybody elaborate on your thoughts on how you think we can be moving forward to make amendments that improve this bill so it is successful when we implement it?

The Chair: May we have a very quick answer, please?

Mr. Scott Streiner: If it's helpful to the member, the regulations we're currently working on do have coming-into-force timelines, timelines by which regulated entities will have to comply with all the regulatory requirements. Those are already in the regulations we have drafted.

Ms. Cheryl Hardcastle: Is there a grace period in grand-fathering?

Mr. Scott Streiner: There is a transition period for certain requirements when something new is coming in, but long-standing requirements would simply roll over into the new regulations.

The Chair: Thank you very much.

MP Ruimy, you have six minutes, please.

Mr. Dan Ruimy (Pitt Meadows—Maple Ridge, Lib.): Thank you very much, everybody, for coming today.

Mr. Richmond, I'm from B.C. I love our airport. It's a fantastic airport, probably the best airport in Canada, but I'm biased.

It is quite impressive to see the amount of progress that's been made. When we look at what we want to accomplish, the question is whether we legislate it and regulate it, but some of the top organizations are already doing things.

I remember coming back from a trip overseas a couple of months ago, and I saw a whole bunch of your employees in wheelchairs going through their training. I asked what was going on. It was amazing to see that you're putting people through the process of learning what it's like to be in that wheelchair, what it's like for people who are paralyzed. What challenges are they facing?

What made you get to that point? Nobody came down with a hammer and said you had to do it.

Mr. Craig Richmond: I appreciate the kind words. It has just been in our DNA from the very beginning. That term has been used, the idea that our people should understand what it's like. In everything we do, we try to put ourselves in other people's shoes.

For example, when working with the Rick Hansen Foundation, we realized that once people with assistance dogs go through all the various steps to go to the United States, if their dog has to go to the washroom, what do they do? As a result, we put in a doggy washroom in the transborder area.

To me it's just customer service. Persons with disabilities are a big part of our customer base. We're just trying to look after them.

Mr. Dan Ruimy: I think this is fantastic. Those are some of the best practices we see across the country.

A lot has been mentioned about timelines today as well as in previous testimony. When will we get this done? We've chosen an approach of creating the framework that we could work within.

What are your thoughts on that? Do you think we need to be saying you have to have such-and-such done by this time? I know you mentioned the cost, that you might not be in a position to do things. What would you say to those timelines?

● (1845)

Mr. Craig Richmond: I would have to see the regulations. I'm sure we will have all kinds of time to talk to the CTA about it.

I know from my work in other areas with persons with disabilities that generally businesses want to do the right thing. I don't disagree that ultimately you have to have that hammer of the fines, but we should just make sure that what we're looking for in the first case is information and dialogue and that we're not jumping right to compliance and fines.

Mr. Dan Ruimy: You would like to see flexibility rather than a hard cap on the timeline, rather than a requirement for it to be done by 2020 or 2025 or whatever that might be?

Mr. Craig Richmond: Certainly, and again, as I said in my remarks, I'm not afraid of this legislation. We've been accessible for a long time. I think if there are any areas for us to improve, we will embrace them.

I think a lot of smaller entities out there could be faced with pretty stiff unfunded obligations, as the other MP, Ms. Finley, said. I worry about all those smaller airports inside B.C. that feed Vancouver.

Mr. Dan Ruimy: Speaking of unfunded, I keep hearing "What's the cost going to be?"

With where you are already with your airport—and I know where you're at—does that bring you a competitive advantage? If so, where?

Mr. Craig Richmond: We certainly hope so. I think we're getting known around the world as a very accessible airport, regardless of your handicap and abilities. I think it does give us a competitive advantage. I think airlines know that we'll look after their passengers.

We don't look at it as a cost; we look at it as a cost of doing business.

Mr. Dan Ruimy: Are you seeing an uptake on accessibility tourism through your airport?

Mr. Craig Richmond: I think we are. It can be a bit difficult to measure, but when I talk to various groups, they know, through their communities and Internet forums around the world, the places you want to avoid, and we're certainly not in that category. People feel comfortable transiting through our airport.

Mr. Dan Ruimy: I just want to keep sticking to this advantage, because while obviously there's always going to be a cost to things, we have to start thinking about the advantage to doing the right thing. We know, and you said it, that people are no longer confined to their homes, we hope. You had a plane that asked for 150 wheelchairs.

Mr. Craig Richmond: Right.

Mr. Dan Ruimy: When we look at tourism throughout the country and the world, there are a lot of people who are now wanting, whether or not they're in a wheelchair, to be able to experience life. To have that advantage, I think, can help pay for it itself if we as a country have these standards that allow freedom of mobility. That's our competitive advantage for tourism as well. Would you agree?

Mr. Craig Richmond: I absolutely agree. I just worry about imposing a solution. For example, if we have to build a new transborder terminal and we're told, "Do this on the old terminal", that's just going to be money that gets thrown away if in four years from now we have another part of the terminal that's opening up. A little flexibility would go a long way.

Mr. Dan Ruimy: That flexibility that you're referring to is needed. Thank you very much.

The Chair: Thank you.

We have MP Diotte for six minutes, please.

Mr. Kerry Diotte (Edmonton Griesbach, CPC): This is for Mr. Desjardins-Siciliano.

You've talked about VIA striving to be or being a world leader in accessibility. You should be lauded for that. You said that you use standards from the Canadian council for disabilities to get there, and these standards were deemed acceptable to you.

Would you please comment on the provision in this bill for multiple more years of further consultation to determine standards?

Mr. Yves Desjardins-Siciliano: Thank you.

I was referring to the fact that at VIA we try to consult with clients before we make major changes to our business practices. Therefore, this client group was consulted in the design of the refit that we're doing on the old equipment to make it more accessible, as well as the design points for the new equipment that we're procuring for the corridor.

I must recognize the work of the Canadian Transportation Agency under the leadership of Mr. Streiner, who really are part of that process. They monitor and sometimes they mediate the process in terms of making sure we have all the right parties around the table. They provide an objective environment where we can have these consultations. It has evolved from that regulatory, if you will, environment to one of collaboration between a provider of a service and a customer base.

One point that's not to be lost here is that by 2030, over 25% of Canadians will be over 65. As I'm getting to that point myself, the reality is that mobility becomes a challenge, not just from a physical aspect but also with eyesight or hearing impairments and other impairments. Therefore, we have to address these issues, because our business depends on it. This is a huge customer segment that you can't just leave at home.

The fact that we're a public body and by definition are meant to provide services that private enterprises may be more hesitant to provide does not take away from the commercial opportunity of being a better provider for that audience and target.

The consultation process, I think, exists today within the realm of the CTA, or within the realm of the actual business providers.

• (1850)

Mr. Kerry Diotte: It's rather redundant, then.

You also talked about VIA Rail being door-to-door accessible, but we do know that not every train station is accessible. I can see one in Trenton, Ontario, that doesn't have an elevator or any ramps. I'm not certain this would be necessarily unique.

Will this legislation address issues such as this?

Mr. Yves Desjardins-Siciliano: In situations of an elevator not being available to board a wheelchair on a train, VIA provides ground transportation from the train station nearest the traveller to the train station equipped to lift the chair onto the train, at no cost to that person. That's the way it is handled today.

Whether this legislation will change that for an existing environment is to be seen. It is our objective to make all of our stations accessible, starting with the fact that the new trains will have on-board elevators, eliminating the need for an off-board elevator that somebody needs to bring to the train to lift a chair. The elevator will be in the train. When the door opens, the elevator will come out of the train, go down to the platform and raise the chair onto the train, eliminating the current constraints. That, by the way, is world leading.

Mr. Kerry Diotte: I have a quick question for Craig Richmond.

In your opening remarks you talked about building accessibility, not bureaucracy and more red tape. Obviously, more reporting is going to really bog everything down. I get your argument that we should be spending money instead on making smaller airports accessible, and so forth. Can you go into a bit more depth on that point?

Mr. Craig Richmond: I'm speaking for my colleagues from the small airports caucus of the Canadian Airports Council. Every time a regulatory burden falls on them, it's a lot harder. They don't have the kind of staff that we do at the top eight airports in Canada. If we're going to have reporting requirements, we should make them as reasonable and as templated as possible so that small airports aren't spending an inordinate amount of money and time reporting on what they're doing; rather, they are just doing it.

Mr. Kerry Diotte: Do you find that there's a lot of red tape and so forth already?

Mr. Craig Richmond: I live in a very bureaucratic environment. For example, my ground lease says that every five years I have to do a full report on how we're doing. It costs a lot of money. In fact, we hire two consultants to come in and do it for us, because we're too busy. Again, I'm not moaning too badly about that, but I worry about my colleagues at the smaller airports.

Mr. Kerry Diotte: Right. It's money better spent on actually doing accessibility.

How am I doing on time?

The Chair: You have about 10 seconds.

Mr. Kerry Diotte: I have a really quick question for Scott Streiner.

You were talking about countries that have best practices. Can you spell out precisely a few of these countries that might be better than we are in certain areas, and specify?

The Chair: Answer very quickly, please.

Mr. Scott Streiner: This question has actually arisen several times. I think it might be better, Mr. Chair, to actually send a letter with a couple of examples of that, because the committee has asked.

I'll simply note one example. There are a number of airports both in Europe and in Asia where the guiding services and the services for persons with disabilities to get through the airport—the wayfinding services—are first class.

If it's helpful to the committee, we'll send a letter with a few additional examples.

• (1855)

The Chair: That is an excellent suggestion. Thank you.

MP Morrissey is next, please.

Mr. Robert Morrissey (Egmont, Lib.): Thank you, Mr. Chair.

The language I heard from the witness today—and you represent major organizations in the country—is that you're confident you can meet the objectives. You're not afraid of the bill. It's ambitious.

Are there challenges in your day-to-day activities that the bill does not address?

I will first ask Mr. Streiner, with CTA.

Mr. Scott Streiner: Of course we're in a different position from that of my colleagues today, because we're the regulator and the tribunal.

I would say that the bill is offering us a number of new tools. Since 1988, we've had the responsibility of making the national transportation system more accessible. I think we've made terrific progress, but there is still a significant distance to be covered. The bill provides us with some additional tools to advance those objectives.

Mr. Robert Morrissey: How do you see this legislation complementing the pending regulatory changes that you referenced quite a bit that you're currently undergoing? Within this framework, from my perspective, it should give you a clearer understanding of where you should be.

Mr. Scott Streiner: Cognizant of time, I'll give a couple of quick examples.

First of all, we're going take the lens that the bill presents, particularly the definitions of "disability" and "barrier", and integrate those into everything we do that's related to accessibility. The bill does provide a bit of an overarching framework—a way of thinking about accessibility—that the CTA agrees with and will integrate into its work.

More concretely, the additional powers that our enforcement officers will have to go and inspect and impose administrative monetary penalties, if necessary, and to negotiate compliance plans with regulated entities will help our folks in the field working with service providers—like the two represented here today, and hundreds of others—to actually advance accessibility on a day-to-day basis and in a very concrete way. Our folks who are out there every day working with service providers will have new tools to make sure the goals of the legislation and our regulations move forward.

Mr. Robert Morrissey: Given that environment and your mandate, will it be easier to achieve that with Bill C-81?

Mr. Scott Streiner: Certainly the additional tools that Bill C-81 will give us to advance the mandate will be helpful.

Mr. Robert Morrissey: Okay.

Could you tell us how the CTA currently handles accessibility-related complaints, and how this will change under Bill C-81?

Mr. Scott Streiner: I'll briefly explain for the member and other members that we really do, at the CTA, have two roles: We're the regulator and we set the rules, but we also hear complaints from individual Canadians or from advocacy organizations about concerns they might have, including those around accessibility.

When somebody comes forward to us with a complaint, the first thing that we try to do is see if we can arrive at a resolution between the complainant and the service provider in an informal way through a mediation or a facilitation process. In many respects, it's better for all concerned if we don't have to go all the way to adjudication, which is more court-like. If we're not able to achieve a resolution through an informal process or if the two parties aren't interested in engaging in those discussions, then we convene like a court of law. We have all the powers of a superior court. We hear evidence and arguments and we issue binding decisions.

I will tell you that the trend line on accessibility complaints is upward. We received about 25 accessibility complaints in 2014-2015; I think that's the right year. That number doubled the next year, tripled the next year, and last year, there were about 100 accessibility-related complaints.

Mr. Robert Morrissey: What's driving that?

Mr. Scott Streiner: I think there are a number of drivers. As an organization we've made efforts to ensure that persons with disabilities are aware that they can turn to us for assistance if they have an issue.

Mr. Robert Morrissey: It's awareness.

Mr. Scott Streiner: We've undertaken public information efforts, but I think generally—and this committee's work is is an example of this—there is more attention paid today than there was several years ago to accessibility issues and to the fundamental right of people with disabilities to equal access to transportation services.

We've contributed as an organization, but I think it's part of a broader societal trend.

• (1900)

Mr. Robert Morrissey: You didn't get to the part about what will change under Bill C-81.

Mr. Scott Streiner: A number of things will change under Bill C-81. As I already mentioned, our compliance officers will have more authority. Regarding administrative monetary penalties, AMPs, the maximum AMP they can impose will go from \$25,000 to \$250,000. Of course, they're not going to jump to that AMP in the first instance of non-compliance, but the option is there to go to a much more significant administrative monetary penalty.

The bill would see us administering a participant funding program, which is a way of allowing persons with disabilities to access funding so that they can pursue applications before the CTA that might otherwise be too expensive for them.

Finally, the bill will allow the CTA to undertake inquiries at its own initiative, with the agreement of the Minister of Transport, into systemic accessibility issues. Currently we don't have that power. We can undertake inquiries if we receive a complaint, but we can't undertake inquiries on our own initiative that are systemic in nature. If the bill is passed in its current form, we'll have that authority.

The Chair: Thank you very much.

We will have to stop there. On behalf of the committee, I'd like to thank everybody for being here today and coming to the committee via video conference.

We are going to suspend for just a few moments so that we can switch panels. We will be right back.

• (1900)	(Pause)	
• (1905)	(2332)	

The Chair: The meeting will come to order. We're going to get

Welcome back, everybody. This is our second panel this evening, and for those who are joining us, I'm not going through the preamble again. I will just remind you that we do have both French and English sign language, and there are no photos at this time.

In opening and closing remarks and in answering any questions, please keep your speech to a fairly even pace. We want to make sure everything is captured appropriately.

Joining us via video conference from Surrey, B.C., is Jewelles Smith, Chairperson of the Council of Canadians with Disabilities, and Steven Estey, Government and Community Relations Officer.

We have, in person, from the Canadian Wireless Telecommunications Association, Robert Ghiz, President and Chief Executive Officer, and Ursula Grant, Senior Director, Industry Affairs.

Finally, from Communication Disabilities Access Canada, we have Barbara Collier, Executive Director.

Welcome to all of you.

We will start with Jewelles Smith and Steven Estey, from the Council of Canadians with Disabilities. The next five minutes are all yours.

● (1910)

Ms. Jewelles Smith (Chairperson, Council of Canadians with Disabilities): I want to thank you for this opportunity to speak with everyone.

We have a number of items that we've come to agreement upon through consultations across the country, and I know you'll hear from many of my colleagues over the next few days.

We are very much hoping that the bill will address the timelines of implementation. We would very much like to see challenging timelines established, such as five years. Canada is not the first country to put accessibility legislation in place, and there are many examples to draw from. We've been consulted extensively, and I believe the government could easily meet a five-year timeline for establishing a barrier-free Canada.

We would also like the act to better address effective management in complaints. We think that the fractured current status of the act would make it very difficult for individuals with disabilities to be able to make complaints, and to also have their needs met and their accessibility addressed.

We would also very much like to see ASL and LSQ acknowledged as official languages for deaf individuals. About 45 countries have acknowledged deaf languages to date, and we think that Canada is falling behind in not doing so. This is different from an official status language; this is acknowledging that for deaf people, ASL, LSQ and indigenous signed languages are critical for their ability to have an accessible experience with services and their rights.

We would also like to see the CASDO board composed of a minimum of two-thirds of persons with disabilities. We have seen many examples in the past of boards consisting of 50% plus one, and in those cases, too often our true needs were not met. We would ultimately love to see 100%, but realizing that this may not be possible, we're asking for two-thirds.

We would also like to see the federal accessibility agencies that are set up to be at arm's length from government. This would allow them to go about doing their business and better serve the needs of persons with disabilities.

Finally, it's very important that indigenous people with disabilities be consulted, as currently they are not mentioned in the act. Although indigenous nation-to-nation work is being done, the particular needs of indigenous individuals with disabilities need to be addressed for a fully accessible Canada.

Thank you, and I'll pass it on to Steve Estey.

Mr. Steven Estey (Government and Community Relations Officer, Council of Canadians with Disabilities): Thanks very much. I wasn't actually aware we were splitting our five minutes, so I'll try and make good use of my two and a half.

We heard over the course of the last few weeks the discussion about the idea of introducing a "no wrong door policy with regard to a complaints mechanism and so on. I just wanted to share with you that within our community, there have been some concerns raised about that. Particularly in the mental health community in Canada, this approach has been used for a number of years, and it's led to some concerns and problems.

We talked to people with the organization, and they said there were better ways of doing things. The concern with the no wrong door approach is that decisions are made on the inside. There's no transparency, so there's a real concern about it. We just wanted to flag that.

The second thing, a little bit more positive, is that we are excited to realize that the act will recognize the Canadian Human Rights Commission as a domestic monitoring mechanism for the UN Convention on the Rights of Persons with Disabilities. That's a tremendously important provision. I'm really pleased to see it.

Clause 149 of the bill talks about this specifically, and we wanted to make a suggestion that along with the recognition of the Canadian Human Rights Commission—which is a very important thing—and in tune with the convention itself, consideration be given to language to also flag the participation of individuals with disabilities and our organizations specifically, so that it would be made explicit in a sentence at the end of clause 149 to talk not just about the Human Rights Commission but about organizations of people with disabilities in the same way that the convention makes a distinction between national institutions and organizations of people with disabilities. We felt it was really important to get that in the bill itself so that we can revisit that when the time comes.

Thanks very much.

• (1915)

The Chair: Thank you both.

From the Canadian Wireless Telecommunications Association, we have Mr. Ghiz and Ms. Grant. The next five minutes are yours.

Mr. Robert Ghiz (President and Chief Executive Officer, Canadian Wireless Telecommunications Association): Great. Thank you very much, Mr. Chair.

It's a pleasure to be here this evening representing the Canadian Wireless Telecommunications Association, which I'll refer to as the CWTA.

I'm joined this evening by Ursula Grom Grant, our Senior Director of Industry Affairs, who is our lead on accessibility and will most likely be taking the majority of your questions.

CWTA is the authority on wireless issues, developments and trends in Canada. We represent service providers as well as companies that develop products and services for the wireless industry. We are pleased to be here today to share the views of our members regarding Bill C-81.

I would like to begin by confirming that our members strongly support the intent behind this legislation. An accessible Canada is a vision we all support.

Equality, inclusion, full participation—these are the goals of the members of the CWTA that we're fully behind. If Bill C-81 can bring Canada closer to these goals, then we want to be part of that.

We commend the government for working towards these goals. Indeed, for years, members of the CWTA have been working in concert to ensure the services we provide are accessible to all Canadians. Today our wireless networks offer fast and reliable mobile connectivity with the current generation of wireless technology known as LTE or 4G being available to approximately 98.5% of all Canadians and offering the fastest average download speeds in the G7, twice as fast as the United States.

To make sure as many Canadians as possible can access the benefits of these networks, our members have worked hard in recent years to improve accessibility in relation to telecommunication services. Examples relevant to wireless telecommunications in particular include accessible websites and online content, wireless rate plans to accommodate unique needs, wireless devices that offer accessibility features and functionalities, services like text with 911 and IP relay, special web pages with information on accessible products and services, and accessible formats for bills and other documents and information.

Our members will continue to work hard to address accessibility issues and work collaboratively with stakeholders across Canada to keep improving in this area. In this spirit, we very much welcome the broad thrust of Bill C-81. In particular, the current draft of the legislation addresses several key concerns we shared through the consultation process that preceded the development of the bill.

We are pleased to see the CRTC will continue in its current role with regard to regulation of accessibility. This provides continuity, understanding and clarity to our members. It also ensures Canadians will continue to benefit from public processes that are accessible to Canadians, with binding determinations all stakeholders can understand and follow.

Even as we are pleased to see the CRTC's continued role, we do have some concerns regarding the details and clarity around next steps. Much of the bill remains aspirational. While the goals are ones we all share and should work toward, it has been difficult to provide feedback without a better and more detailed sense of the regulations that will follow in its wake.

To give one example, while the CRTC will retain jurisdiction over the telecom products and service aspects of a Canadian carrier, another new regulatory body will provide oversight on other parts of the business. In addition, some provincial jurisdictions also have accessibility legislation, and we will need to understand where that fits in. This could work well or it could create unnecessary overlap, duplication and uncertainty, ultimately harming the interests of the very Canadians the legislation is seeking to assist.

The details matter, and the regulations that will be created further to this legislation could have a significant impact, and a potentially negative one, as well. A number of jurisdictions in Canada have similar legislation in place, with applicable standards and goals similar to those in this bill. If we don't work closely together, competing and possibly contradictory standards could arise, harming the efforts of all concerned.

Therefore, we urge this committee to recognize the importance of continued consultation once Bill C-81 is passed and proclaimed. Moving forward will be an education process for everyone, and our members want to see this happen in the most efficient and effective way possible.

● (1920)

[Translation]

The next steps will be a learning opportunity for all the parties involved, and our members hope that it all unfolds smoothly and effectively.

[English]

Thank you for the opportunity, and we will look forward to your questions.

The Chair: Thank you very much, sir.

Finally, from Communication Disabilities Access Canada, we have Barbara Collier, Executive Director, for five minutes.

Ms. Barbara Collier (Executive Director, Communication Disabilities Access Canada): Good evening, committee members. I'm delighted to be here this evening and honoured to represent Communication Disabilities Access Canada. This is a national non-profit organization that promotes accessibility for people who have speech and language disabilities that are not caused by hearing loss.

I need to take a minute to tell you a bit about who we're talking about, and then to tell you a bit about what access means for them. I'm going to focus on the needs of half a million Canadians who have a wide range of disabilities that affect how they communicate. We're talking about people who have cerebral palsy, autism spectrum disorder, intellectual disability, learning disability, ALS, traumatic brain injury, aphasia after a stroke, Parkinson's.... I could go on to list about 60 disabilities that affect how people communicate with you in their speech or understand what you're saying to them.

This is not a small, marginalized population; this is a huge population. It's a population that has received very little attention. They are off the radar when it comes to looking at accessibility needs of this group. I'm going to tell you how we think Bill C-81 can be strengthened to include the needs of people with speech and language disabilities.

At this time, the bill talks about priority areas. I think there are five or six of them. I'm going to have to reference them—employment, built environment, procurement of goods and services, program and service delivery, transportation, and information and communication technologies.

We propose that communication should be addressed in a much broader context than information and communication technologies. We have analyzed accessibility guidelines standards all across the country, and I can tell you that usually it's about respect and attitudes, it's about plain language, it's about accessible websites, and it's about alternate formats and sign language. These are incredibly important, but they are not addressing the needs of people who have speech and language disabilities.

I want to say that people who have speech and language disabilities may have difficulty. They may have little or no speech. They may use pictures, letter boards, or speech-generating devices to communicate, or they may have difficulty comprehending what you're saying.

Communication traditionally is looked at as giving information, getting information into people's heads. We're saying it's about being two-way. It's about expression and about comprehension, and it occurs in all jurisdictions that interact with the public—in face-to-face interactions, telephone and telecommunications, reading and writing, public forums, and meetings like this. These are the contexts that are important and that people need access to. If we look just at information and communication, we're going to miss it. We are absolutely going to miss it.

We're asking the government to amend the bill to include communication as a generic building block that needs to be in place for all jurisdictions—and I'll explain what I mean by that—but we're also asking that there's another building block we need to put in place, and that building block should have everything to do with discrimination, attitudes, accessibility rights, diversity and equity. That's one building block.

The other block is communication. What we want is that all jurisdictions have training in how to interact with people whose speech may be unclear; who use a communication device; or who have, or need to have, a communication assistant. That's the sort of thing that will make meaningful changes.

We are then asking that once you have the two domains, the building blocks, in place across the board, you adapt them.

Let's have our federal courts take the general communication training and then look at their own context. We want communication intermediaries to be available to victims, witnesses and accused who need to communicate in that context.

● (1925)

We need Service Canada to be able to communicate with people on the telephone or offer the appropriate text-based communication alternatives.

We need Elections Canada to offer online voting so that people can use their own assistive devices and not suddenly have to learn how to use a sip-and-puff switch or a scanner that they've never seen before when they go in to vote.

We have the solutions. The solutions are there. We just need to put them in place, and they are all very achievable.

I'll say one more thing. I can see you smiling at me, Mr. Chairman, but I don't get a chance to speak very often.

Most of the barriers and the frustrations for people with speech and language disabilities are there because they have no access to communication devices and the supports they need to access the services. They would like the federal government to expand its role, not just to negotiate accessibility standards across the country but to work together with us to ensure that people have what they need to communicate with their services.

Are the lights dimming at this point? I think they are. The music is coming on.

The Chair: The band is about to play, yes. **Ms. Barbara Collier:** Thank you very much.

The Chair: Thank you very much.

First up with six minutes of questions is MP Falk. Go ahead, please.

Mrs. Rosemarie Falk (Battlefords—Lloydminster, CPC): Thank you all for being here today.

I have a question for Ms. Smith.

You mentioned deaf languages and having those officially recognized. Could you explain to me what you mean by that and how that would be achieved?

Ms. Jewelles Smith: Sure.

Having deaf languages recognized federally would ensure that when a deaf person goes in to get their passport or goes through the court system or accesses any other services, their language will be recognized as the way they communicate. That is one example.

Another example would be ensuring that all important documents that the federal government produces have a video of ASL and LSQ available for deaf individuals to watch so that they will understand the document better. The syntax and structure of deaf languages are quite different from those for written English and French, and many times deaf individuals struggle when trying to access languages. Much as we're encouraging plain language with the accessibility act, we would also like to see added the recognition of ASL and LSQ, and, as conversation progresses with indigenous communities, of any of the indigenous signed languages.

• (1930)

Mrs. Rosemarie Falk: Thank you.

Even in our last meeting we talked about plain language. Ms. Collier, I'm wondering if you could touch on this for me. How are stakeholders or the disability community looking to have that implemented into Bill C-81? I understand what plain language means, but how would that be put into legislation?

Ms. Barbara Collier: Well, if you take what I've said about communication as an umbrella and you prioritize that as the domain that needs to be addressed, then plain language falls into reading and writing within that. It's part of that. You know what plain language is. I see it as fitting very much into the communication domain, but it won't fit if you're just going to use information and communication technologies. There's no place to plug it into that. There needs to be a bigger picture of it.

I don't know if I've answered your question. I'm not sure.

Mrs. Rosemarie Falk: Do you mean as in referencing plain language?

Ms. Barbara Collier: What do you mean?

Mrs. Rosemarie Falk: I understand how it could be used day to day, but how do we put that into legislation or even the regulations? Is there a better fit for that to be—either legislation or regulation?

Ms. Barbara Collier: I'm not a policy-maker on that, but I can certainly see how it would fit into a standard that says written material has to be accessible and follow the principles of easy-to-read or plain language.

Mrs. Rosemarie Falk: Does anybody else have anything to add?

Ms. Jewelles Smith: I think this also can fall under the conversation about adding communication as a specific barrier. We currently have under the act six identified barriers that would be focused on. We strongly think that communication is the seventh. In the regulation and development, it would become addressed.

I know there is a lot of push to have plain language and ASL and LSQ used and to also look at communication in general, much as my colleague Barbara talked about, but we strongly feel that it falls under that area that wasn't identified specifically.

Thanks.

Mrs. Rosemarie Falk: Thank you.

I have another question. I want to understand timelines and what different stakeholders or different people within the disability community find acceptable as a timeline. I've heard a lot, even from individual meetings that I've had in my offices, but nobody has been able or willing to give me a timeline that would be sufficient. I'm wondering if I could hear from everybody in order to know what would be proposed as a timeline to be added to the legislation.

Ms. Jewelles Smith: I know that I brought it up. CCD is part of a larger group of disability organizations, and we worked really hard over a period of several days to work this out. I'm going to read for you the language that we've established:

For substantive and progressive change:

A deadline date must be set within a five-year period following Royal Assent for [approval of] ALL standards and regulations in each specific area required.

A deadline for full implementation of each standard and regulation, following their approval, must be set within [an] 18-month period.

It must be understood that there will always be continual progression towards a barrier-free society. [It's] not realistic to think that a deadline date will mark full

compliance or completion...[but] a review must occur every three years and a public report of progress must be developed....

The Chair: Thank you very much.

MP Long is next, please.

• (1935

Mr. Wayne Long (Saint John—Rothesay, Lib.): Thank you, Mr. Chair.

Thank you to our witnesses this evening. I really appreciate your testimony. It's very enlightening.

I certainly know this: At the last meeting I talked about where I live in Saint John—Rothesay and coming upon a lady in a wheelchair who literally was waiting to get from the car park into the mall. My question was, "Why are you waiting here?" There was no way for her to get in unless somebody opened that door and let her in. This is a public spot in my city, so.... Bill C-81 is going to break down barriers. It's going to open up the world for people with disabilities.

This is for Ms. Smith and Mr. Estey. I want to thank you, Ms. Smith, for taking the time to come to my office. We met here I think a couple of weeks ago. I really appreciated the conversation. I want to follow up on something we talked about: the composition of the CASDO board.

I know that we talked about it in the office in terms of 50% plus one, and I know you don't think that's good enough. I certainly respect that. I know that you want to see 70%.

From my past experience as a businessperson involved in different boards, I'll say that the composition of boards is critical, whether it's a bank, a hockey team, CASDO or what have you. We continue to hear from Ms. Smith in particular and from other witnesses, too, about their concern about the composition of the board.

Do you want to elaborate on that? You talked about how you would like to see 70%. There are those who suggest that the language in subclause 23(2) be amended to ensure that members of the CASDO board with lived experience with disabilities represent, as much as is practically possible, the diversity of disability communities in Canada. Can the language of subclause 23(2) be amended? Can you share with us again the importance of the composition of the CASDO board?

Thank you.

Ms. Jewelles Smith: Thank you. It's great to see you again.

Mr. Wayne Long: It's good to see you, too.

Ms. Jewelles Smith: We would like to see the largest possible percentage. I would love to see 100%. People with disabilities exist everywhere, and there is no reason that people with particular expertise couldn't use their situation of employment to sit on the CASDO as well, but we are willing to go as low as two-thirds.

As I mentioned before, on 50% plus one, we've seen many boards like that, and often what happens is that the "plus one" gets convinced not to attend the meetings, so they don't vote in favour of things that would be progressive for us, and that sort of thing. I also think Minister Qualtrough clearly stated we need to move beyond the slogan "nothing about us without us" to just "nothing without us". We need to always be there. We always need to be at the table.

I'm a Ph.D. candidate myself. I have plenty of colleagues who are experts in their fields. There is no reason this composition can't be diverse and fully realize us at the table.

Mr. Wayne Long: You came up with 70%. You mentioned 70% in our meeting. Why not 100%?

Is it necessary to allocate seats to members of each disability community on the board?

Ms. Jewelles Smith: I personally was advocating for 100%. With FALA, which was the group we were meeting, we agreed as a group to say 70% or two-thirds.

Mr. Wayne Long: You'd like to see 100%.

Ms. Jewelles Smith: I would like to see 100%, and I think that diversity can be represented. It's not a checklist. It's looking at the composition of a group and understanding that our population is quite diverse. It's not just having people represented, checking off that we have one deaf person, one person using a wheelchair and one person with vision impairment. Looking at diversity and looking at access and knowledge would be really critical.

Mr. Wayne Long: Thank you very much.

Mr. Estey, do you have anything you want to contribute to that?

Wait...okay, sorry.

Mr. Steven Estey: Thanks.

I communicate with captioning. I'm deaf, and it takes a second or two for it to come up on the screen. It's not that I'm not paying attention.

Mr. Wayne Long: My apologies.

Mr. Steven Estey: Jewelles has made the point quite clearly, I think. She has talked about diversity in the disability community and the discussion we've had since the bill was tabled around the representation—the number of people and the percentages on these boards, and so on.

We started off looking at it by saying that 50% plus one would probably be okay, but there's been a real push by some members of the community to have a higher level of representation, and it goes particularly to the diversity of the disability experience and the concern that if you only have 50% of the people, then you may not have a wide enough perspective on a particular issue. We want to ensure that's the case here. As I understand it, that's the rationale.

• (1940)

Mr. Wayne Long: Thank you.

Ms. Collier, would you comment?

Ms. Barbara Collier: I would agree with two-thirds, and the reason is that when we talk about communication access, we're talking about a very diverse population. People who have been born

with a disability that makes it very difficult for them to learn language and literacy are very different from people who have had a stroke and have had language. You can't have one or two people represent the whole diverse population of communication disabilities.

We would support absolutely that you need representation on the standards committee of people with lived experience, but you also need representatives of the disability organization that can speak to the larger scope of things, because people with communication disabilities are not necessarily speech language pathologists with masters and Ph.D.s in communication disabilities. You need both.

The Chair: Thank you very much.

MP Hardcastle is next, please, for six minutes.

Ms. Cheryl Hardcastle: Thank you very much.

I'd like to go back to Mr. Estey and Ms. Smith. Can you talk a little more about the real operational independence of the new agencies? There was concern about that independence in reporting to government, and perhaps they should be reporting directly to Parliament.

Would you talk about the independence of organizations like CASDO, the accessibility commissioner, and the chief accessibility officer?

Mr. Steven Estey: I think our preference would be for a mechanism to be put in place for direct reporting to Parliament because of the whole independence issue. We certainly would support that approach and a revision to that effect.

Ms. Cheryl Hardcastle: Ms. Smith, on the independence of the new offices, would you like to see reporting to Parliament?

Ms. Jewelles Smith: We would very much like to see that.

We feel, to some extent, that the way Bill C-81 is currently set up, with a number of fractured reporting systems, might be problematic. We've dealt with a couple of those organizations as the disability community, and we've had multiple barriers. It's important to have that arm's-length reporting in order to address some of those barriers and challenges, and also to set up a fresh mechanism that wouldn't necessarily operate under the mandate of the current government, but rather under the mandate of the disability community.

Ms. Cheryl Hardcastle: Thank you.

Ms. Collier, can you elaborate a bit on your concern with regard to entities, organizations or jurisdictions that would be exempted right now under the proposed bill? Do you have any concerns that perhaps we should look at amendments, or at least allow for an appeal process, or that decisions have to be provided when exemptions are made?

Ms. Barbara Collier: I'm hoping I understand your question. Are you asking about the CRTC exemptions?

Ms. Chervl Hardcastle: Yes. The CRTC—

Ms. Barbara Collier: I would apply the generic communication training and information to all jurisdictions, especially the CRTC and transportation. They would be included in this on how to communicate with people and what their barriers are.

I can speak a little about some of the concerns for the CRTC.

First, I need to say that we have never surveyed people with speech and language disabilities. We have no data to research that population and the barriers they face, so what I'm telling you is anecdotal.

They say that there are message relay services available to people with hearing loss. They say that they are available for people who are speech impaired. People who have dysarthria—slurred speech due to cerebral palsy or a stroke—are saying that the operators have no training in how to facilitate speech-to-speech for them, so they don't use it.

It's also not known; it's not marketed to them. We could see an enormous opportunity to expand that service for people with speech and language.... Smart phones are being used more and more by people with disabilities. We have people in long-term care facilities who need phones in order to leave the hospital and live in the community safely. The problem is with the cost of the phone and with the switch access to the phone, because they can't operate it with their fingers, and there's no funding for this.

Also, I'm hearing it's the data plan and the plans for telephone use that may be there for Internet. I'm not an expert on this, but I'm hearing there are major concerns in keeping up with the technology, specifically for people with communication disabilities who are not deaf or hard of hearing.

It's also transportation, across the board.

• (1945)

Ms. Cheryl Hardcastle: Ms. Smith, can you give us some of your comments with regard to concerns about exemptions?

Ms. Jewelles Smith: We're concerned that the exemptions will result in continued barriers for individuals with disabilities. We have dealt with the CRTC and other groups that would fall under some of these exemptions for decades. Whenever there's an opportunity for them to have an exemption, they choose not to move forward with the mandate of accessibility. We feel very strongly that this act should clear a path to remove those barriers and to address the issues that are not that difficult.

As my colleague has just mentioned, there are opportunities with smart phones. There is training available, and a wealth of research showing that these exemptions should not be there and that a barrierfree Canada is possible. We just have to decide to do it as a nation.

The Chair: Thank you very much.

MP Sangha, you have six minutes, please.

Mr. Ramesh Sangha (Brampton Centre, Lib.): Thank you, Mr. Chair.

Thank you very much, everyone, for coming here and giving this input.

My question is to Ms. Smith. You're talking about the Canadian accessibility standards organization. I know this is going to be a very exclusive type of organization that is going to make better standards and bring changes into the regulations.

You talked about the difficulty of complaints, and you wanted some sort of reforms. What type of reforms are you looking for to have a better complaint process?

Ms. Jewelles Smith: In the current way that the bill is written, the complaints can come forward in many different ways. I know that the government has so far been pushing for a "no wrong door" approach, but we're concerned that individuals will have a complaint and not know who they should go to, or go through the wrong door, and possibly it could take two or three years to resolve an issue.

What we would like to see is that CASDO be responsible for developing the regulations and that the reporting of any complaints go through one organization. Whether that organization has individuals underneath—for example, the Canadian Human Rights Commission, and then potentially several individuals underneath who would manage complaints—people would know where they go when they have a complaint about federal accessibility. It wouldn't be that you might go to the CRTC for this complaint, and you might have to call Service Canada for that complaint, or you might have to call a specific airline for another complaint: there would be one place for people to call and have their complaints directed, one organization to develop the regulations and to provide a disability lens in the writing of those regulations. I don't mean any disability lens; I mean a human rights disability lens.

I would also like to see work on the intersectionality that I know government has attempted to do through the gender-based analysis plus, which has not been very successful for the disability community, which is why we strongly feel that having one organization responsible for the complaints and for the management of regulations is critical: it's so that across the board we have equal access and a clear understanding of barriers and what accessibility looks like.

Thank you.

• (1950)

Mr. Ramesh Sangha: Second, when we are looking for a barrier-free Canada, and we want it now and we want things to follow as soon as possible, why are you looking for a five-year timeline?

Ms. Jewelles Smith: Canada has done a lot of work in several of our provinces on accessibility and disability legislation. We also have the example of numerous countries around that world that have done this work already. We're not reinventing the wheel. We have great examples. We also know of some of the challenges and issues that have occurred during the consultation process over the last two and a bit years. The government has gathered much information on accessibility that works in other countries and in our own. We feel that setting up extremely long timelines will just result in our perhaps not living to see a barrier-free Canada.

Mr. Ramesh Sangha: Do you think a five-year timeline will provide better resolutions than immediately taking action now?

Ms. Jewelles Smith: Where we can, immediate action is critical. There are things that are easily done right away. We're saying five years for the regulations and such to be fully set up within the new organizations that are being developed.

We know there is some work in setting up a new department. We understand there is some work in setting up and reviewing regulations and making sure provincial and federal don't misalign and that there won't be problems in that sense. We also want to hurry along the process. We don't think it needs to take 20 years. Whatever is possible, we would love to see it done within a year. We're also recognizing that government has an election coming up too.

Mr. Ramesh Sangha: Thank you. **The Chair:** Thank you very much.

MP Ruimy is next.

Mr. Dan Ruimy: Thank you very much.

Thank you everybody for being here.

I will say up front that I will be sharing my time with Parliamentary Secretary Young.

This thing with timelines has been going around my head. When I was listening to your testimony, Ms. Collier, it actually just clicked to me as to why we shouldn't be putting timelines in the legislation. It's because the things you're mentioning are enormous. There are so many different things that are out there that if we start to try to legislate every single piece, we won't get to where we need to go. I see this as an evolution of this whole process, because technology is changing and people are changing, and when you try to legislate that change it actually stops you from moving forward.

I don't have any question, I just needed to share that with you.

I'm going to let PS Young take over.

Ms. Kate Young (London West, Lib.): Thank you very much.

I think you did want to mention something or say something to Dan's comment.

Ms. Barbara Collier: I just want to say that I was stressing the scope of the issue of communication access, but I think it's very doable. Ninety per cent of what I am talking about is education, and I think we have the education resources that could be put in place. What we need is a standard stating that everyone needs training about how to communicate with people who communicate in different ways. It's very doable.

The other part is that developing the intermediaries for the federal courts and the communication assistance to assist people at public forums is going to take longer. That's a support service that needs to be developed, in the same way that sign language services have been developed. However, I think it's very doable, and it's not a huge cost to educate people.

Thank you for your question and for bringing that up.

Ms. Kate Young: Thank you very much for your input.

I want to read a quote that our Minister of Accessibility Qualtrough said when she was appearing before the committee. It was about timelines, and I think it's important for us to hear what the minister was saying and why she is thinking that timelines are not necessary. She said:

We also want people to get moving on this now. We don't want to say that we are going to have an accessible Canada by 2025 or 2030, and then people sit back and say, "Okay, I have time." We need to do this now. It's like giving people a reason to wait instead of requiring people to do something now.

Given that we want to spur immediate action, do you believe that timelines will help speed up the action to get us where we need to get to?

Mr. Estey, would you like to take that on?

• (1955)

Mr. Steven Estey: Sure. I'll give it a shot.

I come from Nova Scotia, and we've just gone through the process of developing accessibility legislation in our province. When the first reading happened in Nova Scotia, there were no timelines in the legislation at all, so the disability community got up in arms about that and were concerned about the lack of any kind of timeline. The concern was that if you don't have a wall against which to backstop things, then how do you measure your progress and how do you compel people to do something without a fixed date?

We were able to get the Government of Nova Scotia to put a fixed date in the legislation. We've had some discussion about that experience federally since June 21, when the legislation was tabled without a fixed date.

What I have heard, as I think Jewelles mentioned, is the idea of not having one particular date globally, but to look at it in segments of different areas or different pieces of the legislation. It's a very complicated thing, Bill C-81, and to say that one date fits all is going to create difficulties, I think.

However, at the same time, without some kind of a firm wall-like backstop against which to measure, as a disability community, we have a concern that it's never going to come—don't worry about tomorrow because tomorrow never comes.

Ms. Kate Young: Isn't flexibility important? I'm not sure if-

Mr. Steven Estey: I'm having technological problems here.

Ms. Kate Young: Okay.

I just wanted to insert the word "flexibility" into what you're saying is necessary, and not a direct timeline.

Mr. Steven Estey: Sure. I think that there can be flexibility, but I do think that there needs to be some way for us to measure things, so some kinds of timelines and deadlines need to be negotiated at some point. I'm not sure exactly what that point is.

The Chair: Thank you very much.

Ms. Kate Young: Thank you.

The Chair: We have just shy of two minutes left.

MP Finley, would you like to close this out?

Hon. Diane Finley: Before I submit a question, I do have a comment.

There is so much flexibility in this bill as it's written that it never has to come into force. The standard provision in any bill is a coming-into-force date. That does not exist. Even if the bill passes and gets royal assent, there is absolutely no requirement for the government to bring it into effect. That means that all the good talk here, all the good intentions, will go nowhere. I have a real problem with that.

My question is for Mr. Ghiz. Given your unique background as a legislator and also as one who is in many cases representing the private sector now, what are your reactions to the differences in requirements for government departments and federally regulated industries and interests—exemptions that apply to government departments that choose not to participate versus the private sector, or things like penalties for non-compliance?

Mr. Robert Ghiz: Good question.

I do want to touch a bit on timelines. I realize what the minister said, but I'll back up what Ms. Young said about flexibility. When you used to bring in legislation, if you put a specific timeline on something and you missed that timeline, you were going to be criticized and you were going to have a lot of difficulty. I think flexibility with regard to any legislation is extremely important.

Also, I want to go back and talk about making sure that the consultations and everyone involved at the table is there. I go with Mr. Estey, too, and I call it a bit of a catch-22. If you don't have a timeline, then you could say "Let's get it done right away" because otherwise it may not compel people to deal with things right away.

There is a catch-22 there, but I think that if you work with the word "flexibility", you'll find a way to get there and keep everyone at the table

With regard to different provisions, you have to realize that uniqueness exists and that there have to be some special provisions while ensuring that everyone realizes why they're in place. I think people talked about education. It's going to be a key to that understanding.

The CRTC is responsible for certain areas. We heard from the airport folks. I think we are unique. There's not a one-size-fits-all answer. I do agree with Ms. Smith, who mentioned that there is a plethora of information out there, and different provinces are doing things, as well as other countries. We don't need to copy what everyone else does, but we can pick and choose what best fits Canadian society.

• (2000)

The Chair: Thank you very much.

I have to cut it there, unfortunately.

I wanted to take the opportunity to thank all of you for helping us with the study of this bill and for being here today and joining us via video conference. Thank you to my colleagues, and of course, as always, to everybody who makes today possible. There are more of you on this study than normal. Thank you all very, very much.

We are adjourned.

Published under the authority of the Speaker of the House of Commons

SPEAKER'S PERMISSION

The proceedings of the House of Commons and its Committees are hereby made available to provide greater public access. The parliamentary privilege of the House of Commons to control the publication and broadcast of the proceedings of the House of Commons and its Committees is nonetheless reserved. All copyrights therein are also reserved.

Reproduction of the proceedings of the House of Commons and its Committees, in whole or in part and in any medium, is hereby permitted provided that the reproduction is accurate and is not presented as official. This permission does not extend to reproduction, distribution or use for commercial purpose of financial gain. Reproduction or use outside this permission or without authorization may be treated as copyright infringement in accordance with the *Copyright Act*. Authorization may be obtained on written application to the Office of the Speaker of the House of Commons.

Reproduction in accordance with this permission does not constitute publication under the authority of the House of Commons. The absolute privilege that applies to the proceedings of the House of Commons does not extend to these permitted reproductions. Where a reproduction includes briefs to a Committee of the House of Commons, authorization for reproduction may be required from the authors in accordance with the *Copyright Act*.

Nothing in this permission abrogates or derogates from the privileges, powers, immunities and rights of the House of Commons and its Committees. For greater certainty, this permission does not affect the prohibition against impeaching or questioning the proceedings of the House of Commons in courts or otherwise. The House of Commons retains the right and privilege to find users in contempt of Parliament if a reproduction or use is not in accordance with this permission.

Publié en conformité de l'autorité du Président de la Chambre des communes

PERMISSION DU PRÉSIDENT

Les délibérations de la Chambre des communes et de ses comités sont mises à la disposition du public pour mieux le renseigner. La Chambre conserve néanmoins son privilège parlementaire de contrôler la publication et la diffusion des délibérations et elle possède tous les droits d'auteur sur cellesci

Il est permis de reproduire les délibérations de la Chambre et de ses comités, en tout ou en partie, sur n'importe quel support, pourvu que la reproduction soit exacte et qu'elle ne soit pas présentée comme version officielle. Il n'est toutefois pas permis de reproduire, de distribuer ou d'utiliser les délibérations à des fins commerciales visant la réalisation d'un profit financier. Toute reproduction ou utilisation non permise ou non formellement autorisée peut être considérée comme une violation du droit d'auteur aux termes de la *Loi sur le droit d'auteur*. Une autorisation formelle peut être obtenue sur présentation d'une demande écrite au Bureau du Président de la Chambre.

La reproduction conforme à la présente permission ne constitue pas une publication sous l'autorité de la Chambre. Le privilège absolu qui s'applique aux délibérations de la Chambre ne s'étend pas aux reproductions permises. Lorsqu'une reproduction comprend des mémoires présentés à un comité de la Chambre, il peut être nécessaire d'obtenir de leurs auteurs l'autorisation de les reproduire, conformément à la Loi sur le droit d'auteur.

La présente permission ne porte pas atteinte aux privilèges, pouvoirs, immunités et droits de la Chambre et de ses comités. Il est entendu que cette permission ne touche pas l'interdiction de contester ou de mettre en cause les délibérations de la Chambre devant les tribunaux ou autrement. La Chambre conserve le droit et le privilège de déclarer l'utilisateur coupable d'outrage au Parlement lorsque la reproduction ou l'utilisation n'est pas conforme à la présente permission.

Also available on the House of Commons website at the following address: http://www.ourcommons.ca

Aussi disponible sur le site Web de la Chambre des communes à l'adresse suivante : http://www.noscommunes.ca