

July 29, 2013

Mr. John Traversy
Secretary General
Canadian Radio-Television and Telecommunications Commission
Ottawa, ON K1A 0N2

Dear Mr. Traversy:

Subject: CNIB response to Telus' Part 1 Application on the use of Deferral Account funds to improve access to telecommunications services for persons with disabilities

CNIB is pleased to submit these comments in response to Telus' Part 1 Application to draw down the remaining accessibility funds in its Deferral Account for the purpose of improving the accessibility of its websites. As CNIB performed an accessibility audit for Telus in 2011, and as CNIB is referenced throughout the Part 1 Application and in response to Commission interrogatories, we feel it is particularly important to comment on this application and clarify our position with respect to Telus' proposal.

Website accessibility is of significant importance to Canadians who are blind or partially sighted. Designing a website such that it can be easily navigated by a person with a disability using assistive technology (e.g., a screen reader that reads aloud the text on the computer screen) is the digital equivalent of designing a building with a ramp and elevator in order to facilitate access for people using wheelchairs. Much like an inaccessible building, an inaccessible website has the effect of excluding many people with disabilities from equal access to the goods and benefits of society. CNIB believes strongly that governments and businesses have moral and legal obligations to take steps to ensure that their websites are designed to be accessible to persons with disabilities.

CNIB performed an accessibility audit for Telus in 2011. As part of that audit, CNIB offered recommendations for improving Telus websites. These recommendations, however, should not be taken to imply CNIB's endorsement of the use of Deferral Account funds for the purpose of improving website accessibility. CNIB continues to believe in the importance of improving the accessibility of Telus' websites; however, we do not support the use of Deferral Account funds to achieve this purpose.



There are a variety of policies and laws that require governments and businesses to take steps to ensure that websites are accessible to persons with disabilities – including Broadcasting and Telecom Regulatory Policy CRTC 2009-430¹, the Accessibility for Ontarians with Disabilities Act², and the UN Convention on the Rights of Persons with Disabilities³. Given the legal and moral obligations to make websites accessible to persons with disabilities, CNIB feels that to use the remaining accessibility funds in Telus' Deferral Account for this purpose would be an inappropriate use of these funds.

Thank you for the opportunity to clarify CNIB's position on Telus' Part 1 Application. We look forward to working with Telus and other stakeholders to ensure that telecommunications products and services are accessible to all customers, including those who are blind or partially sighted. Should the Commission require additional information, we would be happy to comment further on any of the points made above.

Sincerely,



Diane Bergeron
National Director, Government Relations and Advocacy

cc

Sharlyn Ayotte, National Director, Alliance for Equality of Blind Canadians
Rob Sleath, Chair, Access for Sight Impaired Consumers
Kelly Baldock, President, Alberta Society for the Visually Impaired (Edmonton District)
Louise Gillis, National President, Canadian Council of the Blind
Craig MacLean, President, Canadian National Society of the Deaf Blind

¹ See in particular Paragraphs 65 through 68
<http://www.crtc.gc.ca/eng/archive/2009/2009-430.htm>

² See in particular Section 14
http://www.e-laws.gov.on.ca/html/regs/english/elaws_regs_110191_e.htm#BK92

³ See in particular Article 9
<http://www.un.org/disabilities/convention/conventionfull.shtml>

Richard Marion, Chair, Coalition of Blind, Deafblind, and Partially Sighted
Rightsholder Organizations of Canada
Devon Wilkins, President, Guide Dog Users of Canada
Gérald Miller, Directeur Général, Regroupement des Aveugles et Amblyopes
du Canada
Dawn Clelland, President, Views for the Visually Impaired
Doris Koop, Executive Director, Vision Impaired Resource Network

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