



The Big Issues in Less than 30 Seconds

- The federal government has been gradually **deregulating** the telecommunications industry for over 20 years.
- Phones and other telecommunications equipment and services have become more **inaccessible** during that time.
- In 2007, the Conservative government began to **increase the pace of deregulation**.
- Telecommunications will become **even more inaccessible** if the federal government doesn't require telecommunications companies to make their products and services accessible to people with disabilities.

The Basics

- Telecommunications falls under the jurisdiction of the **federal government** in Canada.
- The **Telecommunications Act** provides the framework for Canadian telecommunications policy.
- **Industry Canada** sets federal government policy about telecommunications.
- The **CRTC** (Canadian Radio-television and Telecommunications Commission) is responsible for the regulation and supervision of telecommunications in Canada.

The Purposes of Regulation

- Regulation ensures that essential services (e.g., basic phone service, 911 emergency service) are available to all Canadians.
- For a region or service where there is only one company, or one company dominates others, regulation prevents the dominant company from abusing its power.
- In the transition from regulation to competition, regulation attempts to provide a level playing field for the dominant and new companies to compete fairly.
- Regulation is also used to achieve social policy goals (e.g., accessibility).

Regulation and People with Disabilities

- The Canadian government has never taken a pro-active, systematic approach to ensuring that telephone and other telecommunications equipment and services are accessible to people with disabilities.
- The CRTC has dealt with accessibility in a narrow piecemeal fashion, and usually only in response to complaints from advocacy organizations and individuals with disabilities.
- CRTC regulations that deal with accessible telecommunications are limited to specific issues such as:
 - message relay services
 - billing in alternate/accessible formats
 - long distance discounts for TTY users
 - accessible pay phones

Other countries have laws or regulations about accessible telecommunications. For example, the U.S. Telecommunications Act requires telecommunications equipment manufacturers and service providers to make their products and services accessible to people with disabilities.

Deregulation

- Since the 1980s, the federal government has been gradually deregulating the telecommunications industry.
- The Conservative government increased the pace of deregulation in 2007 and directed the CRTC to base its decisions on competition and market forces as much as possible.
- Some of the changes that have occurred under deregulation include:
 - new companies are allowed to compete with Bell Canada, Telus, and the other companies that used to have regional monopolies
 - existing regulations on conventional local and long distance phone services have been removed or relaxed
 - many new services and technologies are unregulated, including cellular and Voice over Internet Protocol (VoIP) phone services
 - companies can set their own rates for some services (e.g., local and long distance) that had been controlled by the CRTC

Deregulation: Good or Bad?

- The big phone companies say that relying on market forces stimulates competition which results in greater choice, better service, and lower costs for consumers.
- There's evidence that is true **some of the time**.
 - Long distance calls cost a lot less, down as much as 50 cents per minute, after the CRTC deregulated long distance services in 1992 and let other companies compete with the big monopoly phone companies.
 - Buying a phone today costs a lot less than it used to when you had to pay a monthly fee, year after year, to lease one from your phone company.
- But there's also evidence that deregulation **doesn't always benefit consumers**.
 - Although cell phone service is unregulated and open to competition in Canada, three national companies dominate the market (Rogers, Bell, Telus) and charge much higher fees than companies in the U.S. and most other countries.
 - The CRTC deregulated local phone service in most large Canadian cities in mid-2007, but rates haven't gone down.
 - Many Canadians, especially those who have low incomes or live in rural or remote areas, have limited or sporadic access to the Internet because of a 1984 CRTC decision to deregulate all telecommunications services except basic phone service.

Deregulation and People with Disabilities

- Market forces may or may not protect the interests of consumers **without** disabilities, but market forces have **not** protected the interests of Canadians **with** disabilities.
- Phones have become more complex and inaccessible since the CRTC decided to deregulate wired and cellular phones in the 1990s.
 - Despite a recent challenge from people with disabilities, the CRTC refused to re-introduce regulations to ensure that accessible phone equipment is available to people with disabilities in Canada.

In 2001, Chris Stark and Marie Laporte-Stark, people with disabilities living in Ottawa, asked the CRTC to overturn its 1994 decision to deregulate wired phone equipment. After more than five years of submissions, including objections from most of Canada's major telephone companies, the CRTC denied the Stark's request and refused to regulate the accessibility of phone equipment..

- When the CRTC decided to only partially regulate “VoIP” Internet phone services in 2005, it acknowledged that the accessibility requirements of people with disabilities are often neglected when new technologies are developed and introduced.
 - To date, however, the CRTC has not done anything to compel the telecommunications companies to ensure that the accessibility requirements of people with disabilities are included when the companies introduce Internet phone services and other new telecommunications technologies.

What should disability advocacy organizations do?

- On June 10, 2008, the CRTC launched a seven-month consultation examining the accessibility of telecommunications and broadcasting services in Canada.
 - The consultation will include a public hearing in Ottawa beginning November 17, 2008 and lasting approximately ten business days.
 - Interested individuals and organizations have three opportunities to make written submissions:
 1. *Initial comments* are due **July 10, 2008**.
 2. *Reply comments* responding to submissions from other parties are due **October 2, 2008**.
 3. *Final comments* are due **January 12, 2009**.
- How to participate:
 - Submit written comments.
 - Read submissions by other parties on the CRTC website.
 - Make a presentation at the November 2008 public hearing.
 - Monitor the public hearing (audio and captioned webcasts, transcripts).
- Web links:
 - Details about the consultation, including procedure and deadlines:
<http://www.crtc.gc.ca/archive/ENG/Notices/2008/pt2008-8.htm>
 - Links to all documents issued by the CRTC and submitted by other parties during the consultation:
http://www.crtc.gc.ca/PartVII/eng/2008/8665/c12_200807943.htm
 - A report on the accessibility of Canadian telecommunications and broadcasting services commissioned by the CRTC:
<http://www.crtc.gc.ca/eng/publications/reports/rp080418.htm>

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