



Association of Visual Language Interpreters of Canada

Presentation to the Canadian Radio-television and  
Telecommunications Commission

**Telecom Notice of Consultation CRTC 2013-155:  
*Issues Related To The Feasibility Of Establishing  
A Video Relay Service (VRS)***

October 22, 2013  
Conference Center Portage IV 140,  
Promenade du Portage Gatineau, Québec

Mr. Chairman, Commissioners and CRTC staff, thank you for the opportunity to speak today. To my esteemed associates from Deaf organizations, VRS advocacy groups, service providers and individual stakeholders who have or will be presenting throughout the week, thank you too for your time and efforts towards our shared goal of establishing video relay service in Canada.

I am Christie Reaume and seated to my right is Jocelyn Mark Blanchet. We are here to represent the Association of Visual Language Interpreters of Canada, also known by the acronym AVLIC. I am AVLIC's elected president (2010-2014) and Jocelyn is AVLIC's first vice president (2010-2014).

AVLIC is the only national, non-profit, professional association for interpreters whose working languages include a sign language. Currently we represent over 700 professional American Sign Language-English or ASL-English interpreters and la langue des signes québécoise-Français or LSQ-French interpreters in Canada. Our membership also includes 30 Deaf interpreters and almost 100 Student members – who are currently pursuing studies at an Interpreter Education Program.

AVLIC was incorporated in 1979 and currently has eight Affiliate Chapters across the country.

- AVLIC and our members uphold the highest standards of professional integrity, competence and ethics<sup>i</sup>;
- We are the only certifying body for ASL-English interpreters in Canada through the means of our Canadian Evaluation System<sup>ii</sup>;
- Our members are required to adhere to the AVLIC Code of Ethics and Guidelines for Professional Conduct<sup>iii</sup>;
- We offer a Dispute Resolution Process to maintain quality and accountability to the field of interpreting;
- We have a health & safety committee to address concerns related to the occupational health and safety of interpreters<sup>iv</sup>;
- And our governing bylaws<sup>v</sup> are formally recognized by Corporations Canada (Industry Canada)<sup>vi</sup>.

I should mention that citations for references I make within our presentation today are also included in the footnotes of the printed copies that were given to Ms. Roy for distribution and will be available on the AVLIC website for the public to view.

With the formalities of who we are aside, Jocelyn and I hope to provide reasons to support the implementation of video relay services in Canada; including areas specific to the role of a sign language interpreter. Our goal will be to address questions raised through the CRTC website<sup>vii</sup>, but details outside of AVLIC's scope will not be addressed in our presentation and we will respectfully defer them to others with the necessary expertise. While we do not represent the VRS consumers, special interest groups or service providers, we do represent one of the key players in the provision of VRS – the skilled interpreters required to operate a successful video relay service. We appreciate the opportunity to present our perspectives on this important issue.

The goal in any communication interaction is to be understood through ideas and thoughts conveyed. For some Deaf and hard of hearing people who struggle with literacy in English or French, the ability to present oneself as articulate may not be afforded through the current text-based relay service, which was introduced in 1985<sup>viii</sup> - over 28 years ago. Since the relay service operator is not able to take proficiency in ASL or LSQ into account, nor literacy skills or cultural context into consideration, it can

leave the Deaf or hard of hearing person looking foolish – as noted in the personal account by Ms. Mari Klassen (intervention # 3304)<sup>ix</sup>.

The role of a trained sign language interpreter is to take not only linguistic information into consideration, but also to take into account the cultures of those involved in the interaction. Additionally, an interpreter must bear in mind environmental factors, emotional context, appropriate register and social norms for different types of communication (for example, norms for a legal phone call vs. norms for a conversation with your mother). The culmination of these skills, according to Dr. Marty Taylor in her 2005 *VRS Task Analysis Report* for the DO IT Center, “require[s] interpreters to be extremely sensitive and display a high level of competence both interpersonally and linguistically<sup>x</sup>”

Members of AVLIC are well-trained, qualified, professional sign language interpreters; the type of interpreters supported by the Canadian Association of the Deaf, as noted on their website<sup>xi</sup>, and have a skill set that is able to adapt appropriately to the video relay service environment. These skills noted in Dr. Taylor’s *VRS Task Analysis Report*, include being able to “multi-task linguistically, physically, and mechanically<sup>xii</sup>”; work as linguistic and cultural mediators while at the same time switching between two additional roles, that of “operator” and “customer service representative<sup>xiii</sup>”; quickly [gleaning] information, often from subtle nuances, and [making] quick decisions to match the intent of each call.<sup>xiv</sup>”

It is clear from yesterday’s presentations, the thousands of interventions and the combined effort of Deaf and hard of hearing citizens, interpreters and service providers alike that a national sustainable VRS is warranted. We are here to address any concerns raised by the Commission regarding the provision of interpreting services for the implementation of VRS. In the Notice for this consultation,<sup>xv</sup> there were three specific concerns outlined. They are:

- The drain on the pool of qualified interpreters from community and educational settings;
- The occupational health and safety issues for the interpreters working in the VRS centres;
- Impact on VRS if there are not sufficient numbers of trained interpreters to fill staffing needs.

It is our belief that the interpreting community, the Deaf and hard of hearing community and the VRS service providers can work together on resolutions for each of these matters. Our hope is these will not be barriers to the implementation of VRS in Canada.

Resolutions to these issues recently noted are:

**For the drain on the pool of qualified interpreters from community and educational settings:**

- Yes, there have been concerns noted about Canadian interpreters providing services for the benefit of American consumers. Our hope is that these concerns will be greatly alleviated if the benefactors of the video relay services are Canadian consumers. There are many situations that could be handled through VRS instead of booking an interpreter to appear onsite. With the establishment of VRS in Canada, we would see Canadian interpreters working to provide services that benefit Canadian callers.
- In the *VRS Task Analysis Report* it notes, “many, not all, interpreters interviewed stated they also continue to accept community assignments.<sup>xvi</sup>”
- While there may be an impact felt in the more immediate timeframe after implementation of VRS in Canada, the well established Interpreter Education Programs already operating in Canada may be able to entice more students to enroll given increased and tangible job prospects in settings with self-regulated schedules afforded through VRS call centres.

- A sustainable VRS would allow interpreters to work full time in the profession and possibly entice those who have left to return to attractive employment prospects.

**For the occupational health and safety issues for the interpreters working in the VRS centres:**

- Preventative measures can be taken by the interpreters themselves, including adaptation of sign production through “movement frequency, joint angle and force of movements” and by resting arms between utterances or while processing the source message utterances, as outlined in the *Occupational Health and Safety for Sign Language Interpreters* guide<sup>xvii</sup> prepared by Dr. Kathryn Woodcock and Dr. Steven Fischer.
- Another recommendation by Dr. Woodcock and Dr. Fischer is to “negotiate multiple breaks/frequent breaks...when agreeing to terms and conditions of service provision.”<sup>xviii</sup>
- Further to that, prevention of injury is more possible in an ‘interpreter-friendly’ environment compared to freelance work where the interpreter has to self-advocate. With VRS centres relying on their workforce to be able to complete the necessary shifts to provide service, it is in their best interest to support, encourage and take affirmative action to ensure ergonomic factors are a primary interest.
- Policies would need to be put in place to ensure the interpreter is not sitting for an extended period of time, is able to adjust their direct line of sight, has the opportunity to stand to interpret if that is more comfortable, and is accommodated in any way, ergonomically, to prevent injury.

**For impact on VRS if there are not sufficient numbers of trained interpreters to fill staffing needs:**

- We believe supply and demand principles will naturally occur. However, in the beginning, when demand exceeds supply, we would expect a phased-in model that would provide Canadians access to a scaled-down version of ultimate goal of 24/7 VRS.
- Gainful employment will attract more applicants to Interpreter Education Programs thus increasing the pool of trained interpreters.
- If the CRTC were to implement VRS in Canada, our members could readily provide services.

To this point, we’ve focused our efforts on the interpreting aspects of implementing VRS in Canada. That is our area of expertise and I believe the primary reason the CRTC graciously granted our request to present today. However, as an association with very strong ties to the Deaf and hard of hearing community, we must use this national forum to echo the incredible impact that video relay services would have towards the betterment of the lives of all Canadians.

Not only Deaf and hard of hearing people will be using VRS. The service is provided for the benefit of all Canadians, including the general population who might need to communicate with Deaf or hard of hearing individuals. These people include businesses, family members, friends, teachers, community groups, to name just a few. This is not a service for 15,000 – 20,000<sup>xix</sup> Deaf and hard of hearing Canadians mentioned in the Notice for this hearing, but a service for all Canadians.

As outlined in our original intervention (#1319) as well as part of the comments shared by the over 3,000 submissions received by the CRTC, the reasons for implementation of VRS in Canada, without further delay, include:

**Adherence to the Canadian Constitution Act of 1982, Part I: Canadian Charter of Rights and Freedoms**

The Charter guarantees “every individual is equal before and under the law and has the right to the equal protection and equal benefit of the law without discrimination and, in particular, without discrimination based on race, national or ethnic origin, colour, religion, sex, age or mental or physical disability.”<sup>xx</sup>

With advances in telecommunications’ technology over the past 28 years, the current text-based relay service is no longer an equitable system as is afforded to the general public. It is an antiquated system, relegating many members of the Deaf and hard of hearing community to second-class citizens.

Other countries have had video relay services in operation for as many as 17 years. As noted in the Canadian Hearing Society’s position paper on national VRS, “Canada is one of only two countries in the G8 that does not have VRS.”<sup>xxi</sup> As a leader in human rights, and as a signatory to the United Nations Convention on the Rights of Persons with Disabilities, we should not be subjecting Deaf and hard of hearing people to what is defined by the UN as “attitudinal and environmental barriers that hinders ... full and effective participation in society on an equal basis with others.”<sup>xxii</sup>

### **Elimination of Barriers Related to Use of a Second Language**

Current text-based relay services available are laborious and excessively time-consuming, as described in Mr. John Warren’s intervention (# 3276)<sup>xxiii</sup>. In the 2009 *Report on VRS* commissioned by the CRTC it was noted that text-based relay services are “not very demonstrative, because non-verbal cues are not transmitted. Conversely, a video relay service would bring more fluidity and emotion to communications.”<sup>xxiv</sup>

For many Deaf and hard of hearing people in Canada, English or French is a second language. Innate with second language issues is the level of fluency, particularly in written form. As a result, for some Deaf and hard of hearing Canadians the current text-based relay service is prohibitive. Deaf and hard of hearing people have the right to, as prescribed by the UN, “recognition and support of their specific cultural and linguistic identity, including sign languages and deaf culture.”<sup>xxv</sup> Requiring all calls to be made in a second language, and in a text-based form, creates barriers that can be eliminated by establishing VRS.

### **Greater Access to 9-1-1 Services**

Further to the idea just presented, for Deaf and hard of hearing people in Canada whose fluency in written English or French may be marginal, the idea of accessing emergency services via 9-1-1 may not be an option. If, at the best of times, communicating through a text-based relay service is considered a barrier, adding in the inherent panic and fear when placing a call to a 9-1-1 operator through the current system creates an increased barrier to this vital service. Additionally, a text-based relay call can take up to three times as long as a video relay call; and in an emergency situation, those minutes can mean the difference between life and death.

In the 1997 *Eldridge v. British Columbia*<sup>xxvi</sup> case, the Supreme Court of Canada handed down the decision that “failure to provide sign language interpreters – who are, in fact, necessary for effective communication for the procurement of medical services – is a violation of equality rights under s. 15(1) of the Charter.”<sup>xxvii</sup> In that case the ruling further outlined that “any health care service, facility, or good that receives federal funding, whether directly or indirectly, must provide accessibility to those services,

facilities, and goods for people who are deaf, hard of hearing, or otherwise disabled or handicapped.”<sup>xxviii</sup>

By extension, for those using 9-1-1 services, federally funded through the CRTC, for medical issues, not having access to a VRS operator (a trained signed language interpreter) could be seen as a violation of the Charter. Further to that, access to any government phone service receiving federal funding could be seen as inaccessible to those whose written language skills are insufficient to hold a text-based conversation.

### **Improved Employment Opportunities**

The Canadian Association of the Deaf notes, “VRS is an investment that will generate the full, productive participation of Deaf Canadians in social, economic, political and cultural aspects of this country.”<sup>xxix</sup> VRS is crucial for breaking down employment barriers and enhancing access to all services for Deaf and hard of hearing people.

In Dr. Taylor’s 2005 *VRS Task Analysis Report*, she provides empirical evidence of this, by reporting:

*“[Deaf and hard of hearing people] can advance in their careers because they are able to make daily contact with non-deaf individuals and conduct business freely through video relay services. One example of this was a deaf individual who worked for the same company for several years without a raise or promotion, after only a couple of months using VRS this individual received “a promotion and TWO raises.”<sup>xxx</sup>”*

Increasing telecommunication access will have a correlative effect on employment opportunities because Deaf and hard of hearing individuals could be more readily placed in positions where telephone calls are routinely required. With the current text-based relay services, such positions are not an option for most Deaf and hard of hearing workers.

### **Equality for Deaf and Hard of Hearing Children**

An important and often forgotten group in this argument are Deaf and hard of hearing children. The discussions focus on equality for adults, but for children, whose language skills in English or French are still developing, access to current text-based relay services are unreachable.

The ability to make a 9-1-1 call would not be an option for many Deaf and hard of hearing children, despite being available to the majority of children in Canada. And non-emergency calls, such as to children’s help lines or to family and friends are likewise unavailable to many Deaf and hard of hearing children.

The UN recommends, “children with disabilities should have full enjoyment of all human rights and fundamental freedoms on an equal basis with other children...”<sup>xxxi</sup> As a result of the current text-based relay system in Canada, Deaf and hard of hearing children are not afforded the same right to communication as the majority of Canadian children.

As a non-profit, volunteer run association, AVLIC understands as much as anyone the need for collaborative, thorough research. We appreciate that the CRTC has made efforts to do exhaustive investigation on the feasibility of implementing VRS in Canada.

AVLIC thanks the CRTC for your efforts to operate a VRS trial in B.C. and Alberta, and then to seek public feedback through the interventions and finally through this hearing. We hope you'll listen to the overwhelming evidence from experts and from the personal stories shared with you by prospective VRS users that video relay services are needed in Canada now. Denial of this well-established telecommunication service is unwarranted in Canada. Please, support the immediate implementation of video relay services in Canada.

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<sup>i</sup> [http://www.avlic.ca/about/vision\\_mission\\_bylaws](http://www.avlic.ca/about/vision_mission_bylaws)

<sup>ii</sup> <http://www.avlic.ca/ces>

<sup>iii</sup> <http://www.avlic.ca/ethics-and-guidelines>

<sup>iv</sup> <http://www.avlic.ca/docs/OHSGuideforSLI.pdf>

<sup>v</sup> [http://www.avlic.ca/sites/default/files/docs/2013-06\\_SCHEDULE\\_B-CNCA\\_Bylaw\\_No1.pdf](http://www.avlic.ca/sites/default/files/docs/2013-06_SCHEDULE_B-CNCA_Bylaw_No1.pdf)

<sup>vi</sup> [http://www.avlic.ca/sites/default/files/docs/2013-07\\_Certificate\\_of\\_Continuance-Industry\\_Canada.pdf](http://www.avlic.ca/sites/default/files/docs/2013-07_Certificate_of_Continuance-Industry_Canada.pdf)

<sup>vii</sup> <http://crtc.gc.ca/eng/archive/2013/2013-155.htm>

<sup>viii</sup> <http://www.crtc.gc.ca/eng/archive/1985/dt85-29.htm>

<sup>ix</sup> <https://services.crtc.gc.ca/pub/DocWebBroker/OpenDocument.aspx?DMID=1926186>

<sup>x</sup> <http://www.unco.edu/doiit/Articles/VRS%20Task%20Force%20Report.pdf>, page 13

<sup>xi</sup> <http://www.cad.ca/interpreting.php>

<sup>xii</sup> <http://www.unco.edu/doiit/Articles/VRS%20Task%20Force%20Report.pdf>, page 8

<sup>xiii</sup> <http://www.unco.edu/doiit/Articles/VRS%20Task%20Force%20Report.pdf>, page 10

<sup>xiv</sup> <http://www.unco.edu/doiit/Articles/VRS%20Task%20Force%20Report.pdf>, page 12

<sup>xv</sup> <http://www.crtc.gc.ca/eng/archive/2013/2013-155.htm>; line 28 [section II, B, i)]

<sup>xvi</sup> <http://www.unco.edu/doiit/Articles/VRS%20Task%20Force%20Report.pdf>, page 23

<sup>xvii</sup> <http://www.avlic.ca/docs/OHSGuideforSLI.pdf>, pages 32, 36

<sup>xviii</sup> <http://www.avlic.ca/docs/OHSGuideforSLI.pdf>, pages 44

<sup>xix</sup> <http://crtc.gc.ca/eng/archive/2013/2013-155.htm> – line 9

<sup>xx</sup> <http://laws-lois.justice.gc.ca/eng/Const/page-15.html>

<sup>xxi</sup> [http://chs.ca/index.php?option=com\\_content&view=article&id=1031%3Athe-canadian-hearing-society-position-paper-on-national-video-relay-services&catid=202%3Aposition-papers&Itemid=488&lang=en](http://chs.ca/index.php?option=com_content&view=article&id=1031%3Athe-canadian-hearing-society-position-paper-on-national-video-relay-services&catid=202%3Aposition-papers&Itemid=488&lang=en)

<sup>xxii</sup> <http://www.un.org/disabilities/convention/conventionfull.shtml>

<sup>xxiii</sup> <https://services.crtc.gc.ca/pub/DocWebBroker/OpenDocument.aspx?DMID=1925983>

<sup>xxiv</sup> <http://www.crtc.gc.ca/eng/publications/reports/rp130307.pdf>

<sup>xxv</sup> <http://www.un.org/disabilities/convention/conventionfull.shtml>

<sup>xxvi</sup> *Eldridge v. British Columbia (Attorney General)* [1997] 3. S.C.R. 624

<sup>xxvii</sup> <http://publications.gc.ca/collections/Collection-R/LoPBdP/EB/prb012-e.htm>

<sup>xxviii</sup> [http://www.cad.ca/health\\_care.php](http://www.cad.ca/health_care.php)

<sup>xxix</sup> [http://www.cad.ca/news\\_events\\_en.php?newsID=138](http://www.cad.ca/news_events_en.php?newsID=138)

<sup>xxx</sup> <http://www.unco.edu/doiit/Articles/VRS%20Task%20Force%20Report.pdf>, page 22

<sup>xxxi</sup> <http://www.un.org/disabilities/convention/conventionfull.shtml>