

## **Ensuring Equivalence of Access and Choice for Persons with Disabilities in Telecommunication Markets**

### **Measures to Improve Equivalence of Access and Choice**

#### **5.2 Special Plans for PWDs**

##### **Proposal I**

**Question 1:** Do you agree with the proposal? Please justify your position and provide supporting information and references.

Agreed. Verifying the customer via the Certificate of (Disability) Registration (Disabilities Act, 2014, Section 13 (2) (3) (4)) reduces abuse of the provision for PWDs. The JCPD is the national body responsible for the maintenance of a confidential register of disabilities with the particulars of a PWDs as mandated by the Disabilities Act, 2014 (Section 13(1)). It is important to ensure that the socio-economic status of PWDs should not be a variant in the provision of this service; disability should be the only determining factor of those who will benefit. PWDs should only pay for the services they are able to utilize as this allows for equivalence of access in service.

#### **5.3 Provision of Accessible Devices**

##### **Proposal II**

**Question 2:** Do you agree with the proposal? Please justify your position and provide supporting information and reference.

Agreed. Based on the CRPD (Article 2) and the Disabilities Act, 2014, (Part I, Section 2) reasonable accommodations and reasonable arrangements should be made for PWDs while ensuring no cost barriers are created. The returns policy is critical and perhaps there could be an insurance coverage for warranty of the devices or parts thereof. If the device or service paid for is not received, and the matter cannot be resolved amicably, the consumer should have the option to request a refund.

#### **5.4 Provision of Bills and Contracts in Accessible Format**

##### **Proposal III**

**Question 3:** Do you agree with the proposal? Please justify your position and provide supporting information and references.

Agreed. It is to be noted that Easy Read format, simple and clear language benefits not only PWDs but even persons without disabilities. It is required that products and services are universal designed as cited within the CRPD (Article 2) & Disabilities Act (Part I, Section 2) definition of access. Providing bills and contracts in accessible formats promotes the dignity and independence of PWDs and others.

## **5.5 Provision of General Information on Services in Accessible Format**

### **Proposal IV**

**Question 4:** Do you agree with the proposal? Please justify your position and provide supporting information and references.

Partially agreed. We agree with 'a' & 'b' however; if the standard for WCAG is already met, we are uncertain of the need or practicality for 'c' which seem to be recommending a separate web page for PWDs. To enable equity and equivalence, PWDs should be able to navigate any area of the website they need – this will enable greater inclusion thus striking the balance, in this instance, rather creating a separate page for PWDs only.

## **5.6 Provision of Information to PWDs on the Products and Services Suitable for Them**

### **Proposal V**

**Question 5:** Do you agree with the proposal? Please justify your position and provide supporting information and references.

Agreed. In addition, include the information on their websites and in Easy Read formats thus enabling full access.

## **5.7 Accessible Customer Support Services**

### **Proposal VI**

**Question 6:** Do you agree with the proposal? Please justify your position and provide supporting information and references.

Agreed. PWDs or their caregivers may require such service to enable their right to redress and so dedicated support services are necessary to facilitate same.

## **5.8 Accessible Directory Assistance Services**

### **Proposal VII**

**Question 7:** Do you agree with the proposal? Please justify your position and provide supporting information and references.

Agreed. The online directory may not be easily accessible to all PWDs. Since a charge has been applied, it excludes customers with visual impairments who depend on this service but are unable to afford it. It has been noted that since this charge was implemented, the JCPD has been relied on heavily to provide telephone numbers for clients who are Blind specially to facilitate them accessing support services and the entity inadvertently absorbs the cost which is not a long-term solution. Service providers should therefore allow equivalence of access by providing that service free of cost.

## **5.9 Accessible Emergency Services**

### **Proposal VIII**

**Question 8:** Do you agree with the proposal? Please justify your position and provide supporting information and references.

Agreed. Since persons without disabilities can call back and respond verbally in times of emergency, PWDs with varying modes of communication such as JSL or other modes of communication should have the same means of accessing emergency services to enable their safety at no cost to them. This should include sending messages via voice notes, SMS, video calls etc to emergency services and then allow for tracking of the location of the individual.

## **5.10 Third Party Bill Management & Fault Notification**

### **Proposal IX**

**Question 9:** Do you agree with the proposal? Please justify your position and provide supporting information and references.

Agreed. The Disabilities Act, 2014 (Section 2(1)) defines the caregiver in such instances and the PWD is given the option to name such an individual in instances where a relative is not available or is not the caregiver. This will enable suitable representation of the PWD and their concerns to the service provider. The named representative should agree in writing/ as part of the contract.

## **5.11 Facility for Subscribers with Disabilities to Register Requirements**

### **Proposal X**

**Question 10:** Do you agree with the proposal? Please justify your position and provide supporting information and references.

Agreed. The system for registration of such information being created by service providers should be accessible to persons with varying disabilities thus enabling them to independently provide their information for this service provider. The information should be protected and kept and utilize for the use it was agreed when provided (Data Protection Act, 2020).

## **5.12 Timeline for Implementation of Measures**

**Question 11:** Do you agree with the proposed implementation timelines? Please justify your position and provide supporting information and references.

Agreed with timelines, except for the response for Emergency Services. A timeline is essential for this activity as it could take an inordinately lengthy time to wait for technical compatibility. Consultation is required to work through a reasonable timeframe for all concerned.

## **Chapter 6: ICT Accessibility Recommendations**

### **6.2 Formalization of the Certification of Disability Process**

**Question 12:** Do you agree with the recommendations? Please justify your position and provide supporting information and references.

Agreed. Regarding **Recommendation I**, the Disabilities Act, 2014 mandates the JCPD to register and provide a Certificate of Disabilities to registered PWD. The JCPD established under the Disabilities Act will have registration access points island-wide to facilitate registration of PWDs. Over the years registration has been prohibitive for varying reasons, however, with the provision of the certificate of disability to access benefits, registration will greatly improve.

Regarding **Recommendation II**, the Disabilities Act defines disability (Section 2 (2)) and there exists a classification and definition of the different types of disabilities which can be provided by the JCPD or can be accessed in the International Classification of Functioning, Disability and Health, WHO, 2001.

### **6.3 Inclusive Public Procurement Policy**

#### **Recommendation III**

**Question 13:** Do you agree with the recommendation? Please justify your position and provide supporting information and references.

Agreed. Accessible ICTs will not only benefit PWDs but other users as well. As such, procurement policy will be beneficial to all of society.

### **6.4 Creation and Promotion of Public Accessible Telecommunication/ICT Policies and Facilities**

#### **Recommendation IV**

**Question 14:** Do you agree with the recommendation? Please justify your position and provide supporting information and references.

Agreed. Based on the reasonable arrangement in the Disabilities Act, 2014 and reasonable accommodation in the CRPD it becomes an obligation of the service provider to facilitate access of PWDs.

## **6.5 Creation of Public Awareness Programme**

### **Recommendation V**

**Question 15:** Do you agree with the recommendation? Please justify your position and provide supporting information and references.

Agreed. Such synergy around a public awareness programme would expand understanding, increase knowledge and buy-in on ICTs, access and the services that exist, generally and specifically for PWDs.

## **6.6 Development of a Universal Service Disability Programme/Project**

### **Recommendation VI**

**Question 16:** Do you agree with the recommendation? Please justify your position and provide supporting information and references.

Agreed. PWDs are sometimes unattached to any disability organization or educational institution and so a more meaningful provision could be developed out of an evidenced based approach. Subsidized or free Relay Service should also be considered from these funds. Educational and/or employment opportunities could increase for PWDs if there is a targeted approach to making ICTs available to all PWDs.