



HOUSE OF COMMONS  
CHAMBRE DES COMMUNES  
CANADA

# **ACCESSIBLE TRANSPORTATION FOR PERSONS WITH DISABILITIES**

**Report of the Standing Committee on Public Accounts**

**John Williamson, Chair**

**NOVEMBER 2023  
44th PARLIAMENT, 1st SESSION**

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## **NOTICE TO READER**

### **Reports from committees presented to the House of Commons**

Presenting a report to the House is the way a committee makes public its findings and recommendations on a particular topic. Substantive reports on a subject-matter study usually contain a synopsis of the testimony heard, the recommendations made by the committee, as well as the reasons for those recommendations.

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# **THE STANDING COMMITTEE ON PUBLIC ACCOUNTS**

has the honour to present its

## **THIRTY-SECOND REPORT**

Pursuant to its mandate under Standing Order 108(3)(g), the committee has studied Report 1, Accessible Transportation for Persons With Disabilities, of the 2023 Reports 1 to 4 of the Auditor General of Canada and has agreed to report the following:







# ACCESSIBLE TRANSPORTATION FOR PERSONS WITH DISABILITIES

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## KEY FINDINGS OF THE AUDITOR GENERAL OF CANADA AND KEY DATA

- VIA Rail Canada Inc. (VIA Rail) and the Canadian Air Transport Security Authority (CATSA or the authority) took steps toward engaging with persons with disabilities for specific activities. However, as envisioned in the *Accessible Canada Act* and related regulations, persons with disabilities should have been consulted more broadly—such as on teaching methods for accessibility training.
- From 2017 to 2022, CATSA categorized 83 complaints under persons with disabilities. However, more than 1,000 complaints, many of which were made by or on behalf of persons with disabilities, included terms related to a disability but were instead categorized by the operational nature of the complaint. Data about complaints made by persons with disabilities was not leveraged to identify and prevent barriers to accessible travel.
- In its oversight role, the Canadian Transportation Agency (the agency) had insufficient tools and enforcement staff to address all the barriers. Just 4 full-time-equivalent employees at the agency were responsible for monitoring more than 130 transportation service providers and enforcing the *Accessible Transportation for Persons With Disabilities Regulations*, which contain more than 450 enforceable provisions. The agency looked at how services were designed, in accordance with the regulations—not the actual delivery of services.
- The percentage of managers and executives who did not complete their mandatory accessibility training on time was 39% at VIA Rail and 31% at CATSA. An additional 17% of managers and executives at VIA Rail did not complete the training at all. However, 80% of client-service staff at VIA Rail and 78% of third-party screening personnel at the authority completed their training on time.
- According to Statistics Canada, 1 in 5 Canadians aged 15 and over have 1 or more disabilities that could limit their participation in everyday



activities. Of the 2.2 million persons with disabilities who used federally regulated transportation in 2019 and 2020, 63% faced a barrier.<sup>1</sup>

## SUMMARY OF THE COMMITTEE'S RECOMMENDATIONS AND TIMELINES

Table 1—Summary of the Committee's Recommendations and Timelines

Recommendation	Recommended Measure	Timeline
Recommendation 1	VIA Rail should present the Committee with a report on the consultations with persons with disabilities for its new fleet of long-distance trains.	31 January 2024
Recommendation 2	VIA Rail should present the Committee with a report indicating which tests were conducted by the web accessibility specialist and the Universal Accessibility Advisory Committee, and what corrective action was taken. This should also include the issues that were identified for which no corrective actions have been taken, and when they will be undertaken.	31 January 2024
Recommendation 3	Canadian Air Transport Security Authority (CATSA) should present the Committee with a report indicating whether its objective of meeting all web accessibility standards was achieved, as well as the results of the quarterly review of accessibility compliance. This should also include the issues that were identified for which no corrective actions have been taken, and when they will be undertaken.	31 March 2024

<sup>1</sup> Office of the Auditor General (OAG), Accessible Transportation for Persons with Disabilities, Report 1 of the 2023 Reports of the Auditor General of Canada, [At a Glance](#), Key facts and findings.

Recommendation	Recommended Measure	Timeline
Recommendation 4	VIA Rail should present the Committee with a report indicating: 1) the percentage of managers who have received accessibility training within 60 days of their hire—and the changes implemented to achieve its target rate; and 2) whether current management training material has been reviewed, and what changes were made further to reviews.	31 January 2024
Recommendation 5	CATSA should present the Committee with a report: 1) indicating the percentage of managers who have received disability awareness training—and the changes implemented to achieve its target rate; and 2) presenting the results of the consultations with disability advocacy organizations on teaching methods and the changes to the training content for third-party screening personnel.	31 January 2024



Recommendation	Recommended Measure	Timeline
Recommendation 6	The Canadian Transportation Agency should present the Committee with a status report indicating what measures have been taken to implement additional oversight approaches and adjust its staffing level to enforce the <i>Accessible Transportation for Persons With Disabilities Regulations</i> . A final report should also be presented and include statistics on the number of inspections performed, such as those including direct observations of available services, and the number of employees responsible for enforcing the <i>Accessible Transportation for Persons With Disabilities Regulations</i> , in fiscal years 2022–2023, 2023–2024 and 2024–2025.	31 May 2024 31 May 2025
Recommendation 7	CATSA should present the Committee with a status report on its draft strategy for complaint data. A final report should also be presented on the changes made further to consultations on the strategy and its implementation.	31 January 2024 30 September 2024

Recommendation	Recommended Measure	Timeline
Recommendation 8	VIA Rail should present the Committee with a status report on its draft strategy for complaints data. A final report on the strategy's implementation should also be presented.	31 January 2024 30 September 2024
Recommendation 9	The Canadian Transportation Agency should present the Committee with a status report indicating which government processes were undertaken and how much information the agency has received from transportation service providers to determine the number and nature of accessibility complaints and to classify them. A final report should also be presented.	31 March 2024 31 March 2025

## INTRODUCTION

### About This Report

On 27 March 2023, the reports of the Auditor General of Canada were tabled in the House of Commons and referred to the House of Commons Standing Committee on Public Accounts (the Committee) for study.<sup>2</sup> One of these reports was “Accessible Transportation for Persons With Disabilities.” This report summarizes the Office of the Auditor General (OAG) report and sets out the Committee’s recommendations to the audited organizations.

### Audit Parameters

The key audit parameters of the OAG performance audit are summarized in Table 2.

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<sup>2</sup> House of Commons, *Journals*, 27 March 2023.



**Table 2—Audit Parameters**

<b>Audited Organizations</b>	<ul style="list-style-type: none"> <li>• VIA Rail Canada Inc. (VIA Rail);</li> <li>• Canadian Air Transport Security Authority (CATSA or the authority); and</li> <li>• Canadian Transportation Agency (the agency).</li> </ul>
<b>Audit Objective</b>	To determine whether VIA Rail, CATSA and the agency identified and removed existing barriers and worked toward preventing transportation barriers for persons with disabilities.
<b>Audit Period</b>	<p>The audit conclusion applies to the period from 25 June 2020 to 30 October 2022. However, OAG examined certain matters both preceding and succeeding this period:</p> <ul style="list-style-type: none"> <li>• Resolving complaints covered the period from 1 April 2017 to 30 June 2022; and;</li> <li>• The <i>Accessible Transportation Planning and Reporting Regulations</i> extended to 31 December 2022.</li> </ul>

Source: Office of the Auditor General of Canada, [Accessible Transportation for Persons With Disabilities](#), Report 1 of the 2023 Reports of the Auditor General of Canada, About the Audit and para. 1.14.

## Definitions

Definitions of key terms used in this report are presented in Table 3.

**Table 3—Definitions**

<b>Barriers</b>	Anything—including anything physical, architectural, technological or attitudinal, anything that is based on information or communications or anything that is the result of a policy or a practice—that hinders the full and equal participation in society of persons with an impairment, including a physical, mental, intellectual, cognitive, learning, communication or sensory impairment or a functional limitation.
<b>Disability</b>	Any impairment, including a physical, mental, intellectual, cognitive, learning, communication or sensory impairment—or a functional limitation—whether permanent, temporary or episodic in nature, or evident or not, that, in interaction with a barrier, hinders a person’s full and equal participation in society.
<b>Accessibility Plans</b>	Accessibility plans set out how the transportation service providers will identify, remove, and prevent barriers. The <i>Accessible Transportation Planning and Reporting Regulations</i> require that transportation service providers

<b>VIA Rail</b>	develop these plans. Crown corporations—such as VIA Rail and CATSA—must publish their initial plans by 31 December 2022. This is followed by annual reporting and plan updates every three years. Other transportation service providers must do the same under different timelines.
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Source: Office of the Auditor General of Canada, [Accessible Transportation for Persons With Disabilities](#), Report 1 of the 2023 Reports of the Auditor General of Canada, paras. 1.2, 1.3 and exhibit 1.3.

## Roles and Responsibilities

The roles and responsibilities of the audited organizations are described in Table 4.

**Table 4—Roles and Responsibilities**

<b>VIA Rail</b>	This corporation provides intercity rail services and rail transportation services to regional and remote communities. It strives to be Canada’s most accessible national and intercity mode of transportation and accounts for more than 97% of passenger rail traffic in Canada.
<b>CATSA</b>	The authority is responsible for securing elements of the air transportation system—including security screening passengers, baggage, and airport workers. It interacts with passengers departing on commercial flights from designated airports in Canada as required by Transport Canada. The services CATSA offers to passengers with disabilities are specific to the situation and needs of the person. They include prioritizing access to the security screening on request and providing assistance during the screening. Assistance can include elements such as providing additional verbal or visual instructions; providing mobility aids, such as a cane; and handling heavy or bulky items.
<b>Canadian Transportation Agency</b>	<p>This agency provides oversight as an independent, quasi-judicial tribunal and regulator for transportation service providers covered by the federal transportation system. It is responsible for protecting the right of persons with disabilities to accessible transportation by</p> <ul style="list-style-type: none"> <li>• establishing and implementing regulations and codes of practice;</li> <li>• providing guidance material;</li> <li>• enforcing regulations; and</li> <li>• resolving individual complaints about accessibility.</li> </ul> <p>The agency also monitors and enforces the requirements of the <i>Accessible Transportation for Persons With Disabilities Regulations</i> and the <i>Accessible Transportation Planning and Reporting Regulations</i>. It also enforces</p>





the *Accessible Canada Act* for federally regulated transportation service providers.

Source: Office of the Auditor General of Canada, [Accessible Transportation for Persons With Disabilities](#), Report 1 of the 2023 Reports of the Auditor General of Canada, paras. 1.2, 1.3 and exhibit 1.3.

## Background

Transportation is a key sector covered by the [Accessible Canada Act](#), which aims to create a barrier-free Canada by 2040 through proactively identifying, removing, and preventing barriers to accessibility in areas under federal jurisdiction.<sup>3</sup>

The [Accessible Transportation for Persons with Disabilities Regulations](#) are one of the regulations set in place to help persons with disabilities. They gradually came into force between June 2020 and June 2022.<sup>4</sup>

The World Wide Web Consortium’s accessibility standards that transportation service providers must follow are organized around four principles: “perceivable,” “understandable,” “operable” and “robust.”<sup>5</sup>

## Meeting of the Standing Committee on Public Accounts

On 17 April 2023, the Committee held a meeting on the OAG report with the following in attendance:

- OAG—Karen Hogan, Auditor General of Canada; Milan Duvnak, Principal; and Susie Fortier, Director
- CATSA—Nada Semaan, President and Chief Executive Officer; Louise Albrelli, General Manager, Operational Programs; and Rhoda Boyd, General Manager, Communications
- VIA Rail—Marie-Claude Cardin, Chief Financial Officer; and Catherine Langlois, Senior Advisor, Universal Accessibility

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3 Office of the Auditor General of Canada (OAG), [Accessible Transportation for Persons With Disabilities](#), Report 1 of the 2023 Reports of the Auditor General of Canada, para. 1.5.

4 Ibid., para. 1.7.

5 Ibid., para. 1.27 and exhibit 1.5.

- Canadian Transportation Agency—France Pégeot, Chair and Chief Executive Officer; and Tom Oommen, Director General, Analysis and Outreach Branch<sup>6</sup>

## FINDINGS AND RECOMMENDATIONS

### A. Consultations with Persons with Disabilities

#### 1. Consultations on the Accessibility Plans

The OAG found that:

- VIA Rail conducted an inclusive consultation process for its accessibility plan, but it should have been able to better demonstrate how the input was considered<sup>7</sup>; and
- CATSA opened an online consultation process with all Canadians regarding its accessibility plan in October 2022 and had a process to compile and consider the input received.<sup>8</sup>

#### 2. Consultations on Other Projects at VIA Rail

The OAG also found that VIA Rail conducted inclusive and accessible consultations for other projects for which consultations were not explicitly mandated by the accessibility regulations, such as the design of service dog relief areas, which were implemented at several train stations across the country, and the design project for its new train fleet in the Quebec City–Windsor corridor.<sup>9</sup>

During the hearing, Marie-Claude Cardin, Chief Financial Officer, VIA Rail, said the following:

[W]e are in the process of deploying our new trains, which will serve the Quebec-Windsor corridor. They are fully accessible, with larger washrooms, slightly wider halls

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6 House of Commons, Standing Committee on Public Accounts, *Minutes*, 1<sup>st</sup> Session, 44<sup>th</sup> Parliament, 17 April 2023, [Meeting No. 57](#).

7 OAG, [Accessible Transportation for Persons With Disabilities](#), Report 1 of the 2023 Reports of the Auditor General of Canada, para. 1.20.

8 *Ibid.*, para. 1.21.

9 *Ibid.*, paras. 1.22 and 1.23.



and braille signage on the seats. All those improvements are the product of our consultations with members of the disability community.<sup>10</sup>

According to the OAG, both projects demonstrated that the corporation was able to conduct consultations that aligned with good practices. However, this approach was not consistently used in its consultations for the design of its website and its accessibility training.<sup>11</sup>

Consequently, the OAG made the following recommendation:

VIA Rail should identify strengths and areas for improvement based on its recent consultation experience with the new train fleet for the Québec–Windsor corridor to develop and conduct meaningful consultations and continuous dialogue with persons with disabilities to progress toward barrier-free travel.<sup>12</sup>

According to its action plan, the “next project on which VIA Rail will consult is the new long-haul fleet. This (these) consultation(s) will take place during 2023.”<sup>13</sup>

Therefore, the Committee recommends:

**Recommendation 1—On VIA Rail’s consultations with persons with disabilities**

**That, by 31 January 2024, VIA Rail Canada Inc. present the House of Commons Standing Committee on Public Accounts with a report on the consultations with persons with disabilities for its new fleet of long-distance trains.**

## **B. Accessibility of Online Information**

The OAG found that neither VIA Rail nor the authority had fully accessible web and mobile sites:<sup>14</sup>

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10 House of Commons, Standing Committee on Public Accounts, *Evidence*, 1<sup>st</sup> Session, 44<sup>th</sup> Parliament, 17 April 2023, [Meeting No. 57](#), 1210.

11 OAG, [Accessible Transportation for Persons With Disabilities](#), Report 1 of the 2023 Reports of the Auditor General of Canada, para. 1.24.

12 *Ibid.*, para. 1.25.

13 VIA Rail Canada Inc. (VIA Rail), [Detailed Action Plan](#), p. 1.

14 OAG, [Accessible Transportation for Persons With Disabilities](#), Report 1 of the 2023 Reports of the Auditor General of Canada, para. 1.29.

- 17% (55 out of 333) of the online criteria tested at VIA Rail did not meet the required standards; for example, a person using a screen reader would get the wrong departure time.<sup>15</sup>
- 15% (35 out of 241) of the online criteria tested at the authority did not meet the required standards. Most of the issues were due to missing alternative text descriptions. Some were minor, such as the description of images like the Canadian flag. However, other deficiencies could have a bigger impact, such as not informing the user of what to enter in a search field.<sup>16</sup>

Consequently, the OAG made the following recommendation:

VIA Rail and the Canadian Air Transport Security Authority should ensure that their online content meets web accessibility standards so that travellers with disabilities can easily find the information they need.<sup>17</sup>

According to its action plan, VIA Rail “will ensure that its online content meets web accessibility standards by having its web and mobile sites reviewed once a year by a web accessibility specialist and will correct the gaps in the sites accordingly.”<sup>18</sup> Furthermore, “VIA Rail’s Universal Accessibility Advisory Committee will conduct a sample customer journey test annually to correct the gaps identified.”<sup>19</sup>

Regarding the Advisory Committee, Catherine Langlois, Senior Advisor, Universal Accessibility, VIA Rail, stated the following:

The makeup of the Universal Accessibility Advisory Committee was modelled on the Canadian Transportation Agency’s advisory committee. We used the same list of participants and asked those stakeholders whether they were interested in sitting on our advisory committee. A large majority of them agreed to participate. They are members of disability rights groups all over Canada and represent persons with a range of disabilities. The committee meets once every quarter.<sup>20</sup>

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15 Ibid., para. 1.30.

16 Ibid., para. 1.32.

17 Ibid., para. 1.34.

18 VIA Rail, [Detailed Action Plan](#), p. 1.

19 Ibid.

20 House of Commons, Standing Committee on Public Accounts, *Evidence*, 1<sup>st</sup> Session, 44<sup>th</sup> Parliament, 17 April 2023, [Meeting No. 57](#), 1225.



Therefore, the Committee recommends:

**Recommendation 2—On the accessibility of online information—VIA Rail Canada Inc.**

**That, by 31 January 2024, VIA Rail Canada Inc. present the House of Commons Standing Committee on Public Accounts with a report indicating which tests were conducted by the web accessibility specialist and the Universal Accessibility Advisory Committee, and what corrective action was taken. This should also include the issues that were identified for which no corrective actions have been taken, and when they will be undertaken.**

According to CATSA’s action plan, the updated version of the content management system was “completed by February 2023, and implementation completed by April 2023.”<sup>21</sup> CATSA plans to meet all web accessibility standards by March 2024. Its procedure, which will include a quarterly review of accessibility compliance, will be developed and implemented by March 2024.<sup>22</sup>

Therefore, the Committee recommends:

**Recommendation 3—On the accessibility of online information—Canadian Air Transport Security Authority**

**That, by 31 March 2024, the Canadian Air Transport Security Authority present the House of Commons Standing Committee on Public Accounts with a report indicating whether its objective of meeting all web accessibility standards was achieved, as well as the results of the quarterly review of accessibility compliance. This should also include the issues that were identified for which no corrective actions have been taken, and when they will be undertaken.**

### **C. Accessibility Training Requirements**

According to the OAG, VIA Rail and CATSA “did not fully meet accessibility training requirements.”<sup>23</sup>

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21 Canadian Air Transport Security Authority (CATSA), [Detailed Action Plan](#), p. 1.

22 Ibid.

23 OAG, [Accessible Transportation for Persons With Disabilities](#), Report 1 of the 2023 Reports of the Auditor General of Canada, para. 1.35.

## 1. Training Content

The OAG found that:

- while many of VIA Rail’s required training elements were included, all of the programs had at least one gap. For example, there was no mention of the onboard electrical power supply in the accessibility training offered to client-service staff;<sup>24</sup> and
- CATSA’s programs included key mandatory elements with one notable exception: third-party screening personnel were not trained on the role of a support person. A support person may join a traveller with a disability to help with communication, mobility, or other needs.<sup>25</sup>

The OAG also found that:

- VIA Rail did not consult persons with disabilities on the content of the training programs offered to its management. When it did consult on the training content for client-service staff, the consultations did not fully meet good practices;<sup>26</sup> and
- CATSA was still able to get input from persons with disabilities, although it was limited in the type and nature of consultative approach it could conduct on its training content (for security reasons), and incorporated these views in training content.<sup>27</sup>

Consequently, the OAG made the following recommendations:

VIA Rail should

- develop content to address gaps in its accessibility training programs, in consultation with persons with disabilities
- consult persons with disabilities on the teaching methods and on accessibility-related content updates

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24 Ibid., para. 1.38.

25 Ibid., para. 1.40.

26 Ibid., para. 1.41.

27 Ibid., para. 1.43.



- ensure that personnel is trained, and in a timely manner, to improve their awareness of and capacity to address transportation barriers affecting persons with disabilities.<sup>28</sup>

The Canadian Air Transport Security Authority should

- develop accessibility training content, in consultation with persons with disabilities, related to the role of a support person
- consult persons with disabilities on the teaching methods and on accessibility-related content updates
- ensure that personnel is trained in a timely manner, to improve their awareness of and capacity to address transportation barriers affecting persons with disabilities.<sup>29</sup>

According to its action plan, VIA Rail plans to take three actions to address this recommendation:

- monthly, starting March 2023: Follow-up is done on executive and management training completion within 60 days of their hire;
- by December 2023: Current management training material will be reviewed in collaboration with persons with disabilities; and
- by December 2023: The training review will address gaps and incorporate proposed teaching methods for both unionized and management employees.<sup>30</sup>

Therefore, the Committee recommends:

#### **Recommendation 4—On accessibility training—VIA Rail Canada Inc.**

**That, by 31 January 2024, VIA Rail Canada Inc. present the House of Commons Standing Committee on Public Accounts with a report indicating: 1) the percentage of managers who have received accessibility training within 60 days of their hire—and the changes implemented to achieve its target rate; and 2) whether current management training material has been reviewed, and what changes were made further to reviews.**

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28 Ibid., para. 1.49.

29 Ibid., para. 1.50.

30 VIA Rail, [Detailed Action Plan](#), p. 2.



CATSA also has three measures to take to address the OAG’s recommendation:

- CATSA must provide updated training content (including description of the role of the support person) to third party screening personnel by 31 December 2023;
- CATSA must consult with disability advocacy organizations on teaching methods, while respecting regulatory constraints, in next round of training consultations—by 31 December 2023; and
- identified managers must complete disability awareness training by 31 March 2023. For this measure, CATSA will run regular reports to monitor completion rates and the human resources team will conduct follow-ups as required—up to 31 March 2023 and beyond, if necessary.<sup>31</sup>

Therefore, the Committee recommends:

**Recommendation 5—On accessibility training—Canadian Air Transport Security Authority**

**That, by 31 January 2024, the Canadian Air Transport Security Authority present the House of Commons Standing Committee on Public Accounts with a report: 1) indicating the percentage of managers who have received disability awareness training—and the changes implemented to achieve its target rate; and 2) presenting the results of the consultations with disability advocacy organizations on teaching methods and the changes to the training content for third-party screening personnel.**

## **D. The Canadian Transportation Agency’s Monitoring of New Regulations**

The Canadian Transportation Agency is responsible for monitoring compliance with the *Accessible Transportation for Persons With Disabilities Regulations*, which contain more than 450 enforceable provisions for more than 130 transportation service providers. According to the OAG, the “Agency’s monitoring of new regulations did not sufficiently contribute to reducing barriers.”<sup>32</sup>

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31 CATSA, [Detailed Action Plan](#), pp. 1–2.

32 OAG, [Accessible Transportation for Persons With Disabilities](#), Report 1 of the 2023 Reports of the Auditor General of Canada, para. 1.51.



The OAG found that the agency “had only 4 full-time-equivalent employees who supported the enforcement program related to accessible transportation to cover all of Canada. Given the geographical considerations and the high volume of regulatory requirements that apply, it is [the OAG’s] view that this was not sufficient to monitor the multiple transportation service providers, including the more than 70 terminals located across the country.”<sup>33</sup>

Consequently, the OAG made the following recommendation:

The Canadian Transportation Agency should increase its capacity to identify accessibility barriers and enforce their removal by

- implementing additional oversight approaches, such as direct observations of available services to capture the actual experience of travellers with disabilities
- reviewing and adjusting its enforcement staffing level.<sup>34</sup>

According to its action plan, the agency will implement four measures to address this recommendation:

- pilot different PWD [persons with disabilities] educational walk-throughs/shadowing models to identify the manner in which these interactions can best be integrated into our ongoing oversight programs. The models developed will include cross-disability (i.e. visually impaired, wheelchair etc.) and cross-modal (i.e. air, rail, ferry, etc.) considerations to ensure the final program adequately addresses a variety of perspectives and the actual experience of travellers with disabilities. Timeline: 2023/24 fiscal year;
- perform a lessons learned evaluation and consultations with PWDs and/or organizations who participated in the educational walk-throughs/shadowing activities to inform the development of the ongoing oversight program. Timeline: Q1/Q2—2024/25;
- finalize and launch ongoing oversight program incorporating the results of the educational walk-throughs/shadowing exercise. Timeline: Q4—2024/25 fiscal year;

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33      *Ibid.*, para. 1.59.

34      *Ibid.*, para. 1.61.

- as the Agency received funding under Budget 2023, it is adding [full-time equivalents] in the next two years and evaluating options to maximize the assignment of resources to ensure adequate oversight of the Accessibility mandate. Timeline: 2024/25 fiscal year.<sup>35</sup>

Regarding the additional funding allocated to the agency in Budget 2023, France Pégeot, Chair and Chief Executive of the agency, stated the following:

The vast majority of the funding is for air passenger protection complaints, because this is where we have a very important backlog, as I'm sure all members of the committee know. With respect to enforcement, some of the resources will be dedicated to increasing our enforcement capacity for accessibility.<sup>36</sup>

Therefore, the Committee recommends:

**Recommendation 6—On the monitoring of the *Accessible Transportation for Persons With Disabilities Regulations***

**That, by 31 May 2024, the Canadian Transportation Agency present the House of Commons Standing Committee on Public Accounts with a status report indicating what measures have been taken to implement additional oversight approaches and adjust its staffing level to enforce the *Accessible Transportation for Persons With Disabilities Regulations*. A final report should also be presented by 31 May 2025 and include statistics on the number of inspections performed, such as those including direct observations of available services, and the number of employees responsible for enforcing the *Accessible Transportation for Persons With Disabilities Regulations*, in fiscal years 2022–2023, 2023–2024 and 2024–2025.**

## **E. Complaint Data**

According to the OAG, the “organizations did not leverage complaint data to prevent barriers to accessibility.”<sup>37</sup>

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35 Canadian Transportation Agency, [Detailed Action Plan](#), pp. 1–3.

36 House of Commons, Standing Committee on Public Accounts, *Evidence*, 1<sup>st</sup> Session, 44<sup>th</sup> Parliament, 17 April 2023, [Meeting No. 57](#), 1210.

37 OAG, [Accessible Transportation for Persons With Disabilities](#), Report 1 of the 2023 Reports of the Auditor General of Canada, para. 1.62.



## 1. Analysis and Categorization of Data at VIA Rail and the Authority

The OAG found that VIA Rail and CATSA “missed opportunities to gain insights on the travel experiences of persons with disabilities by not conducting a more thorough analysis of available complaint data.”<sup>38</sup> For example:

- VIA Rail did not analyze available complaint data as a whole to detect patterns and gain a more in-depth understanding of the barriers faced by persons with different types of disabilities;<sup>39</sup>
- a complaint about the screening of a service dog was considered by CATSA as a complaint related to a security screening procedure rather than as a complaint related to a person with a disability.<sup>40</sup> Therefore, the corporation’s categorization of complaint data limited its ability to analyze the data to identify long-term issues.<sup>41</sup>

Consequently, the OAG made the following recommendation:

VIA Rail and the Canadian Air Transport Security Authority should each develop and implement a strategy to improve their analysis of complaint data to get a more complete picture of barriers experienced by persons with disabilities. Each strategy should be developed in consultation with persons with disabilities and align with A Federal Data and Measurement Strategy for Accessibility 2022 to 2027<sup>42</sup>.

According to its action plan, CATSA identified the following actions:

- commencement of the strategy development by April 2023.
- review of current complaints data analysis completed by August 2023.
- development of a draft strategy to improve data analysis by December 2023.
- consultation on the strategy completed by June 2024.

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38 Ibid., para. 1.65.

39 Ibid., para. 1.66.

40 Ibid., para. 1.67.

41 Ibid., para. 1.68.

42 Ibid., para. 1.69.

- alignment of strategy with the Federal Data and Measurement Strategy for Accessibility 2022 to 2027 completed by August 2024.
- strategy implementation by September 2024.<sup>43</sup>

Therefore, the Committee recommends:

**Recommendation 7—On complaint data analysis—Canadian Air Transport Security Authority**

**That, by 31 January 2024, the Canadian Air Transport Security Authority present the House of Commons Standing Committee on Public Accounts with a status report on its draft strategy for complaint data. A final report should also be presented by 30 September 2024 on the changes made further to consultations on the strategy and its implementation.**

According to its action plan, VIA Rail already began in February 2023 to meet “quarterly about the Complaints Report to identify trends and determine how to improve the situation.” As well, at each meeting of the Universal Accessibility Advisory Committee, “VIA Rail’s Accessibility Team will report complaints to relevant business units, determine what actions are required, and generate a report based on actions taken.” Lastly, the “Accessibility Team will present the Complaints Report to the ... Advisory Committee.”<sup>44</sup>

Compared to CATSA’s approach, VIA Rail’s strategy seems to lack an overall vision, which appears to be simply to react to complaints. Karen Hogan, Auditor General of Canada, provided the following during her appearance:

When we looked at Via, we saw that while they handled individual complaints, they didn’t sort of take that step back to do a more thorough analysis of all their data to look for trends or bigger-picture things that might indicate a barrier that they were not aware of. They were just focusing on meeting individual complaints.<sup>45</sup>

Therefore, the Committee recommends:

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43 CATSA, [Detailed Action Plan](#), pp. 2–3.

44 VIA Rail, [Detailed Action Plan](#), pp. 2–3.

45 House of Commons, Standing Committee on Public Accounts, *Evidence*, 1<sup>st</sup> Session, 44<sup>th</sup> Parliament, 17 April 2023, [Meeting No. 57](#), 1240.



### **Recommendation 8—On complaint data analysis—VIA Rail Canada Inc.**

**That, by 31 January 2024, VIA Rail Canada Inc. present the House of Commons Standing Committee on Public Accounts with a status report on its draft strategy for complaints data. A final report on the strategy’s implementation should also be presented by 30 September 2024.**

## **2. Access to Complaint Data for the Canadian Transportation Agency**

According to the OAG, “[c]omplaint data is one of the key sources of information that flags problems experienced by travellers with disabilities. Not having the authority to regularly access this information limits the agency’s ability to more strategically select the *Accessible Transportation for Persons With Disabilities Regulations* provisions to inspect. This creates an additional risk that the agency is not focusing its limited resources on the areas of highest risk and that barriers could remain.”<sup>46</sup>

Consequently, the OAG made the following recommendation:

The Canadian Transportation Agency should identify and pursue opportunities to gather descriptive information on the number and nature of accessibility complaints filed with transportation service providers to improve its knowledge of day-to-day experiences faced by persons with disabilities. The information should be used to improve the agency’s enforcement strategy and remove additional barriers.<sup>47</sup>

According to its action plan, starting in 2023, the agency “will raise this issue through the appropriate governmental processes” and “will explore the possibility of obtaining data directly from transportation service providers on a voluntary basis.”<sup>48</sup>

During the hearing, France Pégeot explained what legislative amendments could be considered to improve accessibility:

Basically, the legislation needs more clarity around the responsibilities of the airlines and situations that are obviously exceptional but do not warrant passenger

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46 OAG, [Accessible Transportation for Persons With Disabilities](#), Report 1 of the 2023 Reports of the Auditor General of Canada, para. 1.72.

47 Ibid., para. 1.73.

48 Canadian Transportation Agency, [Detailed Action Plan](#), p. 3.

compensation. That's an example of how the current legislation could be clarified. It's actually a legislative responsibility, which falls on parliamentarians.<sup>49</sup>

When asked whether the *Accessible Canada Act* should be changed to give the agency the authority to require data from transportation service providers, she replied:

That's certainly something that could be considered. Nevertheless, the financial resources we have just been given will strengthen our capacity to enforce the legislation.<sup>50</sup>

The Committee is not in the habit of formally recommending changes to legislation or policies. However, it wishes to suggest to the federal government that it provide, in its overall response to the Committee report, an indication as to its intention about whether or not to consider legislative changes and the rationale for this decision.

As well, the Committee recommends:

**Recommendation 9—On access to complaint data for the Canadian Transportation Agency**

**That, by 31 March 2024, the Canadian Transportation Agency present the House of Commons Standing Committee on Public Accounts with a status report indicating which government processes were undertaken and how much information the agency has received from transportation service providers to determine the number and nature of accessibility complaints and to classify them. A final report should also be presented by 31 March 2025.**

## CONCLUSION

VIA Rail identified, removed, and prevented some barriers, but others remained. The corporation conducted inclusive consultations to identify and remove barriers while designing its new fleet. However, it did not consistently consult persons with disabilities on other projects, which resulted in missed opportunities to address additional barriers. Furthermore, its online information was not fully accessible, making it difficult for persons with disabilities to plan or book a trip autonomously.

The Canadian Air Transport Security Authority took steps to identify, remove, and prevent transportation barriers for persons with disabilities. The authority conducted an

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49 House of Commons, Standing Committee on Public Accounts, *Evidence*, 1<sup>st</sup> Session, 44<sup>th</sup> Parliament, 17 April 2023, [Meeting No. 57](#), 1240.

50 *Ibid.*, 1245.





open consultation on its accessibility plan and developed training programs. However, to work toward barrier-free travel, improvements are still needed in important areas, such as improving the accessibility of online information.

Lastly, the Canadian Transportation Agency did not sufficiently contribute to identifying, removing, and preventing transportation barriers for persons with disabilities through its monitoring and enforcement activities of the new regulations. Although the agency identified and contributed to removing certain barriers, there were limitations in the type and volume of inspections it could conduct to progress toward barrier-free travel. The agency also lacked the authority to access complaint data from the transportation service providers to improve its oversight.

Consequently, the Committee has made nine recommendations to ensure that the OAG's recommendations are properly followed, and that the audited organizations provide the Committee with evidence of this through progress reports.

## APPENDIX A LIST OF WITNESSES

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The following table lists the witnesses who appeared before the committee at its meetings related to this report. Transcripts of all public meetings related to this report are available on the committee’s [webpage for this study](#).

Organizations and Individuals	Date	Meeting
<b>Canadian Air Transport Security Authority</b> Louise Alberelli, General Manager, Operational Programs Rhoda Boyd, General Manager, Communications Nada Semaan, President and Chief Executive Officer	2023/04/17	57
<b>Canadian Transportation Agency</b> Tom Oommen, Director General, Analysis and Outreach Branch France Pégeot, Chair and Chief Executive Officer	2023/04/17	57
<b>Office of the Auditor General</b> Milan Duvnjak, Principal Susie Fortier, Director Karen Hogan, Auditor General of Canada	2023/04/17	57
<b>VIA Rail Canada Inc.</b> Marie-Claude Cardin, Chief Financial Officer Catherine Langlois, Senior Advisor, Universal Accessibility	2023/04/17	57



## REQUEST FOR GOVERNMENT RESPONSE

Pursuant to Standing Order 109, the committee requests that the government table a comprehensive response to this Report.

A copy of the relevant *Minutes of Proceedings* ([Meetings Nos. 57 and 73](#)) is tabled.

Respectfully submitted,

John Williamson  
Chair

