

Response to the Review of the Statutory Requirements for the provision of subtitling, sign language and audio description services on digital terrestrial televisions

The Disability Rights Commission is Non Departmental Public Body established in April 2000 to eliminate discrimination against, and to secure equal opportunities for, disabled people.

Our aim is to achieve a society where all disabled people can participate fully as equal citizens. Equal access to information is a key element in securing such a society. It is difficult to over-emphasise the role played by television in imparting information, education, entertainment and opening up opportunities.

A television service which is accessible to all the population would be a positive force for social inclusion and equality of opportunities. The current broadcasting revolution presents a unique opportunity to achieve such a service. If this opportunity is not seized the damaging impact on the social exclusion of disabled people will be profound.

To seize this opportunity will require legislation to establish standards for programme production across analogue, digital, cable and satellite television. It also requires that technological developments incorporate the needs of all potential users, attention being paid to the development of affordable and accessible equipment.

1 million people use subtitles whenever possible; 5 million people use subtitles frequently¹. This is a significant (and growing) proportion of the population whose needs must be met.

Although the numbers of users of audio-description and sign language are small as percentages of the population, their target audiences' (profoundly Deaf and people with substantial visual impairments) need for access to information is that much stronger. The additional cost on programme producers (very small in relation to operating budgets and profits) should not be an excuse for excluding visually impaired and hard of hearing and Deaf people from participation in this key cultural institution.

The Federal Communications Commission regulations in the USA show what can be achieved.

In the US virtually all national prime time TV is captioned and there is significant captioning of other national broadcasts. From August 1997 captioning is required for 95% of non-exempt programming measured per channels over each calendar quarter

Transition periods are provided of 8 years for new programming and 10 years for programming predating the new rule.

There are exemptions, for example, for advertising and non vocal musical programmes. Small operators can apply for exemptions on the basis of

¹ Based on research by BARB and NOP, 99

hardship.

Broadcasting standards

In recent years Government policy and legislation has recognised that people with sensory impairments experience particular difficulties in accessing television programmes in the way in which they are generally provided. The statutory requirements on some broadcasters to provide audio description, subtitling and sign language on a proportion of their programmes are a welcome recognition of the huge potential that these services have to provide information which is accessible to the whole of society.

However, these requirements do not currently apply to satellite and cable channels.

- **The DRC recommends that statutory minimum standards of the provision of audio description, subtitling and sign language by satellite and cable should be introduced in the forthcoming communications legislation.**

The DRC welcomes the Government's aim for the provision of the "highest practicable amounts" of audio description, subtitling and sign language.

The DRC considers that the targets set out in the Broadcasting (Sign Language) Order 1997 of 50% for subtitling, 10% for audio-description and 5% for signing by the tenth anniversary of the start of the digital terrestrial television programme service (2008) are modest targets and should not be reduced, despite the initial technical difficulties.

- **The DRC recommends that more ambitious targets are set.**
- **The goal should be as close to equal access as the technological constraints permit.**

Digital television should be required to meet the same targets as analogue channels within the shortest possible time. Approximately 65% of analogue terrestrial viewing time is currently subtitled, and this is set to increase to 80% by 2004.

- **With regards subtitling there should be a 10% rise per year to 100% by 2008.**

We accept that there are technical difficulties which at present make an increase in the proportion of signed programmes difficult to achieve.

- **We accept that the target for signed programmes should remain at 5% for the present, but suggest a further review of the situation in two years.**
- **With regard to audio description we recommend a minimum target of**

40% audio-description by 2008, with intervening targets raised accordingly.

Exemptions

If there is the need to provide exemptions or suspensions of these standards as applied to particular broadcasters, these should not be automatic.

Broadcasters should apply for exemptions, on the basis of strict hardship criteria. The process by which train operators seek exemptions from the DDA access requirements might be usefully mirrored, by establishing a committee which includes disabled service users. New channels with limited resources might, for example, have a time limited period of exemption.

Equipment and information services

It is vital that equipment is accessible both in terms of its design and its cost. The DTI's recent research into "the difficulties disabled people have when using everyday consumer products" provides excellent insights into design requirements. **This point applies not just to potential users with sensory impairments but also people with physical and cognitive impairments. Design for all the public must be the guiding principle.**

At present users of audio description have to purchase additional equipment, at extra cost – which many potential users will be unable to afford. Future designs should ensure that the necessary equipment is built into televisions.

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