

RNID RESPONSE TO DCMS CONSULTATION PAPER: REVIEW OF THE STATUTORY REQUIREMENTS FOR THE PROVISION OF SUBTITLING, SIGN LANGUAGE AND AUDIO DESCRIPTION ON DIGITAL TERRESTRIAL TELEVISION

INTRODUCTION

The timing of this review by DCMS into the provision of subtitling, sign language and audio description on Digital Terrestrial Television (DTT) is important. It follows on from the Davies Review into the Funding of the BBC (99), and its important recommendation for BBC to double its subtitling output on digital channels, which it has since adopted. This review comes at the same time as the development of new communications legislation, which will have a major impact on the future accessibility of digital broadcasting to deaf and hard of hearing consumers, and it is important that this review informs Government policy in formulating this legislation.

RNID welcomes the decision by DCMS to broaden this consultation to cable and satellite channels. We believe that it is not possible to make recommendations for one platform provider in isolation of another, and that in order to guarantee an improved service for all deaf and hard of hearing viewers it is crucial to ensure consistency and standards across all broadcast platforms.

RNID recognises however that the government has no powers to act on recommendations for cable and satellite in the review. Therefore, RNID has recommended a new regulatory approach in its response to the consultation to the Communications White Paper to ensure a level playing field in subtitling regulation between terrestrial, cable and satellite in primary legislation.

KEY FACTS

When considering changes to levels of subtitling and sign language provision for deaf and hard of hearing viewers, the following key facts are paramount:

- 1 million people 'use subtitles whenever possible'; 5 million people 'use subtitles frequently' (based on research by BARB and NOP, 99).
- These figures are set to rise as the average age of the population increases (hearing loss is often age related).
- It only costs on average only £400 per hour to subtitle a TV programme.

KEY RECOMMENDATIONS

- 1. It is vital that a new regulatory approach towards subtitling is adopted to create a level playing field between DTT, cable and satellite to ensure deaf and hard of hearing people have equal access to the digital age. At a cost of a mere £400 or less to subtitle an hour's TV this must be seen as a reasonable adjustment.**
- 2. Subtitling targets for all DTT (and cable and satellite) channels are increased to 10% pa (up from 5%) to 100% within 10 years.**
- 3. The key priority for signing on TV should be to increase quality, not**

targets.

4. **Within recommended subtitling targets for DTT, cable and satellite, subtitles should be made available on all of the most popular programmes, when the net cost to broadcasters for providing this service will be minimal and spread over more users.**
5. **Once subtitles are produced for a particular piece of content they should be made available to all delivery mechanisms, to keep costs of subtitling and signing to a minimum for broadcasters.**

REVIEW OF STATUTORY TARGETS FOR DTT

RNID shares the Government aim for the highest practicable amounts for subtitling, signing and audio description to be provided, and proposes the following as practicable solutions.

1. Targets

RNID recommends that all DTT channels (as well as satellite and cable) are set the same statutory targets to which the BBC digital channels are committed following the Davies Review into the Funding of the BBC (99): rising by 10% pa (vs. existing target of 5% pa) to 100% by the tenth anniversary of the start of the DTT programme service.

2. Costs

At an average cost of £400 per programming hour, RNID believes that the requirement to increase subtitling content will have a minimal effect on the cost of programme content. Subtitling costs are essentially fixed, and will not vary according to the number of consumers of this product. With the potential to attract millions of additional consumers through the provision of subtitles, there should be an added economic advantage to broadcasters increasing subtitled content provision. This would be particularly relevant to ITV, BSkyB, cable TV and Pay Per View channels whose revenues are essentially driven by the number of viewers that they can attract.

3. Quality of Subtitling

The present quality standards for subtitling must remain, as outlined by the ITC. RNID research into subtitling usage has highlighted a diversity of expectations among subtitling viewers. There is a need to acknowledge that deaf and hard of hearing people have the same range of intelligence and interests as everyone else; that, like everyone else, they read and assimilate information at different speeds; that there are particular problems in relation to children because of both their age and connected reading proficiency and their degree of deafness. This raises the question to what extent developing technologies can promote or assist choice for the subtitling audience.

DTT offers a lot of potential in terms of enhanced flexibility and quality for subtitling. The challenge for broadcasters and subtitling providers is to harness this technology so that they can make more choice available to deaf and hard of hearing viewers, such as speed levels and positioning of subtitles on the screen.

Feedback from deaf and hard of hearing people indicates that there is a high level of transmission difficulties, including missing words, spelling errors, breakdowns and reliability problems across all types of programmes. This is an area where TV regulators should increase their information to subtitle users, on how to address transmission problems and complain effectively about difficulties. TV regulators also need to increase their monitoring activity, possibly introducing a system of spot-checks, and broadcasters should develop mechanisms of managing and overcoming these problems.

4. Targets for Signing on DTT

RNID recognises that there are technical difficulties which currently prevent closed caption signing on DTT, and urges development of this technology and recommends that common technical and quality standards are established and regulated. Current targets are often met by re-transmitting signed programmes overnight, which is not a practicable solution in the face of these technical difficulties.

RNID recommends that targets for signing remain at 5% until the technology for closed caption has become standardised and widely available. RNID recommends that the prime focus for signing on TV should be to increase quality, not targets. RNID has recommended an interim solution in its submission to the Communications White Paper for a separate digital channel to be set up which re-transmits material from other channels with open caption signing, with consideration given to scheduling at appropriate times and that prime time material is used.

Key recommendations:

- **Subtitling targets for all DTT (and cable and satellite) channels are increased to 10% pa (up from 5%) to 100% within 10 years. At a cost of a mere £400 or less to subtitle an hour's TV this must be seen as a reasonable adjustment.**
- **The key priority for signing on TV should be to increase quality, not targets.**

OTHER ISSUES RELATING TO THE PROVISION OF SUBTITLING, SIGNING AND AUDIO DESCRIPTION ON TELEVISION

1. Different targets for different broadcasters?

Already, certain channels on DTT (home shopping and adult) have been granted exemptions by ITC to meet any subtitling or signing targets. RNID is opposed in principle to these exemptions, based on content, of certain broadcasters to meet targets on the grounds that equal access should be provided to all potential consumers, including deaf and hard of hearing viewers. It should not be for the regulators alone to determine which channels deaf and hard of hearing people have access to.

However, RNID recommends that within the target proposed for subtitling on DTT (and cable and satellite) it is advisable to prioritise certain channels for

subtitling, until such time as that channel has been able to achieve the proposed 100% subtitling output over a ten-year period. RNID proposes the following set of guidelines as a practicable solution which, if implemented into a regulatory framework, would ensure 'competitive neutrality' between different digital broadcasters and different delivery mechanisms:

- Subtitles should be made available on all of the most popular programmes, when the net cost to broadcasters for providing this additional service will be minimal and spread over more users. A standardised consumer figure (for all consumers) could be set requiring broadcasters (including web TV) to subtitle these programmes.
- A standardised minimum viewing figure for 'less popular' programmes which are not required to be subtitled could likewise be set and applied across all channels.
- Newly created channels would have a honeymoon period of three years when they would be exempt from subtitling regulation, although they must undertake to plan to meet future subtitling regulations. However, if their programmes become very popular within this three year period, and reach a critical audience mass required to provide subtitling for the most popular programmes, then these channels would be required to also provide subtitles.
- Broadcasters can bundle the targets for up to three channels, so that one channel has a critical mass of subtitling more quickly (while the other two channels catch up).
- In order to focus subtitling energy where it is most needed, the hours between 2am and 6am (when viewing is at its lowest) would not be counted for subtitling purposes.

2. Costs

There are no additional equipment costs to the consumer of subtitled or signed programmes on TV. Increased costs are however incurred when purchasing additional equipment for the recording of subtitles and signing, and RNID is campaigning for manufacturers of this equipment to ensure that it is compatible with the needs of deaf and hard of hearing people, and that costs are kept to a minimal.

RNID does not anticipate that there will be unreasonable financial burdens on broadcasters on DTT in meeting subtitling targets consistent with those to which the BBC is committed. At an average £400 per an hour, it is not unreasonable to expect broadcasters to increase subtitling output by 10% per annum.

It is easier to subtitle pre-recorded than live programmes, and consequently the costs of subtitling live programmes can be more expensive. However, the development of voice-recognised automatic computer subtitling should provide a future practicable solution to the increased provision of more future live subtitling on DTT (and cable and satellite).

Broadcasters on DTT have to date largely focused their subtitling on pre-recorded programmes, which has in turn made it relatively straight forward for

them to reach and exceed subtitling targets. It will require greater investment by the broadcasters to meet higher targets over the next 5-10 years as they will need to subtitle more live programmes. RNID understands that BBC is developing automatic speech-to-text subtitles for this purpose, which should result in more cost productive live subtitled programme content for deaf and hard of hearing viewers. Other broadcasters have a similar time and access to new technologies to develop similar equipment which will also enable them to meet ongoing subtitling targets in a cost effective way.

In terms of alternative uses of the spectrum for broadcasters, RNID proposes that it is more cost effective to use this spectrum to provide subtitles in order to attract additional viewers who are deaf or hard of hearing (a potential viewing figure of 6 million), at a cost of £400 per hour, as opposed to the costs involved in the development and production of new programmes, which again only hearing people will be able to access.

RNID also proposes that in order to keep costs of subtitling and signing to a minimum for broadcasters that once it is done for a particular piece of content it is made available to all delivery mechanisms. RNID recognises that new regulatory provisions would need to be made for this given that both technological and copyright issues are involved.

It is also worth considering that some programmes will have 'non-commercial' content, but are of important educational or public information value. It is important not to exclude deaf and hard of hearing people from these programmes through lack of subtitles. When such programmes are being developed provisions should be made to subtitle without additional costs being placed on the programme maker. In such instances when the programme maker is financially unable to meet subtitling costs, some form of government or commercial subsidy could be made available to ensure the subtitling of such programmes.

3. Provision of services on cable and satellite

RNID strongly believes it is vital that a new regulatory approach towards subtitling is adopted to create a level playing field between DTT, cable and satellite. Without this, it will be impossible to guarantee deaf and hard of hearing people equal access to the digital age. Television will almost definitely stay at the heart of British culture in the digital age, and in a new multi-channel environment it is vital that deaf and hard of hearing people are given equal access through subtitles and signing.

RNID proposes that the same regulatory and economic principles as those identified for subtitling and signing on DTT (above) are applied to cable and satellite. RNID also wants to see subtitling on all channels broadcast on DTT, cable and satellite regulated under the same legal framework.

4. Shortage of skilled subtitlers, signers and audio describers

Technological developments should help to combat any shortage of skilled subtitlers, enabling the use of automatic voice-to-text subtitling particularly for

live programmes.

The shortage of professional signers is not unique to TV, and RNID is successfully campaigning for government funding for more trained signers and translators. It should be possible for broadcasters to draw from a larger pool of 24 television signers and recommends that government funding is made available to develop specialised training programmes for signers to get accredited qualifications in signing for television.

5. Greater take-up of digital services

The one single factor between a deaf person accessing broadcast digital services, or not, is subtitling. If adequate provision is not made for subtitling on DTT, cable and satellite it will potentially exclude millions of deaf and hard of hearing people from the digital age.

Developments in technology and digital services have the capability to revolutionise the lives of deaf and hard of hearing people in the UK, but it is crucial that these developments are targeted in the right direction so that they are made available on the principle of equal access.

Key recommendations:

- **It is vital that a new regulatory approach towards subtitling is adopted to create a level playing field between DTT, cable and satellite to ensure deaf and hard of hearing people have equal access to the digital age. At a cost of a mere £400 or less to subtitle an hour's TV this must be seen as a reasonable adjustment.**
- **Within recommended subtitling targets for DTT, cable and satellite, subtitles should be made available on all of the most popular programmes, when the net cost to broadcasters for providing this service will be minimal and spread over more users.**
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