

VOICE OF LISTENER AND VIEWER

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

This review by DCMS into the provision of subtitling, sign language and audio description on Digital Terrestrial Television (DTT) is timely. VLV welcomed both the Davies Panel's (Review into the Funding of the BBC (1999)) important recommendation for the BBC to double its subtitling output on digital channels and the BBC's adoption of that recommendation. This review also coincides with the development of new communications legislation, which is expected to have a major impact on the future accessibility of digital broadcasting to deaf and hard of hearing consumers. VLV believes it is important that this review informs Government policy in formulating this legislation.

VLV also welcomes the decision by DCMS to broaden this consultation to cable and satellite channels. We agree with our deaf and hard of hearing members 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.

However, VLV does recognise that the government has no powers to act on recommendations for cable and satellite in the review. Therefore, VLV would urge the Government to give serious consideration to a new regulatory approach that enshrines the principle of ensuring a level playing field in subtitling regulation between terrestrial, cable and satellite in primary legislation.

KEY FACTS

VLV believes it is essential to consider the following key facts when determining changes to levels of subtitling and sign language provision for deaf and hard of hearing viewers:

- 1 million people 'use subtitles whenever possible'; 5 million people 'use subtitles frequently' (based on research by BARB and NOP, 1999).
- 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.

REVIEW OF STATUTORY TARGETS FOR DTT

VLV agrees that the Government should aim for the highest practicable amounts for subtitling, signing and audio description to be provided. We would propose the following as practicable solutions:

1. Targets

VLV believes 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 (1999): increasing by 10% pa (as opposed to the existing target of 5% pa) to 100% by the tenth anniversary of the start of the DTT programme service.

2. *Costs*

Given an average cost of £400 per programming hour, VLV would argue 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, the revenues of which are essentially driven by the number of viewers which they can attract.

3. *Quality of Subtitling*

VLV believes that the present quality standards for subtitling must remain, as outlined by the ITC. WE are aware of RNID research into subtitling usage which has highlighted a diversity of expectations among subtitling viewers. We agree that there is a need to acknowledge that deaf and hard of hearing people have the same range of intelligence and interests as everyone else. Moreover, it needs to be recognised that, like everyone else, they read and assimilate information at different speeds, and that there are particular problems in relation to children because of both their age and connected reading proficiency and their degree of deafness. This begs the question as to what extent developing technologies can promote and enhance choice for the subtitles-using audience.

There is widespread agreement that DTT offers a lot of potential in terms of greater flexibility and quality for subtitling. VLV would argue that 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, for example speed rates and positioning of subtitles on the screen.

We believe this is an area where TV regulators should increase their information to subtitle users, especially on how they are addressing transmission problems and an effective complaints procedure. 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*

VLV appreciates that there are technical difficulties which currently prevent closed caption signing on DTT. It would therefore urge 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.

VLV believes that targets for signing should remain at 5% (by 2008) until the technology for closed caption has become standardised and widely available. We understand that RNID has recommended an interim solution in its submission to the Communications Reform White Paper. This would provide 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 ensuring that prime time material is used.

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

1. Different targets for different broadcasters

VLV shares the concern of our deaf and hard of hearing members that certain channels on DTT (home shopping and adult) have been granted exemptions by ITC to meet any subtitling or signing targets. We believe that equal access should be provided to all potential consumers, including deaf and hard of hearing viewers. The regulators alone should not have the power to determine to which channels deaf and hard of hearing people have access.

Notwithstanding this, VLV accepts that, within the target proposed for subtitling on DTT (and cable and satellite), it is probably more practical 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. VLV would like the Government to consider the following guidelines as a practicable solution.

If implemented into a regulatory framework, these 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 also to 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

VLV understands that there are no additional equipment costs to the consumer of subtitled or signed programmes on TV. However, increased costs are incurred when purchasing additional equipment for the recording of subtitles and signing. We support the idea that manufacturers of this equipment should ensure that it is compatible with meeting the needs of deaf and hard of hearing people, and that costs are kept to a minimum.

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

VLV appreciates that it is easier to subtitle pre-recorded than live programmes, and that the costs of subtitling live programmes can therefore be more expensive. However, we believe that 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).

To date broadcasters on DTT have largely focused their subtitling on pre-recorded programmes, which has in turn made it relatively straightforward for them to reach and exceed subtitling targets. It will therefore require greater investment by the broadcasters if they are to meet higher targets over the next 5-10 years, given that they will need to subtitle more live programmes.

VLV welcomes the news that the BBC is developing automatic speech-to-text subtitles for this purpose. This 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, which VLV hopes they will use to develop similar equipment. This will also enable them to meet ongoing subtitling targets cost-effectively.

On the question of alternative uses of the spectrum for broadcasters, VLV believes that it is more cost effective to use this spectrum to provide subtitles, thereby attracting additional viewers who are deaf or hard of hearing (a potential viewing figure of 6 million), at a cost of £400 per hour. This compares favourably with the costs involved in the development and production of new programmes, which again, without subtitles, only hearing people will be able to access.

VLV also believes there are potential cost-efficiency benefits (in order to keep costs of subtitling and signing to a minimum) in ensuring a particular piece of content is made available to all delivery mechanisms. VLV appreciates that this would require new regulatory provisions, given the technological and copyright issues involved.

It is also worth considering that some programmes that will have ‘non-commercial’ content are nonetheless of important educational or public information value. It is crucial that deaf and hard of hearing people are not excluded from these programmes through lack of subtitles. When such programmes are being developed provisions should therefore 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

VLV would urge Government to consider adopting a new regulatory approach towards subtitling, in order to create a level playing field between DTT, cable and satellite. VLV shares the grave concern of its deaf and hard of hearing members that without this, it will be impossible to guarantee deaf and hard of hearing people equal access to the digital age.

Given the centrality of TV in the digital age and the growth of a new multi-channel environment, it is vital that deaf and hard of hearing people are given equal access through subtitles and signing.

VLV would therefore support the extension to cable and satellite of the same regulatory and economic principles as those identified for subtitling and signing on DTT (above). VLV would also like 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

As the BBC research into new subtitling technologies demonstrates, technological developments should help to combat any shortage of skilled subtitlers, enabling the use of automatic voice-to-text subtitling particularly for live programmes.

VLV is aware of the severe shortage of professional signers and would urge Government to facilitate training opportunities through investment in this area. 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

VLV believes that the primary factor determining a deaf person's access to broadcast digital services is the availability of subtitles. VLV is concerned that adequate provision be made for subtitling on DTT, cable and satellite. Otherwise, potentially millions of deaf and hard of hearing people will be excluded from the digital age.

VLV believes exciting opportunities now exist, as a result of developments in technology and digital services, which could revolutionise the lives of deaf and hard of hearing people in the UK. It is vital that these developments are harnessed and exploited within the framework of a level playing field. That is the only way to ensure equal access for all viewers, deaf, hard of hearing and hearing.

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