

HOW YOU CAN REPEAL RED TAPE AND IMPROVE TV CAPTIONING

Media Access Australia

is making **three simple recommendations** to overcome issues, repeal red tape and benefit consumers.

1. Change the rule so subscription television will commit to captioning levels BEFORE the year starts not after year end.
2. Simplify a confusing system but KEEP the reporting requirements to ensure captioning continues.
3. Simplify the rules from mishmash of 18- or 24-hour days, types of programs and repeats TO clear 24 hour quotas for all free-to-air channels, including multichannels based on what they are captioning now.

THE ISSUES

Captioning on television, an essential service for people who are Deaf or hearing impaired, is covered under the *Broadcasting Services Act*. It was included in the Act to provide a consistent approach to the captioning rules. It also ensures consumers have a legal right to captioning and broadcasters are operating in a fair, well-managed, competitive market.

Now the rules have been in operation for some time, there are some red tape issues that can be sensibly dealt with to make it work better for everybody.

ISSUE 1: Knowing how much is going to be captioned upfront

Under the current regulations the amount of captioning on each subscription television channel is announced up to a year after the program has gone to air. With free-to-air television the amounts are known at the start of the year.

Outcome:

- People have no information on how much captioning is going to be on a channel before they buy the pay television package.
- The regulator has no simple way of knowing whether a channel is meeting its legal requirements until up to a year later. By then it is too late to do anything practical to fix it.

Solution:

Amend the rules so that subscription television announces upfront which channels will be captioned and how much needs to be done.

ISSUE 2: A word of warning – don't get rid of reporting

There is a serious discussion about proposals to remove reporting requirements of captioning levels for each broadcaster on the grounds that it is a burden to collect and provide that information.

Outcome:

- People who use captions will have no security over ensuring that their legal access entitlements are being provided.
- Individual channels also will not know whether everybody is playing by the agreed rules and it is a fair and competitive market.

Solution:

Continue the present requirement to report annually. The changes outlined above will simplify the system and make reporting and compliance easier.



ISSUE 3: Different caption quotas just create confusion

Subscription television has a caption quota based on a 24-hour day. Free-to-air primary channels have a quota based on an 18-hour day (100% of programs must be captioned between 6am and midnight). But multichannels (like ABC2, SBS2, 7Mate, Go!, Eleven) only have to caption repeats that were previously captioned.

Outcome:

- The whole system is just confusing, especially when the free-to-air multichannels are being promoted as separate channels and broadcasters are trying to relax rules around what they can show on these channels anyway.
- Different time zones operating in Australia mean that some programs on free-to-air may need to be captioned in one place but not another. This especially impacts on WA, QLD and SA/NT.
- Tracking which programs are repeats which have already been captioned and who has to show them with captions is nearly impossible as there is no single source of information covering this.

Solution:

Just make all of the quotas based on 24 hours and lock in the current levels of captioning (see tables below) as the starting point to make it fair. If this happens the repeat requirement can be scrapped without having any reduction on the amount of captioning as broadcasters will choose to use some already-captioned repeats to fill their quotas.



About Media Access Australia

Media Access Australia is an independent, not-for-profit organisation looking at access to media and information for people with disabilities. It is an acknowledged real-world expert in access to media and works with consumer organisations, government and industry in Australia and internationally.

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Table 1. Current captioning levels on multichannels

Channel	ABC24	ABC2	ABC3	SBS2	7Two	7Mate	Go!	Gem	One	Eleven
6am - midnight	96%	100%	100%	14%	35%	41%	33%	57%	23%	24%
Midnight - 6am	47%	90%	NA	17%	22%	21%	13%	40%	12%	24%
Total over 24 hours	83%	84%	NA	15%	32%	36%	28%	53%	20%	24%

Table 2. Current captioning levels on free-to-air primary channels

Channel	ABC1	Seven	Nine	Ten	SBS
Midnight - 6am	67%	60%	64%	25%	55%
Total over 24 hours	92%	90%	91%	81%	89%

Note: the above figures are based on an analysis of program guides for the week 5-11 April 2014. SBS figures are based on programs which would be eligible for captioning. ABC3 closes between 9 pm and 6 am.