



Submission to:
DEPARTMENT OF BROADBAND, COMMUNICATIONS AND THE DIGITAL ECONOMY
Access to Electronic Media for the Hearing and Vision Impaired
AND
Future of Program Standards and Captioning Requirements on Digital Television Multi-Channels

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1. ABOUT ACCESS INNOVATION MEDIA

Access Innovation Media (Ai-Media) is a social enterprise founded in 2003 to develop and deliver innovative & affordable access solutions using digital technology. We specialise in introducing access solutions to markets where no access was previously provided.

We pioneered the large-scale introduction of captioning to subscription television in 2004 with a cost-effective and common-sense approach that has seen captioning on the platform grow to deliver 120,000 hours of captioned programming on over 40 channels in 2009.

Our R&D team is focused on executing a long term program to develop and extend the capabilities of our world-leading technology to improve the quality, reach, reliability, useability, efficiency and effectiveness of our access solutions – in a broadband-enabled society.

We provide live captioning using both steno and speech recognition methodologies and are rolling out our Ai-Live™ in Schools solution during 2010 – providing deaf and hearing impaired kids with realtime text of classroom conversation direct to a laptop in under 7 seconds.

We successfully employ and contract people with disabilities and the modifications to our workplace and business processes that facilitate their inclusion have benefited all staff, and the company as a whole.

This submission deals with the issues of increasing access to electronic media from a supplier perspective.

2. BACKGROUND

2.1 Legal Changes

As foreshadowed in the discussion report, a number of significant international and domestic developments over the last few years have signalled that a step-change in Australia's approach to disability policy and access is now overdue.

In particular we note that:

- Australia has ratified the United Nations Convention on the Rights of Persons with Disabilities in 2008 and the Optional Protocol in 2009;
- The Government, following the release of "*Shut Out*", and the findings of the Disability Investment Group (DIG) are composing a whole-of-life National Disability Strategy to fill a key gap in Australia's health and social security systems and provide access and inclusion for millions of Australians with impairment;

- The National Arts and Disability Strategy focuses on ensuring persons with disabilities can access television programs, films, theatre and other cultural activities in accessible formats; and
- A key tenet of the Government's Social Inclusion agenda requires that all significant media be accessible for Australians with hearing and vision impairments.

2.2 Technological Changes

Changes in broadcasting methodologies, and enhancements to broadband technology, mean that many of the technological impediments to increasing access have now been removed.

Improvements in digital technology and operational methodologies now enable the remote delivery of captioning for both live and offline programming – significantly increasing the pool of available captioners and reducing physical bottlenecks.

Non-linear file-based media transfers have removed the need for tapes to be transported between sites. Live and offline captioners routinely work from home connected over secure VPN or private networks.

Workflow simplifications allow for skilled captioners to deliver to any broadcaster located anywhere in Australia, regional or metropolitan, without having to be co-located at the broadcaster's premises.

Speech-recognition technology has allowed for live "respeakers" to provide access to live content – allowing highly trained stenocaptioners to focus on the highest value and most difficult content. Respeakers can be trained in a matter of months.

For OH&S reasons, respokers can only work effectively in short blocks of time (approximately 15-20 minutes). They will often work in pairs on the same live program, swapping between each other between segments or commercial breaks.

While respokers are generally paid less than stenocaptioners, as more of them are required to cover the same volume of output, the costs tend to be comparable (as would be expected in a competitive market).

Stenocaptioners have traditionally been more accurate than respokers. However, dramatic improvements in voice-recognition technology, and experience gained by access service organisations, mean that a good respoker can consistently produce high quality captions for content where there are a few key speakers. Stenocaptioning remains the preferred method for more complex multi-speaker programming.

It is time for Australia to commence a trial of audio description. We fully support the proposed trial on the ABC. Audio description has been a feature on television overseas since 2002. Australian broadcasters can benefit from the abundance of experience and knowledge already gained by their broadcast network industry counterparts in the UK, USA and Canada.

The most popular DVDs should be included with audio description as a matter of course, particularly in the absence of audio description in cinemas and on subscription television. Technically, audio description is just another language track that can be selected by the user with audio navigation.

2.3 Increased Competition

The access services industry has matured from a single provider, the not-for-profit Australian Caption Centre (ACC), in 2003, to a highly competitive industry today where more than eight companies provide skilled employment for more than 300 people across Australia. As specialised staff move from one provider to another, shared knowledge and skills deliver greater efficiencies and better quality services.

The access services market will continue to grow organically and adapt according to demand for services from current clients in existing and new markets, and from new clients in emerging markets.

Competition will continue to force efficiency improvements and, together with increased volumes, will deliver lower prices over time.

3. SUGGESTED PRINCIPLES OF FAIR ACCESS POLICY

As the discussion paper acknowledges, electronic media is delivered in a variety of formats using a variety of business models by organisations with remarkably different budgets.

Formulating a coherent and consistent access policy that encompasses the heterogeneous nature of many industry sectors (that are set to change further in coming years) presents, on the face of it, a significant challenge for policy makers focused on improving access for Australians with hearing and vision impairments.

As a supplier of access services it is not our place to recommend specific policy settings. We do believe that international best practice can usefully inform future directions. There is no need to reinvent the wheel.

With that in mind, we recommend that a fair and effective electronic media access policy reflect the following key principles:

1. **Compliance:** Ensure compliance with international and Australian laws on the elimination of discrimination experienced by people with disabilities and their families without causing unjustifiable hardship to content providers.
2. **Fairness:** Deliver a level playing field for all Australian broadcasters that accommodate the differences in size and scale of broadcasters, share of viewing and degrees of influence, while dedicating a fair share of resources to access across the industry as a whole.

3. **Affordability:** Expenditures on access should take into account broadcasters' financial and administrative capacity.
4. **Effectiveness:** Ensure media access expenditures are best directed to meet the substantive objectives of the Disability Discrimination Act by prioritising access to high-value content, where commercially feasible.
5. **Certainty:** An easy-to-understand system that delivers legal and budget certainty for broadcasters and eliminates regulatory ambiguity is essential.
6. **Simplicity:** A simple system that minimises administrative complexity and compliance costs and is easy to understand for consumers.
7. **Future-proofing:** Any framework should acknowledge the future technological innovation pipeline, for media generally, and for access services specifically. As sources of media continue to proliferate, and technology improves, new affordable access solutions will present themselves. Any regulation should be flexible enough to incorporate future reductions in cost.
8. **Consistency:** Rules should be as consistent as possible across all media platforms and be delivery-channel agnostic.
9. **Communication:** Consumer communication of which media is accessible should be clear using internationally recognised symbols for captioning and audio description.
10. **Ease of use:** Captioning and audio description are only of use if people know how to access them. Digital technology allows for a better consumer experience switching captions on and off than the old teletext methodology. Ideally captions should toggle on and off with a single button on the remote. Audio description requires audio navigation capability. International best practice should inform Australian policy.
11. **Quality:** Minimum quality standards should be agreed at an industry level to deliver confidence to consumers and broadcasters that effective access will be provided when advertised. Ai-Media supports and exceeds the levels of quality in the Deafness Forum Quality Code of Practice and will work with other industry players and consumer organisations to further develop and codify appropriate quality standards for captioning and audio description.
12. **Reporting:** Regular reporting of access levels should be provided on at least an annual basis.
13. **Transparency:** Access levels should be publicly available.