SUBMISSION

**Broadcasting Services
(Television Captioning)
Standard 2013**

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Access Innovation Media Pty Limited
Level 3, 12 Waterloo Road
Macquarie Park NSW 2113
Phone: (02) 8870 7700

A. BACKGROUND

Founded in 2003, Access Innovation Media Pty Limited (Ai-Media) is a for-profit social enterprise, dedicated to ending the experience of exclusion that people with disability face. We are Australia's second largest broadcast captioning provider, delivering offline (pre-recorded) captioning, and live captioning using both stenocaptioners and respeakers. We also provide captioning for a range of non-broadcast environments, including schools, universities, workplaces, conferences, webinars and events.

Ai-Media has been represented at each meeting of the ACMA-convened Co-Regulatory Captioning Committee (CCC) since 2010.

Ai-Media thanks the ACMA for the opportunity to comment on the Broadcasting Services (Television Captioning) Standard (**Draft Standard**).

Our comments on the Draft Standard derive principally from our experience as a service provider. Recommendations as to amendments are suggested. Finally, an appendix detailing Ai-Media's approach to quality assurance on live captioning is presented.

B. COMMENTS

1. Separate standards for live and offline (pre-prepared) captioning are essential

Offline (pre-prepared) captions can deliver text simultaneous with the dialogue, and quality assurance can be conducted prior to broadcast. By contrast, this is *impossible* with live captioning.

As noted in the Consultation Paper, it was proposed during the CCC process that the requirements for the quality for pre-prepared captions should be higher than those for live captions. Ai-Media strongly concurs with this approach. The Consultation Paper, however, further notes that:

> "The ACMA considers that setting separate requirements for the quality of live and pre-prepared captions is not helpful in achieving the objective that the captioning service should be meaningful to viewers, regardless of the captioning process.

> "Therefore, the ACMA has decided not to specify a preference for how programs should be captioned, choosing instead to focus on the outcome for viewers, regardless of the captioning method used." [1]

Ai-Media cannot support this conclusion. We urge the ACMA, as a matter of the highest priority, to reconsider the position in the Draft Standard to not prescribe separate quality standards for pre-prepared and live captioning. Ai-Media, and our broadcast clients, adopt distinct and precise quality standards for pre-recorded and live captioning; and communicate to viewers when live captioning is being deployed.

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[1] Australian Communications and Media Authority, "Development of the draft Broadcasting Services (Television Captioning) Standard 2013 Consultation paper", December 2012, p4
http://www.acma.gov.au/webwr/_assets/main/lib550053/ifc48-2012_tv_captioning_standard.pdf

We employ different staff, with different skill sets, for pre-recorded and live captioning.

Live captioning, where no advance script is available, is the most challenging environment to caption. Stenocaptioners and respeakers must, in real time, transform the spoken word into text with little room for error, while positioning the captions to avoid obscuring on-screen visuals.

As a captioning service provider, accountable to clients for compliance with regulated captioning standards, Ai-Media foresees the following risks with the proposed "merged" quality framework:

a) **Confusion**: A major benefit of bringing all broadcast captioning under the Broadcast Services Act, and in codifying captioning quality requirements within the legislation, is to provide regulatory certainty to broadcasters and narrowcasters, and confidence to consumer groups as to consistent standards applied.

   Ai-Media submits that the inherent quality differential between the viewer experience of offline captioning and that of live captioning is so large (and so fundamental) that it is meaningless and confusing for the regulator to refer to a single quality indicator "regardless of the captioning process".

   Conversely an attempt to "focus on the outcome for viewers, regardless of the captioning method used" defies logic. Viewers can, and should, expect captioning to the quality levels in the Draft Standard for all pre-recorded captioning. The "outcome for viewers" from live captioning will always be lower, by virtue of the explanation above.

   By including "regardless of the captioning process", the ACMA is implicitly suggesting equivalence between live and offline captioning processes.

b) **Reduction in quality for Pre-Recorded Captioning**: By conflating requirements for live and offline captioning, an "averaging" effect could see captioning standards actually fall for pre-recorded programming, which accounts for the majority of television viewing.

c) **Increased likelihood of breaches for Live Captioning**: By conflating requirements for live and offline captioning, an "averaging" effect could see more live captioning programming breach the standards. It is noted that on a strict reading of the Draft Standard <u>all</u> live captioning could be considered in breach.

2. The ACMA must have regard to commercially available captioning technologies in assessing quality outcomes

As further noted in the Consultation Paper:[2]

> "The ACMA intends to avoid setting requirements about how programs should be captioned, based on current technology."

Combined with the failure to separate standards for live and pre-recorded captioning, this sentence could be read to imply that quality will not be assessed with reference to available technology.

Captioning is a technology-intensive industry. Ai-Media invests considerable resources each year in ongoing research and development, much of it designed to continue to improve the viewing outcomes of captioning users in a live captioning environment – by improving the accuracy, and reducing the delay, of live captioning. Improvements are consistent but gradual.

While having regard to the outcome for viewers should be paramount, any investigation by the regulator must be within the bounds of services that are technically and commercially feasible given the program's broadcast methodology.

3. Focusing on quality of captions in the context of the program as a whole is strongly supported.

As further noted in the Consultation Paper:[3]

> "The ACMA has decided to focus on the quality of the captions provided in the context of the program as whole, rather than setting metric benchmarks within the draft standard."

Ai-Media strongly advocated for this position in the ACMA Co-Regulatory Captioning Committee.

We note that, especially in live environments, many components involve trade-offs. For example, in relation to live sport captioning in particular, there is a potential conflict in the Draft Standard about the:

 a. timing of captions coming on and off the screen;
 b. avoiding captions covering important on-screen visuals; and
 c. being verbatim.

In particular, it is Ai-Media's practice not to caption live sports verbatim to improve the quality of the captioning, and ensure the play of the ball is not obscured. Increasingly, microphones on referees and players mean that their voices can be heard in addition to those of the commentators. Unfortunately, it is extremely difficult for captioners in many cases to identify the source of the audio and include speaker flag in amongst the commentators, e.g. "IAN HEALY: Bowling, Shane". Leaving out the flag would suggest that the audio came from a commentator, and be confusing.

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[2] Ibid, p4.
[3] Ibid, p4.

The methodology of assessing the quality of captioning as a whole would be further enhanced by doing so within the bounds of technical and commercial feasibility.

C. RECOMMENDATIONS

The following recommendations contain specific amendments that would give effect to the comments above. Ai-Media acknowledges that there may be alternative approaches that would deliver the same effect.

1. Amend definition of 'captioning service'

The Draft Standard defines:

> ***captioning service*** means a service in which captions are provided for programs, that enable the viewer to simultaneously follow the speakers, dialogue, action, sound effects and music of a program.

Ai-Media recommends amending the definition to include a reference to commercially available technology in the context of the program.

> ***captioning service*** means a service in which captions are provided for programs, that enable the viewer to simultaneously follow the speakers, dialogue, action, sound effects and music of a program; having regard to commercially available technology in the context of the program.

The impact of this change is to make clear that live captioning would not be in breach of the Draft Standard because of a failure to be "simultaneous".

2. Minor amendments

The following minor amendments are suggested

Section	Suggested Amendment
7 (b) (iv)	There should be recognition that in some instances it will be impossible to avoid obscuring on-screen text, other important visuals or a part of a speaker's face when providing important captions. Captions obscuring a forehead are to be preferred to those covering lips. In live sport in particular with quick and unpredictable shot changes, the risk of captions obscuring visual information is highest. "whether the captions are positioned, where feasible, so as to avoid obscuring other on-screen text, ~~any part of a speaker's face including~~ the speaker's mouth and any other important visuals"
8 (b) (v)	Include the words, "and necessary" to avoid patronising viewers. In practice this would often relate only to off-screen dialogue where facial expressions are absent and a clear manner and tone is evident. "whether the manner and tone of voice of speakers has been conveyed, where practical and necessary;"

D. APPENDIX: Ai-MEDIA LIVE BROADCAST SPOT CHECK QUESTIONS

As part of Ai-Media's internal quality assurance program, spot checks are performed on all live programming.

The following questions are asked to provide an overall indication of the quality of the live captioning with responses either:

1. Overall the captions were clear, easy to read, and informative
2. The captions were faithful to the original wording
3. The captions included all key concepts and vital information
4. Important errors were corrected promptly
5. The captions did not obscure on-screen visuals

For each question, respondents can select

a. Agree
b. Mostly agree
c. Neither agree nor disagree
d. Mostly disagree
e. Disagree

Given the inherent difficulty of live captioning, it is rare that any program receives "Agree" on all 5 metrics.

Ai-Media would be happy to discuss this framework, and our data, with the ACMA in order to develop clearer guidelines as to what quality level is technically and commercially feasible to attain in the context of live captioning.