

Consultation response form

How should On-demand Programme Services be made accessible?

Executive Summary

Channel 4 has a strong commitment to access services and has consistently pushed the boundaries and driven change both ourselves and across the wider sector to ensure that TV content is as accessible and inclusive as possible. We have routinely exceeded our requirements on linear, and we have continued to voluntarily increase our provision of access services on our on-demand services.

We support the objectives set out by Ofcom to make access services more widely available, particularly through on-demand platforms and welcome the opportunity to respond to this consultation.

Channel 4's approach

Channel 4 has put a lot of effort in recent years into improving and increasing our provision of access services: this has included voluntary commitments to over-deliver on our formal licence obligations on our core linear services and pioneering access provision on our on-demand services. Our approach to date has focussed on targeting resources where they will have the greatest benefit for audiences and do the most to drive social inclusion. For example our work to provide live AD for the opening and closing ceremonies of the London and Rio Paralympics was unprecedented and a key moment for inclusion globally. Other areas where we have pushed boundaries include our work to provide access services on foreign language drama, our collaboration with the RNIB on our 'sight loss ad break', and our push to overcome challenges and ensure that hit show Gogglebox is audio described on first transmission. All of this work has been informed by regular engagement with user groups, including an access services audience survey on channel4.com which was promoted on air and received 1816 responses, providing valuable insight into where we could improve our services.

Obstacles to progress on On-Demand Programme Services (ODPS)

The main obstacle to greater provision of access services on-demand is the number of different platforms and devices in the market, each of which has individual and highly complex technical specifications and presents a range of technical challenges. All4 is currently across 26 different platforms and extensive development work is required in order to deliver access services to each. Given the growing number of platforms and the extensive development work required we have to make difficult decisions about where to prioritise our resources.

Key points:

- Channel 4 supports the objectives of the consultation and take our responsibilities to deliver access services very seriously.
- We have consistently sought to increase and improve our provision of access services over many years and have driven change across the sector.

- We welcome Ofcom’s principles for an approach that is effective, proportionate, flexible and fit to apply to a developing and diverse VOD industry.
- The rapid growth of ODPS has brought new challenges in the delivery of access services, particularly given the number of platforms and devices, the range of different technical specifications and requirements and the pace of change.
- These are not easily or quickly addressable but we are working hard to overcome them.
- There are significant differences within the provision of access services in linear TV and VoD environments –widening the provision of access services for VoD will require different solutions to those achievable in linear.
- Any regulation of this area this must be seen in the context of the wider regulatory environment and balanced with our wider responsibilities to deliver our public service remit through investment in high quality content.
- It is also vital that any action taken by Ofcom does not restrict innovation or impose overly burdensome requirements or costs on On-Demand Programme Service (ODPS) providers.

We do not believe that overly prescriptive regulation and in particular quotas, provide a workable solution for the delivery of access services on the VoD market. Such regulations would be problematic for three main reasons:

1. The rapid pace of technological change makes effective regulation challenging

- Whilst linear TV is a mature and relatively stable environment, VoD is still rapidly evolving with new platforms and devices springing up and others leaving the market.
- These platforms have a wide range of diverging technological requirements and each needs considerable development work to enable us to provide access services.
- Any regulation must take account of this rapidly changing environment, the technological challenges it presents and the risk it creates around access service development work.
- As the market and technology both continue to develop Ofcom should work to encourage greater alignment and standardisation around delivery requirements for content providers.

2. ODPS providers do not have complete control over their VoD platforms

- The provision of access services is an end-to-end process which also involves the providers and manufacturers of platforms and devices. As such, elements of the process are out of the control of the ODPS provider and the delivery of access services can be delayed, or even prevented by factors outside of the scope of regulation.

3. Over-prescriptive regulation could inhibit innovation

- New requirements are likely to impact upon creative and commercial decisions. ODPS providers may be forced to remove their services from certain platforms or devices or may be disincentivised from acquiring new content because of the resulting cost implications.
- An approach which puts too higher value on the volume/quantity of content over the type, range and quality of content may actually damage provision for users rather than improving it by pushing providers to focus on quicker, easier, cheaper content in order to maximise volume. The consumer’s range of choice has to be of paramount importance across accessibility.

- Resources may also be diverted away from driving innovation and delivering greatest benefit for audiences.
- ODPS providers must be able to continue to innovate, to prioritise and target resources where there's most demand, and to be led by our own data as well as evidence and insights from users and disability groups.

We recommend that the most effective and efficient means of increasing access services for the VoD market would be to mandate standardised technological specifications for delivering access services across different platforms and devices.

We note that this is not considered within the consultation. We would therefore recommend that Ofcom, government and industry work together with platform providers to find solutions, promote alignment and simplification, and drive progress, advocating collaboration and guidance over regulation or quotas at the present time. This should be reviewed as the market evolves and technology develops.

Introduction

Background on Channel 4's access services delivery

Channel 4's public service remit is at the heart of all that we do, providing the framework for how we operate creatively and commercially. We have a firm commitment to inclusion and have been working hard to increase and improve our provision of access services both on linear and on our on-demand services. This plays an important part in fulfilling our remit, as well as making good business sense by appealing to as wide a range of people as possible. Driving progress in this area is central to our role as a champion of diversity and inclusion and key to our remit to innovate and inspire change. We are constantly looking to push boundaries, find innovative and creative solutions and drive change.

Linear TV provision

On linear TV, we have a strong track record in exceeding our quota obligations – in 2011 making a public voluntary commitment to subtitle 100% of our programmes across all of our channels. In 2017 we exceeded all of our quotas across subtitling, signing and AD.

For those with hearing impairments, we achieved 100% of subtitles on our programming across Channel 4, E4, More 4, 4Seven and Film 4 for the seventh successive year. We sign-interpreted over the required 5% of programmes on Channel 4 and E4 and we have alternative arrangements for Film4, More4 and 4Seven, whereby we support the British Sign Language Broadcasting Trust (BSLBT) a charitable organisation which commissions television programmes made in British Sign Language by Deaf people for Deaf people. As well as making a significant financial contribution to the BSLBT, we provide a designated slot to show their sign-presented content every Monday morning at 8am on Film 4. This arrangement brings a number of important benefits. It ensures that BSL Zone content is regularly broadcast on a mainstream channel with significant reach. As our linear channels are 100% subtitled, it also provides the only platform where this content is always broadcast with the option of subtitles, broadening the inclusivity of the content and enabling BSL speakers to enjoy it with non BSL speaking family or friends. We are keen to work with the BSLBT to look at how we can further improve and expand this provision.

For those with visual impairments, we have made particular progress on Audio Description (AD), with over 30% of programmes audio described on every channel, well above our 10% requirement. And we are proud that 65.6% of programmes on E4 had AD, making it one of the most audio described channels in the world. We want to raise awareness and lead innovation around AD, and for National Eye Health Week in September 2017 Channel 4 and the RNIB presented a special commercial break giving viewers the chance to watch through the eyes of somebody living with sight loss. This was shown once without AD and once with it, highlighting the value of audio description both to viewers and, importantly, to advertisers. We are committed to building on these achievements and driving the industry forward, which is why in 2018 Channel 4 will be working with Ofcom to lead an Audio Description awareness campaign across the UK Broadcasters.

We are working hard to overcome a variety of challenges around accessibility and we have had a number of firsts over recent years. We are the only broadcaster airing foreign language drama series with audio description and spoken subtitles in English. We first achieved this with Deutschland 83 in January 2016 and have since gone on to do so with Blue Eyes, The Out-Laws, Before we Die and most recently prime time foreign language drama Professor T. We will continue to proactively audio describe a selection of foreign language drama content.

In another first, in March 2018 our hit show Gogglebox was audio described for its first transmission on Channel 4 at 9pm, ensuring that one of our key programmes is accessible on the first showing. This is an important achievement, as, because of its nature, the programme is filmed, edited and delivered to Channel 4 very close to transmission. Audio describing this content in such a tight time frame is very challenging and achieving this required a great deal of resources, and collaboration with commissioning and our wider teams. However as the content is both extremely topical and popular we felt it was particularly important to overcome the challenges in providing AD on first showing. We will be continuing to do so for the rest of the series and for future series. We are also exploring both the practicality and cost for rolling this out on other topical programmes that are delivered close to transmission.

This is an example of where we have prioritised providing AD for a programme that is particularly difficult and resource intensive, on the basis that we believe doing so has a particularly high value for our visually impaired viewers and has a significant impact on inclusion. This example illustrates the important point that it is not only the quantity of programmes, but the type and range of programming that matters when it comes to inclusivity. Viewers with accessibility needs must have access to the broadest range of programmes possible, including our most high-profile content as that has a particular impact on social inclusion. Any approach which puts too higher value on the volume/quantity of content over the type, range and quality of content may actually damage provision for users rather than improving it by pushing providers to focus on quicker, easier, cheaper content in order to maximise volume. The consumer's range of choice has to be of paramount importance across accessibility.

Channel 4 Paralympics coverage

Channel 4 has also pushed boundaries with regards to access services around live events. Live events are particularly difficult when it comes to delivering access services; however certain live events have a unique power to bring the country together in a shared experience. That is why we have made key live events a priority in our access services work. As the Paralympic broadcaster we felt it

was essential that we make our coverage of the opening and closing ceremonies of the Rio Paralympics as accessible and inclusive as possible. The promotional material for the games were transmitted with both audio description and subtitles and both events were simulcast on 4Seven with live signing and live open enhanced commentary. This was a huge achievement and, we hope, a game changer when it comes to access services. Allowing ODPS providers the flexibility to prioritise resources and innovate in this way in order to deliver on inclusion and drive change should be key criteria for any regulation.

All 4

Channel 4 is also committed to increasing the accessibility of All 4, our on demand service and we have been putting considerable effort into delivering access services on All 4 – with significant strides made in subtitling provision.

However, the provision of access services on All 4 is inherently more complex and challenging than on TV – largely because of the technical considerations in a still relatively nascent and fast changing area. All 4 is now available across 26 platforms, each with individual and highly complex specifications and technical challenges. Significant work has gone into, and continues to go into making our content accessible on each of these platforms. Subtitles are now available on All4.com (85% of hrs), iOS (85% of hrs), Playstation (85% of hrs), Amazon Fire TV (85% of hrs), Android (Dash) (85% of hrs), Sky OnDemand (94% of hrs), Freesat (85% of hrs) and Freeview Play (85% of hrs). Audio Description is available on All4.com (27% of hrs) and Android (Dash) (28% of hrs) and we are continuing to develop technology for rolling out access services across further platforms, with a focus on the platforms and devices identified by user groups as a priority, such as iOS, Android, Sky On demand and a selection of big screen devices.

In this response we will focus primarily on our objectives and achievement for the provision of access services on ODPS and outline the challenges in the context of Ofcom's consultation questions.

Q1 Do You Agree with our assessment of the key issues involved to inform regulations in this area?

1.1 Channel 4 has a firm commitment to access service provision and supports Ofcom's work to improve the accessibility of ODPS. As a public service broadcaster with a statutory remit to reflect the cultural diversity of the UK and innovate, we want our content to be available to everyone regardless of impairment or access needs.

1.2 Channel 4 is working hard to improve access services and to voluntarily roll out additional services in conjunction with our other commitments. We will continue to do so irrespective of whether regulations are introduced. Nonetheless, we believe it is important to incentivise ODPS providers to keep moving forward in this area. Getting this right however, is not simple and there are a number of complexities and pitfalls which must be navigated if Ofcom is to achieve its aims, and bring in solutions that are robust, effective and fit for the future.

1.3 At present, we are conducting our ODPS access services work in the context of a rapidly evolving market, which involves numerous and growing platforms with a wide range of diverging requirements. This is in stark contrast to linear TV, where the technology is well established and

there is a single specification for access services. All4 is currently on 26 different platforms and each requires its own extensive development work and presented numerous technological challenges. This development work is time and resource intensive which means we have to make difficult decisions around which platforms and programmes to prioritise given finite resources.

1.4 What's more, delivering access services is an end-to-end process involving a range of factors, many of which we have limited control over. As Ofcom acknowledge in the consultation document, any regulations would only impose requirements on the providers of ODPS not the operators of platforms on which those ODPS appear, or the manufacturers of equipment used to access ODPS. That means there are limits as to what ODPS providers can achieve on their own, and changes to platforms and equipment can render costly work to expand access services redundant overnight.

1.5 ODPS providers must weigh up all of these factors when deciding which platforms and devices to prioritise for development. Our strategy has been to take an evidence based approach – informed by data and insight from disability groups - and prioritise our resources on the programmes and platforms which will have most impact for disabled viewers. We continue to work hard to overcome technical challenges in order to make our content accessible to all and to lead innovation around accessibility and we are proud of the progress we are making.

1.6 One key technical challenge in developing a regulatory approach is that platforms require bespoke and highly technical solutions that are often out of the broadcaster's control, and can be time consuming, resource heavy and costly to develop. The development process can be subject to major setbacks, for example with the platform/device owners delivering updated software and hardware. This element of unpredictability and lack of control over elements of the process could leave ODPS providers in a position where they are unable to meet the requirements of regulations due to factors out of their control.

1.7 Two examples of access service developments that have been out of Channel4's control and have had a major impact on our ability to deliver the solutions we have developed are You View and Samsung:-

You View:

- In 2014 Channel 4 spent many months developing a solution to deliver subtitles to YouView. This involved considerable cost, resource and time. Channel 4 was due to deliver on the project when YouView released new set top boxes that were not compatible with our development work. The development cycle had to begin again and we were only able to launch subtitles on YouView late in 2017. This was out of our control and not only meant that a significant element of our access services plans could not be delivered, but also meant a chunk of our access services budget and resources was wasted. Were there quotas in place this could well have resulted in us failing to meet our requirements through no fault of our own.

Samsung:

- We have developed a solution to deliver subtitles to Samsung, however their review process can take months -typically three- before the development can be deployed. Further changes may be requested by Samsung due to their developments which could mean that we are unable to deliver subtitles for very long periods of time. An additional complication is that

Samsung has legacy devices and software following the introduction of Tizen, meaning that Channel 4 now needs to provide ongoing support for both the 'legacy video and DRM technology' and 'Tizen'. This has implications for cost and resource that were not budgeted for.

1.8 It is also important to note that whilst linear broadcasting is mature and well developed, video on demand is relatively new, it is quickly evolving and the platforms sit alongside the US digital giants that will not be subject to the same regulation. Any attempt to map regulations designed for the linear market onto the VoD market without understanding the key differences between the two is likely to fail. VoD needs a bespoke, tailored approach designed to address the unique challenges this new market brings for content providers.

1.9 Given the differing market dynamics between linear and VoD, the technical challenges and pace of change within the market, we do not believe that a set quota would be desirable or effective. It is likely that quotas may restrict innovation and inhibit the ability of providers to prioritise content in areas of greatest need.

Q2 Are there other 'access services' which you believe should be specified in any regulations?

2.1 Whilst it has been deemed outside of the scope of this review, it is important to note that by far the most rapid, cost effective and impactful way to improve the provision of access services on ODPS would be to mandate standardised technological specifications for the delivery of access services across different platforms and devices. At present each different platform and device requires its own bespoke and highly technical solution which is time consuming, resource heavy and costly to develop.

2.2 This is further complicated by new platforms and devices entering the market, existing providers releasing new software or hardware (e.g. You View set top boxes), and platforms and devices leaving the market (e.g. BlackBerry) or being superseded by newer technology (e.g. Windows Phone and PlayStation 3). As a result, rolling out access services not only involves developing highly complex technology for numerous platforms, each with differing specifications but also involves a degree of risk that circumstances outside of our control will mean that that development cannot be delivered, meaning valuable time and money is wasted.

2.3 It is these development costs and the risks and complexities involved that are slowing down progress on access services on ODPS. Technological standardisation, or a move to a limited range of different technologies and delivery requirements for content providers, would make a real difference, hugely reducing the cost and resource implications of rolling out access services and reducing the risk that time and money are wasted as a result of changes to technology.

2.4 However, given that this option is not included within the review, we believe that Ofcom is right to focus on the three key areas of subtitling, audio description and signing of On-demand Programme Services. Our conversations with relevant user groups support this approach.

2.5 It is also important to consider the risks associated with various regulatory options. There is a danger that, particularly in a rapidly evolving market, regulations could produce unintended and adverse consequences. For example regulation may incentivise providers to remove their content

from existing platforms or decline to take up new and emerging platforms, thereby directly influencing the development of the market and possibly stifling innovation around new platforms which could benefit viewers and drive inclusivity. Equality must also be considered, as there is already a significant legislative burden on UK PSBs that does not apply to the US digital giants. Any regulation which adds to this inequality and damages the PSB's ability to innovate and evolve could have very damaging results.

2.6 There's also a risk that adherence to quotas can actually mask an underlying reality whereby providers are focussing on quick fixes and easy wins rather than the platforms and content that are of most value to users. Making progress on access services is not simply about the percentage of programmes or number of platforms/devices, rather the *type* of programme and platform/device is crucial. Audiences with visual and/or hearing impairments need to be able to access the content they want to watch on the platforms and devices that best meet their needs and we need to be able to continue to prioritise and target where there's most demand and to be led by evidence and insights from users and disability groups.

2.7 It is also imperative to consider how much control an ODPS provider has over the different elements of access service delivery on a particular platform- for example is a platform in-house, external owned and operated or external syndicated. Regulating, and particularly implementing quotas in relation to a platform where the provider only has partial control over delivery could put them in a very difficult situation. It would be likely to lead to very risk adverse behaviour whereby providers are forced to severely limit the number of platforms on which their service is available and/or limit the amount of content available on these platforms. For regulation to be workable it would have to be limited to a defined list of platforms and as it is a fast moving landscape it would have to be reviewed regularly.

2.8 There are also considerations that go beyond the programme and the device, but would not, and should not be captured within regulations. For example on linear Channel 4 is looking at how we can ensure more of our adverts are audio described so that visually impaired audiences can be better included in the full viewing experience and advertisers can better promote their products to this important audience.

Q3 Do you have views on the relative importance of sign-presented programming and sign-interpreted programming?

3.1 People with hearing impairments must be able to participate equally in society and have access not only to high quality programmes, but also to the social interactions and shared cultural references that television brings. Sign-presented and sign-interpreted programming are both important for viewers with hearing impairments who rely on British Sign Language (BSL). They are two very different types of content to provide and each makes a different contribution to inclusion.

3.2 Sign-presented programming is made specifically for the Deaf community by the Deaf community and has an important role to play in inclusion, particularly for audiences whose first language is BSL. Channel 4 supports the BSLBT, the organisation established in 2008 which commissions programmes made in BSL and provides an alternative way for independent broadcasters to meet their regulatory duty to provide programming in BSL. We have such alternative arrangements in place for More 4, 4Seven and Film 4 whereby we make a regular

financial contribution to the BSLBT. Furthermore, we have a unique arrangement whereby we also show the BSL Zone's sign-presented content every Monday morning in a 30 minute slot on Film 4. BSL Zone content is only broadcast on Film4 and community television channel Together). The broadcast of BSL Zone on Film4 is important both in terms of its reach, and as a sustainable route for the mainstream broadcasting of sign-presented programming.

3.3 Whilst it is difficult to reliably estimate the number of Deaf people in the UK, a 2015 report from OPM for the BSLBT suggested that 188,000 people in England, are Deaf and use sign language and there are 15,482 people in England and Wales whose main language is British Sign Language (BSL). Our viewing data suggests that the average number of viewers for BSL Zone on Film4 is around 3,000, with the highest rating programme reaching 20,000. Over 2017 our sign presented content reached around 282,000 viewers.

3.4 Sign-interpreted programming is made for a wider audience, with an interpreter translating the spoken dialogue into BSL. This content plays an important role in inclusion by enabling Deaf viewers to access mainstream programming and allowing both Deaf and hearing friends and family to enjoy watching programmes together. Both Channel 4 and E4 screen over the 5% quota for sign-interpreted content and we continue to build on this. For example, as of Saturday 20th Jan 2018 the weekly signed 'Hollyoaks Omnibus' became available to view on All 4. It is our ambition in the next year to look at ways of providing more signed content on All 4.

3.5 In our view, the relative importance of sign-presented and sign-interpreted programming is not a question that can be answered by broadcasters alone. The comparative audience and viewing figures for these types of programming are one consideration, but the views of disability groups and hearing impaired viewers should be paramount. This reflects our wider approach to access services which is centred around listening to viewers with visual and hearing impairments and ensuring that our development work is driven by this engagement and feedback.

3.6 It is important to note that whilst subtitles and audio description sit alongside video content or are embedded within it (depending on the platform's delivery requirements), and can therefore be selected as on or off by the viewer, sign-interpreted content does not work in the same way. For sign-interpreted content two completely individual programme versions need to be sent to the platforms, a clean version with no signing and a signing composite version where the signer has been burn into the video content. Technology has not been developed by the platforms to enable the user to be able to select the signer as 'on' or 'off', so they are actually selecting entirely different video content. Logistically this means that providing signed versions involves doubles the resource requirements with regard to storage, handling and delivery. The signed version will additionally require subtitles and Audio Description, if available, which will also need to be reversion and delivered for this extra version. This means that signed content is significantly more costly to create than AD or subtitles, involves more time and resources and has additional implications in terms of editing and storage.

Q4 To what extent can or should regulations require usability features including (but not necessarily limited to): provision of information; accessible catalogues; and best practice relating to the creation, selection, scheduling and presentation of accessible programming? If you do not

believe that these features should be required by the regulations, should the regulations require Ofcom's resulting code to give guidance on these issues?

4.1 Channel 4 has continually pushed boundaries on how access services are selected, created, presented and delivered. We ensure that our key content is provided with access services, and this is reviewed regularly in light of feedback from service users and disability groups. In 2016 we ran an on-air campaign to invite viewers to complete an access services survey on channel4.com. From this we gained a better insight into how and where viewers use access services, the programme genres that would be watched more if access services were provided and viewer insights and suggestions for how they would like to see the accessibility service we provide evolve.

4.2 In addition to providing subtitles on 100% of programmes across the linear channels, on a weekly basis we select key programmes for audio description and signing. When making these decisions we consider the popularity of different programmes and the mix of programming available with access services, as well as feedback from audiences and the suitability of different programmes for certain access services.

4.3 For example, the findings of our 2016 survey found that whilst subtitles were the most widely used access service, there was a high demand for AD, and viewers would like to watch more drama, documentaries, and film with accessibility features, with comedy popular among younger audiences. We have prioritised programmes for AD accordingly, including providing Audio Description for foreign language dramas including a number of box sets for Walter Presents, all of which remain available to view on All 4.

4.4 Another area that viewers felt could be improved was the provision of access services on sport. This is difficult because of the challenges around live programming, which we discuss elsewhere, but we have been working together with the production companies who produce our live content to improve the accuracy of live subtitling and, in particular cases to provide AD and signing. A piece of key content was the live opening and closing ceremonies of the Paralympics, which were simulcast on 4Seven with live signing and live open enhanced commentary. When planning our Paralympic coverage, we understood the huge hurdles to providing Audio Description on live programming, but we were determined to overcome this to provide a more descriptive service for our partially sighted viewers meaning they could enjoy the ceremonies at the same time as our sighted viewers, yet again inclusion being at the very epicentre of what we do. It involved months of planning, including researching information on the content and countries and learning the names of the key athletes along with the correct pronunciations. It was multi-sited bringing the live commentary-free feed from Rio along with the live signing feed from Ealing into a production suite in Channels 4's headquarters where the audio describer commentators were positioned adding live audio description as it happened. The result was two fantastic pieces of inclusive live broadcasting that pushed boundaries and brought people together to share in a moment that really did celebrate diversity and inclusion. The feedback we received from consumers and disability groups was overwhelming positive.

4.5 When deciding which programming to prioritise we also look at the suitability of a programme for access services and how that will impact upon the audience benefit of providing them. For example, some programmes may have limited or no benefit from AD. Take certain chat shows and

quiz shows for example, 'Alan Carr's Chatty Man' is very tightly worded with almost continuous dialogue throughout the programme. This makes it very difficult to find gaps to add Audio Description. Removing or over-speaking the programme dialogue can have a very negative editorial impact on the programme content so overall AD may have little positive impact. Similarly, with programmes that are too fast moving it can be really challenging to provide Audio Description that is helpful to the viewer. On the other hand, drama often has periods without dialogue where AD is invaluable for visually impaired viewers, ensuring they do not miss key plot points. As such we will often prioritise AD on our drama programming.

4.6 Channel 4 is committed to ensuring optimised accessibility for viewing Channel 4 products on desktop and mobile devices. We have worked with The Digital Accessibility Centre (DAC) who have produced guidelines on best practice around designing for an inclusive user experience on devices, and on the native accessibility features already built into mobile devices, along with specific add-ons that will enhance the user experience for all users regardless of ability.

4.7 Channel 4 developers and designers reference The World Wide Web Consortium (W3C) in ensuring that we create best practice accessible web applications, specifically the 'Web Content Accessibility Guidelines' (WCAG) 2.0 which covers a wide range of recommendations for making Web content more accessible. The guidelines make content accessible to a wider range of people with disabilities, including the blind and partially sighted, deaf, learning disabilities, cognitive limitations, limited movement, speech disabilities, photosensitivity and combinations of these. In order to comply with the Equality Act 2010, all services must be accessible to users with disabilities.

4.8 Given our commitment to accessibility and the resources we are putting into our access services work, it is crucial that audiences are able to easily locate this content and identify programming which meets their needs. On Channel 4's website there are pages dedicated to listings for programmes with Audio Description and Signing. The text is high contrast to make it easier to read. We work with other platforms and device providers to try and ensure that the platforms and devices on which our content is provided are as inclusive and user friendly as possible. On this point it is worth noting the overlap between this consultation and the parallel consultation on EPG accessibility. Again this is a fast-moving market place where technology is constantly evolving and in this context, intervention by a regulator seems problematic. Accessibility features such as TTS, filtering or highlighting functionalities, magnification functionalities and high contrast displays can all play an important role in ensuring accessibility and inclusivity. We support measures to improve ease of access to EPGs and encourage the adoption of such features where reasonable, but we acknowledge the practical and market challenges which exist in this area, and given rapid technological changes we would not advocate mandating a particular solution at this time.

4.9 Channel 4 appreciates and benefits from guidance along with the wider broadcasting industry and we value the flexibility we have had to target our resources where they will make most impact. We regularly review our products with viewers and the disability groups to ensure we are across the latest thinking for accessibility, and going forward it is essential that we can continue to prioritise and target our resources where the demand and potential impact are greatest, and be led by evidence and insight from users and disability groups. We are concerned that rather than accelerating change, regulations for creating, selecting, scheduling and presenting access services on ODPS's may actually restrict our ability to innovate and prioritise resources in this way.

Challenges to effective regulation

4.10 We are concerned about the workability of regulations in the current context and believe that for regulation to be effective it must take into account a number of key factors. Firstly, as the market is still rapidly evolving, the landscape which you are trying to regulate is constantly changing with platforms and devices regularly entering and leaving the market or being updated. Secondly, the end-to-end nature of providing access services means that ODPS providers only have full control over the provision of access services on in-house ODPS. In Channel 4's case, out of the 26 platforms we are currently on, our website All4.com is the only platform where we have complete, end-to-end control over the factors which impact on our ability to deliver access services. Where we do not have full control our development work is vulnerable to delays and setbacks which can prevent us from delivering access services as seen with You View and Samsung (see 1.7).

4.11 Thirdly, when considering regulation, it's not only vital to understand the difficulties involved in devising such regulations, but also the likely impact of such regulation. There are a number of risks associated with various regulatory options. There is a danger that, particularly in a rapidly evolving market, regulations could produce unintended and adverse consequences.

4.12 For example regulation may incentivise providers to reduce the number of platforms on which their content is distributed if the costs associated become disproportionately high. This could directly affect the development of the market and stifle innovation around new platforms that could otherwise benefit viewers. It may also distort the incentives for providers, pushing them towards quick fixes and easy wins rather than the platforms and content that are of most value to users. This could include diverting resources away from access services on linear, despite the linear audience still hugely outweighing the audience on demand. Regulations must only be implemented if it is clear that their benefit will outweigh any negative consequences.

Q5 Do you agree that audience benefit, cost, and practicability are appropriate grounds for differentiating services/content for the purposes of regulations? Are there other grounds on which you believe ODPS programmes/services should be differentiated (prioritised, excluded, or subject to different requirements)?

5.1 Channel 4 is constantly evaluating how it can optimise the impact of its access services work and achieve the greatest impact for audiences with the resources we have. In doing so we weigh up the costs, practicability/technical challenges involved, and, crucially, the audience benefit.

5.2 This audience benefit is assessed through a combination of factors. When looking at which programmes to prioritise we consider audience data around the popularity of programmes and other indicators of its appeal to audiences as well as assessments around the public value of particular content and its role in inclusion. As discussed in 4.5, this includes looking at the suitability of a programme for a particular access service, particularly AD, with some genres tending to benefit more than others. Importantly, we also consider the mix of programming which is available and try to ensure an equitable mix of programming which covers the broadest possible range of genres and types of programming in order to maximise viewer choice.

5.3 When considering which platforms and devices will provide greatest audience benefit and should be prioritised we are led by consultation with disability groups and organisation such as The Digital

Accessibility Centre (DAC). This consultation has shown that audience benefit is best served by focussing on platforms and devices that have native in-built features that make them accessible to deaf, blind and partially sighted viewers. Which is why we have been concentrating on iOS, Android, Sky On demand and a selection of big screen devices.

5.4 When considering the cost of delivering access services we look at a range of factors including:-

- Initial Development costs.
- On-going developments costs due to platform and device updates.
- Audio Description, subtitling and signing platform/device delivery costs.
- Contract Management Fees with the Access Services provider.
- The cost of maintaining both legacy and current video and DRM technology within individual platforms to support access services.
- For broadcast programmes repurposing costs for subtitles, Audio Description and Signing.
- Re-version costs for different programme edits for ODPS's.
- Creation costs for All 4 exclusive programme content.

5.5 Practicability requires developing highly complex technology for numerous platforms, each with differing specifications which require a large demand on time, resource and cost. Development also has to sit alongside other high priority business requirements within Channel 4.

5.6 It also includes considerations around market change, unpredictability and risk. Platforms are added regularly and we have also seen platforms go. All 4 is currently across 26 platforms, each with individual and highly complex specifications and technical challenges. As touched upon in 2.1-2.3, the onus should not only be on the content provider, there is a need for buy-in from the providers of platforms and devices who are not considered in this consultation. As outlined in question 2, standardisation at this level would have a very positive impact in making the content they hold more accessible for delivering access services from content providers.

5.7 Allowances must be put in place for when external platforms that sit outside of Channel 4 introduce changing software and technology. The content provider has no jurisdiction over platform software or hardware releases that have an impact in enabling access services. Regulation must consider legacy video and DRM technology. Video on demand is quickly developing and the cycle of change is very high. As a content provider we are beholden to the platform owners and device manufactures. It is a difficult challenge to meet with limited resource.

Q6, Should the regulations impose more stringent requirements on public service broadcasters' ODPS than on ODPS provided by others?

6.1 Through our remit, Channel 4 has a clear responsibility to promote diversity and we should, and do, play an important role in leading the way on access services. PSBs are already subject to more stringent requirements on linear and at Channel 4 we see these existing obligations as a baseline, not a ceiling. That is why we are consistently surpassing our linear requirements, both on the main PSB channel and on our wider portfolio, and voluntarily driving progress on VoD.

6.2 Channel 4's public service remit is at the heart of all that we do, providing the framework for how we operate creatively and commercially. As we have set out, we are absolutely committed to access services and they play an important part in fulfilling our remit. Driving progress in this area is

central to our role as a champion of diversity and inclusion and key to our remit to innovate and inspire change, which is why, over recent years there has been a gear change in how Channel 4 approaches access services. We are constantly looking to push boundaries, find innovative and creative solutions and drive change, including by heading up Ofcom's AD drive this year.

6.3 Our remit also requires us to be an alternative voice in broadcasting, giving us a unique and important role in the British cultural landscape. If we are to fully meet our duty to stimulate debate, educate, and represent alternative views, then it is vital that the content we create is accessible to the whole of the UK population, not just a section of the population. Everyone in the UK should have access to programmes that reflect cultural diversity and alternative views, that educate, stimulate debate and inspire change. Inclusion is at the very core of Channel 4's remit and improving accessibility is a key focus.

6.4 Furthermore, as well as the public service imperative, we see diversity and inclusion as making good business sense – and any organisation should take a similar approach. Making services as accessible and appealing as possible helps drive audience reach and engagement, thus translating into positive brand reputation and consumption.

6.5 Given the role we have played and continue to play in driving change, and our commitment to doing so, we do not believe that it is a lack of motivation that is slowing down progress. But rather, the root issue is a combination of the number of platforms and devices, the rate of change within the ODPS market, the extent of the technological challenges involved in development of provision for each platform and device, and the level of time and resources required to overcome these challenges. It is hard to see how regulation, or more stringent requirements in the form of quotas on ODPS content providers, will address these issues.

6.6 It is also important to recognise that the UK broadcasting ecology is the result of enlightened intervention by politicians and regulators. UK PSBs function within a carefully balanced regulatory framework, and are part of a compact whereby regulation confers certain benefits, such as prominence, in return for meeting a range of licence requirements and obligations, which are carefully assessed and framed as part of the 10 year licence process.

6.7 Maintaining the appropriate regulatory balance and the right combination of benefits and obligations is vital if PSBs are to continue to thrive. At present, the main Channel 4 service is our only designated PSB service and is subject in exchange for benefits conferred on it. While we have made voluntary commitments across our portfolio, we note that no such PSB benefits attach to these services, and so the 'compact' between provision of obligations and commensurate benefits does not apply in the on demand space.

Q7 Should the regulations limit accessibility requirements to programmes/services which have previously been broadcast with access services, or impose more stringent requirements on these programmes/services?

7.1 Wherever possible we look to make content which has been shown on linear with access services available on ODPS with these same access services. However, as we have set out in our answers to previous questions, it is essential to recognise that there are fundamental differences between linear and VoD and each needs its own, specific response to the challenge of improving accessibility.

7.2 It is incorrect to assume that where content has previously been broadcast with access services on linear, providing access services for the same content on demand will be simple. The repurposing work is just one element of the process of providing access services for VoD, with the development work generally requiring much more time, money and resource. What's more, there are certain programmes in the linear broadcast schedule which present particular technical challenges for delivering access services to All 4.

7.3 For example, Live and late delivery programmes can only be transmitted with subtitles that are cued to air live. They are subject to a different workflow to that of pre-recorded programmes with pre-delivered subtitle files. The subtitles would need to be captured following the broadcast and re-formatted. Ideally they should then be converted into blocks, edited for latency, speed and for any inaccuracies. For example 'Sunday Brunch' typically arrives on All 4 24 hours after its linear transmission and the subtitles will arrive after a further 48 hours due to the additional subtitling work that is required. Live programming that is strategically and topically important to be delivered to All 4 immediately following its live broadcast, for example The Formula 1 Grand Prix, follows another workflow. It is not currently possible to supply access services to this content on ODPS without further technical development.

7.4 Other technical issues can also prevent planned access services being delivered on ODPS despite having been delivered on linear. One such example was our series Catastrophe. We have three series of 'Catastrophe', which first aired in 2015. We provided Audio Description for all three series for their linear broadcasts, and planned to do so for every series on All 4.com. However, due to a technical issue with newly developed and implemented technology AD was only available on All 4 for series three. This has since been rectified but it highlights the unpredictability which can occur as new technology is developed and implemented.

7.5 More broadly, whilst on-demand viewing has been growing in importance, particularly among younger audiences, linear still remains by far the most common form of viewing, with roughly 8% of our viewing hours watched on demand compared to 92% on linear. We have to bear this in mind when considering how best to invest resources in order to achieve greatest impact for viewers. Additionally, as the VoD market is rapidly evolving and is still in its early years, whereas linear is a mature market, with well-established technology, providing access services on linear is comparatively more straightforward and involves less risk in terms of resource.

7.6 As such it could prove problematic to put more stringent requirements on programmes which have previously been broadcast with access services. In fact, in some cases the obstacles to providing access services for ODPS may be so great that any obligation to do so for programmes broadcast with access services on linear could have the have the perverse effect of disincentivising the provision of access services on linear or pushing providers to remove their services from platforms. In time technology will improve and the VoD market will reach maturity and at this point it could make sense to mandate that content which is broadcast with access services on linear should be provide with access services on demand. However we are not yet at that point.

7.7 All 4 has many programmes that are not broadcast on linear, including exclusive commissions and acquisitions. For example a large percentage of the 'Walter Presents' catalogue is only available

on All 4. We currently subtitle this programme content and Audio Describe a selection. As viewing habits evolve this content is of growing importance. However, any new requirements for access services on this content would impact upon the cost implications of acquiring new content and in some cases could impact upon our commercial and creative decisions. This has implications in terms of the market, in terms of our ability to compete with digital giants such as Netflix, and for viewers. As such, this VoD exclusive, non-broadcast, programming has to be taken into careful consideration when looking at the practicality of and rationale behind the regulation of access services on ODPS's.

Q8 Do you consider that ODPS programmes/services should be excluded from the full requirements on the grounds of audience size? If so, should there be different requirements for excluded programmes/services?

8.1 As we touch upon in 19.1, at present, the regulations for linear TV include exemptions on the basis of audience size with regards to BSL and allow channels to make alternative arrangements via a contribution to the BSLBT. This has worked well for linear.

8.2 Audience size is also one element of our considerations around audience benefit. With regards to platforms with a very low audience size, placing requirements these platforms would influence commercial decisions around providing content. It could prevent Channel 4 providing content to new platforms, or force us to withdraw content from existing platforms. This would have a negative commercial impact for these platforms and could stifle innovation and the development of the market.

8.3 As such, for regulations to be workable platform size would need to be considered both as a grounds for exclusion and as a relevant consideration when devising a phased approach.

Q9 Should the regulations impose different accessibility requirements on ODPS made available via certain platforms, and if so which?

9.1 Given the number of platforms and devices available on which ODPS can be watched, and the fact that most viewers now have multiple routes to VoD content, there is a strong argument for imposing different accessibility requirements on ODPS made available on certain platforms. Maximising efforts on a smaller number of platforms which are most used by viewers with hearing or visual impairments is likely to provide greatest benefit for these viewers.

9.2 The largest platforms and particularly those which are most used by sight or hearing impaired viewers should be prioritised. Those which are extremely small or are not priority platforms for access service users should be considered for exclusion or deprioritised. Viewers with sight or hearing impairments will usually research which platforms and devices are best suited to their needs, and as a result platforms and devices that have the best native accessibility features tend to be the most used and should therefore be a higher priority for the provision of Access Services. Regular reviews should be conducted by user and disability groups as the landscape is changing rapidly.

9.3 Current thinking is that platforms and devices that support iOS and Android (Dash) are the front runners for accessibility and are the most used by viewers with hearing or visual impairments. Big screen devices are also important to consider as many viewers are using smart televisions to watch

ODPS content in the home. However there are a large number of manufacturers which adds to difficulty and complexity of providing access services on these devices.

Q10 Do you have any views or information on appropriate and available means of measuring the audience impact of ODPS?

10.1 We have very limited means of measuring the impact of the provision of Access Services on our ODPS's. Whilst we are able to measure the number of views programme content has had on each platform along with the amount of hours of content available on each specific platform, we don't have tools to capture data that measures when Subtitles or Audio Description have been selected by the user.

10.2 In 2017 we ran an on air marketing campaign to ask viewers for feedback on our provision of access services, we received 1816 response. We have since used the results as a guide for the type of content that we select for both the provision of sign interpretation and Audio Description. We always welcome feedback from our viewers and suggestions as to how we can improve our access services provision. We respond to all viewers that contact Channel 4 regarding access services.

Q11 Are there particular types/genres of programming which should be excluded from requirements, or subject to reduced requirements, on the grounds of limited audience benefit?

11.1 When selecting which content to provide audio description and sign interpretation on, we use careful selection criteria to identify the most desired and uniquely Channel 4 content to make accessible. We listen to our viewers, we ask them what they want from us and we regularly engage with the disability groups to inform and review our processes. We are able to select a wide range of genres and continually push boundaries both internally and externally. There are however technical challenges related to some types of programming which mean the audience benefit is small. As such there may well be a case for excluding these types of programme from requirements.

11.2 For example, for certain types of programming, the processes involved in creating access services and the necessary timeframes can mean the benefit for audiences is only very limited. For linear 'live and late delivery programming' can only be broadcast with live scrolling subtitles, or if some advance work has been possible, block subtitles that are cued to air live. This is through a different workflow to that of pre-recorded programming which has pre-delivered subtitle files. For linear repeats and All 4 the subtitles need to be captured following broadcast and re-formatted. Ideally they should then be converted into blocks, edited for latency, speed and for inaccuracies. This process takes time, for example 'Sunday Brunch' typically arrives on All 4 24 hours after its linear transmission, but the subtitles will arrive after a further 48 hours due to the additional subtitling work and processing that is required. This has implications in terms of audience benefit, particularly for content that is only available for a limited time, is topical, or content that is predominantly watched live or very close to transmission.

11.3 Live programming that is strategically and topically important to be delivered to All 4 immediately following its live broadcast, for example The Formula 1 Grand Prix, follows another workflow. It is not currently possible to supply access services to this content for All 4 platforms

without further technical development. What's more, it is generally not possible to Audio Describe live programming without potentially major editorial compromises on the programmes audio tracks. Audio Description would have to be produced post broadcast and would take a great deal of time. This may have limited audience benefit if the programming was topical.

11.4 Similarly, content that is only on platforms for a short time period should be excluded on the basis of limited audience benefit. Channel 4 News, for example, is a live broadcast and is then only available on All 4 for 24 hours. If redelivered block subtitles were delivered they would only be available for a fraction of this time due to the re-processing challenges mentioned above. This would mean the benefit for the audience was minimal and far outweighed by the resource implications at present.

11.5 Channel 4 is committed to making our content accessible and inclusive. Were there no constraints, our ambition would be for our hearing and visually impaired viewers to have access to programming at the same time as everyone else and on the same range of platforms and devices. However as the VoD market is still relatively young and continues to evolve, and as there are such a wide range of specifications and requirements for developing and delivering access services at present we are not in a position to achieve this. However as technology improves and the market reaches maturity we will continue to raise the bar on access services and we are optimistic about what we can achieve in the future.

Q12 Do you consider that ODPS programmes/services should be excluded from the full requirements on the grounds of affordability? If so, should there be different requirements for excluded programmes/services?

12.1 [X]. Additionally there are annual delivery costs for providing Access Services to each platform from our Access Services provider. The more platforms content is available on, the higher the delivery costs. As such, to be workable regulation would need to be limited to a defined list of platforms, and as the VoD market is still a fast moving landscape that list would have to be reviewed regularly.

12.2 Any requirements must also consider the sunk costs of development which becomes redundant. For example, part of our technical development budget was spent on work to provide subtitles on All 4 Freesat content. Channel 4 no longer supports or delivers content to this platform. As different platforms have such different specifications development work is quite specific rather than providing cumulative benefit, and as the market is in flux, allocating development funding requires a degree of speculation about its future direction.

12.3 There are also innovations that may be achievable as a one off, or on occasion, but may not be financially viable on a regular basis. As such, affordability in one instance should not be taken to indicate affordability more broadly. For example, during Rio 2016 Channel 4 provided an additional 10 live streams of Paralympic content. [X]

12.4 Channel 4 is in the process of acquiring 600 hours of content exclusive to All 4, not to be shown on linear. [X]. Access services costs have an impact on the financial viability of acquiring content and regulation could restrict the amount of new content sent to All 4 and other ODPS. This in turn

has implications for our ability to compete alongside the US digital giants in an evolving digital market.

Q13 Do you have any view or information on appropriate and available means of quantifying the ODPS-specific revenue and costs associated with ODPS access services.

13.1 As the Channel 4 sales team trades the majority of its advertising assets together (C4 portfolio linear channels, 3rd party channels such as UKTV & BT, C4's VoD service All 4), it is challenging to precisely establish the relative value of the different assets. Nevertheless, the proportion of C4's advertising revenue that All 4 drives is likely to be broadly in line with the proportion of C4's total viewer hours that it represents. [X]. Given the relative proportion of viewing on linear and ODPS, and the high development costs involved in providing access services for ODPS we currently spend a disproportionately high amount on access services for ODPS relative to our spend on linear.

13.2 Any calculation of the costs associated with providing ODPS access services must include the following:

- Initial Development costs.
- On-going developments costs due to platform and device updates.
- Audio Description, subtitling and signing platform/device delivery costs.
- Contract Management Fees with the Access Services provider.
- The cost of maintaining both legacy and current video and DRM technology within individual platforms to support access services.
- The cost of creating the subtitles/AD/signing which varies depending on the type of content:
 - For broadcast programmes, repurposing costs for subtitles, AD and Signing.
 - Re-version costs for different programme edits for ODPS's.
 - Creation costs for All 4 exclusive programme content.

Q14 If you are an ODPS provider, do you have information on the likely costs involved in providing access services on your ODPS?

14.1 The largest cost with regards to providing access services for ODPS is the cost of development to make a platform able to receive access services from content providers. [X]

14.2 Additionally there are annual delivery and management costs for providing access services for each platform from our provider. The more platforms content is available on the higher the access service delivery costs.

14.3 There is also the cost of creating the access services. Where possible subtitle and audio description files are repurposed or re-versioned from linear for the VoD platforms. [X]

Q15 Do you consider that ODPS programmes/services should be excluded from the full requirements on the grounds of technical difficulty? If so, should there be different requirements for excluded programmes/services?

15.1 There are some programmes that are particularly technically challenging when it comes to delivering access services – for example foreign language dramas. These programmes are shown in their original language with burnt in subtitles. To Audio Describe foreign language content is more challenging but it is not insurmountable. The subtitles are read out by the commentator along with the traditional scripted Audio Description. It is more intensive to produce and typically takes 4 times longer per episode to create.

15.2 Likewise, as we set out in 1.9, one of our most popular programmes, Gogglebox, presents technical challenges as it is delivered so close to transmission, which makes audio describing this content before it first airs extremely challenging. However we saw this programming as a key priority so invested significant time and resource to overcome the technical challenges involved.

15.3 Both of these examples have had implications for our budget, and choosing to overcome technical challenges like these inevitably diverts resources from other, simpler projects. These are difficult decisions, but they reflect our belief that inclusion is about much more than the quantity of programmes available, and must consider the type, range and popularity of programming available with access services.

15.4 Whilst we are working hard to overcome technical challenges wherever possible there are some types of programming where that is simply not possible at present. In general, programmes that were broadcast live on linear should currently be excluded from regulation. They do not have Audio Description on their linear broadcast and factoring in the time it would take to create the Audio Description following transmission and their topical nature, which means VoD views fall very quickly the likely benefit does not justify the level of resource required. Where there are exceptions, ODPS providers should have the flexibility to choose to invest resources. Given the rate of technological change, this should be reviewed on a regular basis. Live programmes that are streamed should also be excluded from providing Audio Description. It is generally not possible to audio describe live programming without potentially major editorial compromises on the programmes audio tracks. Live streams on All 4 are still under technical development and the Audio Description would have to be produced post broadcast and would take a great deal of time. This may have limited audience benefit if the programming was topical.

15.5 There is also a question around the technical challenges involved in providing programmes and services to specific platforms and devices. To date Channel 4 has not found any individual platform or device so technically difficult to deliver services to that we would advocate their exclusion. However, it is difficult to answer this question when we are referring to a market that is still in a process of rapid change. As new platforms and devices spring up we cannot rule out instances where the degree of technical difficulty would be prohibitive. However at present it is not the complexity of a delivering a single programme or services but rather delivering programmes and services to a large number of different, technically difficult platforms and devices that presents the biggest challenge. Every one is highly complex and each platform and device requires very different technical solutions. Developing solutions requires resource, financing, time and a high level of technical expertise. The projects also have to sit alongside the Channels other high priority projects.

15.6 As touched upon in previous answers, achieving fair and equitable access to content does not necessarily require that everyone must be able to access every programme, on every platform, on

every device. And in the current context this is simply not a realistic goal. Rather inclusion may be more successfully achieved by a focus on the platforms and devices that access service users find most user friendly and are using in greatest number. Without regulation to compel platform providers and device manufacturers to standardise or limit the number of technical specifications it will be impossible for ODPS providers to deliver on every platform and device, so effective prioritisation will continue to be vital. Regulation must support effective prioritisation, not hinder it and not prohibit us from innovating. In recent years many of C4's successful, inclusive accessibility projects e.g. Open AD and Live signing on the Paralympics have not been driven by regulation but on innovation to provide the best service possible to all of our consumers.

Q16 Should regulations include quotas on percentages of programming available with access services? If so, what should the quotas be? If not, what other methods do you consider appropriate for the purpose of setting access requirements for ODPS?

16.1 As we have set out in previous answers, we believe quotas would be very difficult to implement in the current market due to the speed of change, the challenges around developing and implementing new technology, and the number of different factors involved in the successful provision of access services, many of which would be outside of the scope of regulation. Given all of these factors we believe quotas could actually hinder rather than drive progress on access services, forcing providers to prioritise the content which is quickest, easiest and 'safest' rather than resource heavy innovations which deliver greater benefit for viewers.

16.2 For quotas to be workable they would have to be limited to platforms over which the provider has full control – in the case of Channel 4 this would mean All4.com. However, even a focus on in-house platforms could still reduce flexibility and our ability to prioritise, take risks and push boundaries and we would question the value of such a quota at present.

Q17 Do you think that there should be a phased introduction of requirements? If so, please give details.

17.1 Given all of the complicated factors which we have set out above, a phased introduction of any requirements would be vital. Depending on the nature of requirements, those affected will need adequate time to evaluate their ability to meet the requirements and implement any necessary changes. Without necessary time to adjust perverse consequences are more likely.

17.2 As we have set out, new technological development can be a lengthy process with many set-backs and any timeframes will need to reflect that. As the market will continue to change, requirements will need to be reviewed regularly, including during any period of phased introduction.

Q18 Do you think that the introduction of requirements should prioritise particular types of ODPS programmes or services?

18.1 Yes. As set out in previous answers, the introduction of any requirements must be done in a way that supports providers in prioritising the programmes and services which will have most impact for visually and hearing impaired audiences. Again this would have to be reviewed regularly due to changes in the market.

Q19 Should ODPS providers be able to propose alternative arrangements, and if so what type of arrangements?

19.1 At present alternative arrangements are in place for linear broadcasters in relation to access service quotas. Channels with an audience share between 0.5% and 1% can choose either to broadcast programmes presented in sign-language or to pay an annual fee to the BSLBT. Channel 4 has such an arrangement for 4Seven, Film 4 and More 4 [8]. Channel 4 supports the BSLBT's objective of promoting social inclusion among the deaf community through the provision of sign presented content.

[8]

Q20 Do you have any other comments or information you wish to share in relation to the drafting of regulations on ODPS accessibility?

No.

ENDS APRIL 2018