

Communications Consumer Panel response to Ofcom's consultation: The quality of live subtitling

Introduction

1. The Communications Consumer Panel ('the Panel') welcomes this opportunity to respond to this important consultation on the quality of live subtitling.
2. The CCP is an independent group of experts established under the Communications Act 2003. Its role is to provide advice to Ofcom to ensure that the interests of consumers, including small businesses, are central to regulatory decisions. The Panel also provides advice to Government and champions consumers' communications interests with industry. The Panel has members representing the interests of consumers in Scotland, Wales, Northern Ireland and England.
3. With the recent alignment of the Advisory Committee for Older and Disabled People with the Panel, the Panel is more alert than ever to the interests of disabled consumers and Ofcom's role in protecting and furthering these interests.

Consultation

4. The Panel believes that all consumers regardless of disability have a right to be able to enjoy television. Subtitling of TV is a key tool that enables deaf and hard of hearing people to experience and understand television, and the quality of this subtitling is therefore extremely important as well as also bringing benefits to other viewers who use subtitles to improve their access on a temporary basis. On a broad level the Panel welcomes any proposal that has the intention of improving the quality of subtitles.
5. The wide variety of live broadcasts presents particularly difficult challenges and problems for subtitling and the Panel is pleased that Ofcom has brought forward these proposals to establish the standard of live subtitling and keep these under review.
6. The Panel has been supportive of the great strides that Ofcom, broadcasters and subtitling providers have made since 2004. Since the publication of Ofcom's Code on Television Access Services the proportion of programmes providing subtitles has increased from 10% to 70% with over 70 channels having some subtitling. This is a huge change in a relatively short period of time and we hope, and would encourage Ofcom to ensure, that this improvement continues in the coming years. Given this significant increase, the Panel is pleased that Ofcom's focus has moved to improving the quality of subtitling.
7. In most instances greater consumer information, increases the ability of the consumer to make informed choices about what products and services to take. Subtitling and other television access services are however different - there is no choice for consumers if they want to watch a programme and the subtitling is

below standard - apart from watching another channel. As such the publication of data on the quality and speed of subtitling, while being welcome, is only of use to viewers insofar as it will add weight and substantive evidence to individual experience. It will be of most use to Ofcom and to those with interest in the accessibility of television, such as organisations of deaf and hard of hearing people and consumer groups. Having more and better quality information will allow these organisations to engage more effectively with Ofcom, broadcasters and production companies.

8. It is difficult, for the reasons discussed above for viewers to use their informed choice to put pressure on channels to improve subtitling, through not watching the channel. It is particularly important, therefore, that there should be effective means for consumers to report problems with subtitles and to receive responses to complaints, particularly for those who are deaf or hard of hearing. Failures can occur at a number of stages in the processes of broadcasting and reception, so consideration should be given to developing such a process.
9. With this in mind, the Panel believes that it falls to Ofcom to not only encourage broadcasters to improve the quality of subtitles, especially of live broadcasts, but to provide targets and take action where they fail to meet these targets. The proposals set out in the consultation are a good first step towards improving the quality and speed of subtitles and we hope that they will encourage broadcasters and production companies make improvements. However, we believe that Ofcom should be prepared for where this 'light touch' approach does not work and a more prescriptive approach may be appropriate. We understand the argument for not setting quality targets - that is, that not enough is known about what would reasonably be achievable. However, we do not accept this argument as sufficient grounds for not setting targets of some sort - if for no other reason than to establish a base line for the future. So while we understand that measurements of quality are complex, we believe that ambitious targets with penalties for failure to reach these targets should nonetheless be considered. The provision of information in itself is, of course, to be welcomed, but only as a means to giving greater clarity on where further regulation is required.
10. The Panel considers that if the quality of subtitles is to be improved then pressure needs to be brought to bear on all the components of the programming supply chain, not just on broadcasters. The Panel has some sympathy with broadcasters who receive programming shortly before broadcast and are then unable to provide subtitles of sufficient quality, and it welcomes the proposal to publish information on late delivered programmes. That said, broadcasters, should not use this as an excuse; they need to ensure that their processes are as efficient as possible in handling broadcasts, so that sufficient time is allowed to produce subtitles of sufficient quality. It is important therefore for Ofcom to ensure that the information they are publishing is given sufficient publicity to become an issue of great importance for the broadcasters. They will then be encouraged to make improvements to their processes and put pressure on their production partners to provide programmes in good time.
11. The Panel believes that consumers with accessibility issues should not have to be content with a service that is not the equal of the service enjoyed by other viewers. The Panel therefore welcomes the proposals to publish data on the delay

between subtitles and speech, which we hope will encourage broadcasters to increase the speed of their subtitles. The enjoyment of a television programme is extremely diminished if the viewer has to read what was happening in a previous scene, whilst looking at pictures from a more current scene or item. We are not, however, particularly encouraged by Ofcom's suggestion that broadcasters could delay live broadcasts, to increase the accuracy of subtitles. 'Live' should mean live; delaying a programme, for all viewers, we believe would both take away from the immediacy of a live event and increase the negative associations and impressions that people have of consumers with accessibility issues. The Panel would suggest that further research into how to improve the quality of live subtitling should be carried out before a delay in the broadcast of 'live' programming should be considered.

12. It is important to acknowledge that the production of subtitles and ensuring that they are of sufficient quality is something that requires coordination amongst many parties. We would encourage Ofcom to keep up pressure on all aspects of this supply chain, including those companies who produce television receivers - which can affect the quality of the subtitles so much.
13. Whilst the Panel understands that subtitling is important to many viewers, it should not be pursued to the exclusion of others forms of assistance that make television more accessible. Audio description has a long way to go before it reaches the levels of penetration and awareness of subtitling and, to those who use it, it is just as essential.
14. With video on demand becoming an increasingly significant component of consumer's viewing habits, it's important that when attempting to improve the viewing experience of consumers with accessibility issues, we do not forget 'television like' services delivered through the internet. The Panel would welcome further engagement between Ofcom and ATVOD to encourage broadcasters, producers and video providers, to improve both subtitles and audio description for video on demand services.

Conclusion

15. The Panel feels that the proposals set out in the consultation are a good first step to ensuring that the quality of subtitles improves. It questions the efficacy of publishing statistics on subtitles, but welcomes this move as a tool to inform further measures. Indeed the proposals in the paper should be able to provide the information that informs future more proactive proposals to ensure that subtitles are the best they can be.
16. Ofcom should remember that subtitles are part of a much broader range of tools available to broadcasters to ensure that all people, regardless of the quality of their senses, are able to enjoy television programmes. Subtitles, audio description and signing are the most important but of almost the same importance is ensuring the programmes themselves are made to accommodate all viewers. Clarity of language, repetition of key contact details and a reduction in background noise will all ensure that programmes are enjoyed by everybody.