

Cover sheet for response to an Ofcom consultation

BASIC DETAILS

Consultation title: Changes to General Conditions and Universal Service Conditions

To (Ofcom contact): Selina Chadha

Name of respondent: Ross Trotter

Representing (self or organisation/s): TAG

Address (if not received by email):

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Nothing

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Name Ross Trotter

Signed (if hard copy)

Changes to General Conditions and Universal Service Conditions – Ofcom consultation

Response from TAG

1. TAG welcomes the opportunity to respond to the Ofcom consultation of Changes to General Conditions and Universal Service Conditions. TAG is a consortium of national and regional organisations for deaf people in the UK and promotes equality of access to electronic communications, including telecommunications and broadcasting, for deaf, deafened, hard-of-hearing, deafblind people and sign language users. In this response the word “deaf” will be used to cover the complete range of hearing loss unless otherwise specified.
2. TAG understands that Ofcom intends to publish a separate consultation document on the future of relay services for deaf people and a further consultation on changes required for General Condition 15 generally. TAG is greatly concerned that this piecemeal approach separates issues that should be discussed together, and further delays the implementation of urgently needed solutions that have been required for many years in order to provide equality of access to relay services and services for disabled customers. TAG urges Ofcom to publish these further consultations with the minimum of delay and to implement much needed reform in the shortest possible timescale.
3. TAG agrees that the trial of the Emergency SMS service has been a success, and that it is a useful addition to the range of services that are available. Safeguarding its continuance for the future is obviously essential. TAG’s response to the part of question 6 that says “Do you agree with our proposals...to mandate the provision of emergency SMS?” is therefore that we agree. However, we wish to make it very clear that we do not agree with the part of question 6 that implies that this action will “ensure equivalent access to the emergency services for disabled users”, and that we regard the inclusion of those words as part of the question posed as incorrect and unhelpful.
4. While Emergency SMS is a valuable service for some people it does not, by itself, create functionally equivalent access, as that requires a real time dialogue between the user and the emergency services which a store and forward service such as SMS cannot provide. Nor does it meet the needs of all deaf people, especially those whose first language is sign language. It is therefore imperative that video access to the emergency services for sign language users is made available as soon as possible, and this is yet another reason why the delay in consulting on and implementing modernized relay services, including video relay, is not acceptable. We note that the consultation document itself admits in paragraph 8.7 that access to IP relay from a smartphone would deliver greater functional equivalence than Emergency SMS, and TAG completely agrees with that statement. IP relay access would allow both video relay and captioned relay from mobile handsets and only in this way can a real time dialogue, which is the essential feature of equivalence, be achieved.

5. In TAG's opinion the delay in consideration of these issues is not acceptable. Mandating the provision of an Emergency SMS service should be one element of the review of General Condition 15, and this review should have been carried out as part of the current consultation and not delayed to a later date, which will also delay implementation of much needed improvements. To imply by the wording of question 6 that mandating of Emergency SMS will ensure equivalent access is misleading and wrong.
6. TAG notes the proposal is to mandate access to the Emergency SMS service by both 999 and 112, and agrees that if the service is to be equivalent to that available for hearing people this is necessary. TAG's understanding is that SMS Emergency access via 112 is not currently available from all providers. If this proposal is carried forward TAG believes it must be widely advertised.
7. TAG notes that the Emergency SMS service will remain a registration service, and we understand the reasons for this. However, we are concerned about the availability of the service to deaf visitors to this country, especially with the Olympics taking place in London in 2012. We note that paragraph 8.10 states that prepaid SIMs are available at airports and retailers, which would allow foreign visitors to buy one and register it, but TAG is not convinced this is widely known. We therefore believe that there must be considerable publicity to raise awareness both here and in other countries. Obviously deaf organizations have a part to play in this, but TAG considers Ofcom must require mobile providers to publicise this as widely as possible, and that Ofcom must also do so itself. Just as obviously availability to foreign visitors is another reason for mandating access via 112 as well as 999, since the former is the single European emergency call number.
8. In response to question 7 TAG strongly feels that this scheme should be extended to 116 numbers for schemes of social value, especially where the child helpline service is concerned. Deaf children may not be able to contact the service by other means, especially if the only access to a phone via Text Relay is in a location where they are at risk. SMS access to 116111 would also allow deaf children to make a helpline call with greater privacy, which may be essential if they are in a situation where they are at risk. Also children in the present day tend to prefer to use mobile communication. For all these reasons TAG does not agree that the measures already in place are sufficient and believes that amendments to GC 15 are needed to allow SMS access to 116 numbers, especially for child helpline services.
9. The current consultation does not address the meaning of "equivalence" as it relates to services for deaf and disabled people apart from the rather cursory mention in paragraphs 8.29-8.34. We have already expressed our concern on splitting issues that should be considered together into three separate consultations. A full discussion of the meaning of equivalence is

essential in this context, because the definition of this term will be crucial to any decisions taken on future relay services as well as any changes to GC 15 generally. It therefore should be considered at the start, rather than at the end, of the process. TAG will need to return to the question of “equivalence” when we respond to the consultation on relay services.

10. This response has concentrated on Section 8 of the consultation document. TAG has no comments to make on other sections. We would however reiterate our view that other aspects of General Condition 15, including relay services and the definition of equivalence, should have been considered together. TAG is greatly concerned that splitting consideration of these issues in this way will further delay the implementation of urgently needed improvements which are required to give deaf people equality of access.

April 2011

TAG's members are: British Deaf Association (Sign Community), Deaf Connections, Deafness Support Network, DeafPLUS,, Hearing Link, National Association of Deafened People (NADP), Royal Association for Deaf People (RAD), RNID, Sense. Other, non-voting, individuals are co-opted onto TAG because of their particular expertise.