

Ofcom may publish a response summary:

Yes

I confirm that I have read the declaration:

Yes

Additional comments:

Hearing Link is a national charity with the aim of enabling people with acquired hearing loss to participate fully in society. It is estimated that there are around 9 million hearing impaired people in the UK with, in addition, an extensive network of families, friends and work/education colleagues. Approximately 4 million have hearing loss severe enough to benefit from hearing aids, and of these around 2 million are hearing aid users. They include all age groups and although most will be older, younger working people are also involved. They include those whose hearing loss arose gradually over a period of years as well as those who sustained a sudden hearing loss. In this response, we use the term "hearing impaired" to cover this wide range of people.

In the context of telecommunications, most of these people communicate using speech and their residual hearing (whether aided or not), although those with profound hearing loss often require some form of support.

The Telecommunications Working Group of Hearing Link deals with access to telecommunications and broadcasting issues for people with acquired hearing loss. We have already responded to the Ofcom consultation on Proposals for access services on non-domestic channels in July 2012 and we welcome the opportunity to respond to this consultation.

Question 1: Do consultees agree with the proposal to require broadcasters to measure and report every six months on the average speed of live subtitling in a variety of programmes, based on a sample of segments selected by Ofcom? :

We agree. We believe that it is important to have a transparent method to measure speed that is used consistently by all broadcasters, so that meaningful comparisons can be made. We would also like to see broadcasters encouraged to develop ways in which to engage with viewers to obtain immediate feedback given the nature of live subtitling.

Question 2: Do consultees consider that broadcasters should be asked to report separately on different types of live programming? If so, do they agree with the suggestions in paragraph 6.19, or would they suggest different categorisations, and if so, why?:

We agree and would also like to see subtitling of live voice overs, for example during the closing credits of a broadcast, being included.

We also agree with the proposal in 6.18 to treat news items separately from other items such as chat shows recognising the importance of accurate information being provided on new

items, whilst with light entertainment the priority may be more around the speed and keeping up with the program.

Question 3: Do consultees consider that the guidance on subtitling speeds should be reviewed? Do consultees agree that, for the time being, it would not be appropriate to set a maximum target for the speed of live subtitling? If not, please explain why.:

We have concerns about the problems faced by some deaf viewers when speeds exceed 200 wpm. However, a regulatory cap would seem impracticable and we agree with Ofcom's conclusion that a maximum target is not appropriate at this stage.

Question 4: Do consultees agree that it would not be appropriate at this stage to set a maximum target for latency? If not, please explain why.:

We agree that it is probably best to obtain more information on what is actually possible and to review the guidance in the Code on Television Access services.

Question 5: Do consultees agree with the proposal to require broadcasters to measure and report every six months on error rates, on the basis of excerpts selected by Ofcom from a range of programmes?:

We agree. We also agree with the proposal to require reporting on serious errors as well as gross error rates. We are keen to understand in more detail what action could be possible in the event of consistently high error rates by broadcasters.

Question 6: Do consultees have any views on the advantages and disadvantages of scrolling versus block subtitles for live-subtitled programmes? Taking account of both the advantages and disadvantages, which approach would consultees prefer, and why?:

The consensus on several fronts seems to be that block subtitles are best. However, the example of scrolling subtitles in the consultation Vimeo is such a bad example of subtitling that one cannot ascertain whether it might be better or worse. We believe that further work is needed in this area.

Question 7: What are the factors that might facilitate or hinder the insertion of a delay in live transmissions sufficient to improve the quality of subtitling? Ofcom would particularly welcome the views of broadcasters on this question.:

We are not in a position to comment on any technical reasons for or against the insertion of a delay. However, we can see every advantage for inserting a delay from the point of view of hearing impaired viewers.

As well as the observation (6.44) that a Dutch broadcaster considers delays of the order of 20secs to be acceptable, we note that BBC guidelines include the following:

There may be very rare occasions when the BBC as the host broadcaster of an event does not have a say in the choice of acts, their running order or the material to be performed. When

such constraints apply and we identify a significant risk, for example in the case of a high profile live event featuring particular performers or bands known for their use of strong language, then unusually we may need to consider whether it is appropriate to implement a short delay to allow time to dip strong language when broadcast pre-Watershed or when children are particularly likely to be in our radio audience.

This indicates that not only are delays feasible, but that they do occur in practice. If access service providers consider that a delay of up to 20 secs. would improve the quality of live subtitling then we suggest that Ofcom consider this as a requirement. We see no reason why even longer delays should not be allowed if the broadcaster or service provider consider such a delay would offer better synchronisation of subtitles with speech due to the delay of video/audio streaming.

On a very practical level, as far as viewers are concerned, we see no reason why live entertainment such as chat shows should not be subject to even longer delays in transmission if this would improve subtitling quality. After all, viewers are used to various forms of advertising between items so we are never sure of the actual time of transmission.