

## High Level Summary of Meeting with BSL Users – 09/09/2014

On Tuesday 9 September 2014, Ofcom held the second of two sessions for Deaf British Sign Language (BSL) users to express their views on the review of the signing arrangements applying to low audience channels.<sup>1</sup>

Currently, channels required to provide access services – and having an average audience share between 0.05% and 1% - must meet their signing obligations by:

- either showing 30 minutes per month of sign-presented programming, or
- by contributing a fixed annual contribution not smaller than £20,000 to an “alternative signing arrangement” approved by Ofcom.

At present, the vast majority of relevant channels contribute to the British Sign Language Broadcasting Trust (BSLBT), which in turn commissions sign-presented programming to be shown four times a week on Film4 and on the Community Channel.

In a consultation published on July 22, Ofcom sought views on possible increases in the signing requirements for these channels, both in terms of the monthly amount of sign-presented programming that they would need to show, and in terms of the contribution to alternative arrangements.<sup>2</sup> At the second of the two sessions, we asked attendees their views on the questions asked in the consultation. Three main themes emerged, which are relevant to this review.

### Preference for higher quotas for sign-presented programming

All of the attendees wanted relevant channels to be required to show a greater quantity of sign-presented programmes; the view generally was that 30 minutes per month is not enough. Furthermore, several attendees thought that the proposed maximum required of 75 minutes is too little, particularly as it would take any new channel reach that level after 10 years. In the view of one representative of a Deaf charity, the monthly amount of sign-presented programmes that relevant channels should be required to provide at the 10<sup>th</sup> anniversary of their relevant date should be 2 hours, if not more. Another attendee thought that the simplest way increase the signing obligations for low-audience channels is for these to follow the same framework as for subtitling and audio description.

Several attendees noted that since 2009 – when the current signing arrangements came into force – the provision of signing on low audience channels has remained the same, while the provision of subtitling has increased significantly. They would like Deaf BSL users to be treated equally to other access services users, who have seen an increase in accessibility of television.

Some attendees said that, even though they appreciate the diversity and quality of the programmes commissioned by the BSLBT, Ofcom should take steps to ensure that this variety is maintained if not enhanced. Concern was expressed that the pre-watershed slots for BSLBT programming constrained the ability of producers to properly reflect the reality of the Deaf community. A representative of a Deaf group suggested that Ofcom set quality criteria other than quantitative requirements with respect to sign presentation.

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<sup>1</sup> A list of participants is annexed to this summary.

<sup>2</sup> More details on the analysis leading to our proposals and on the proposals themselves can be found in our consultation document at the following link <http://stakeholders.ofcom.org.uk/consultations/review-signing-arrangements-tv/>.

The increase in sign interpretation that has taken place over the past 10 years has not benefitted Deaf BSL users, according to several attendees, who lamented the poor quality of sign interpretation on television. While sign-interpreted news bulletins are still very important for BSL users, in the view of one attendee the vast majority of Deaf BSL users prefer sign presentation to sign interpretation.

### **Preference for higher contributions towards alternative arrangements**

It was the view of all the participants that qualifying channels who chose to contribute to alternative arrangements were not being asked to pay enough, and as a consequence, there were insufficient resources to fund a reasonable variety and quality of sign-presented programming. Several attendees argued that this is because the value of the contributions has decreased in real terms since 2007 – when it the level was first set – due to increases in costs of producing sign-presented programming.

One attendee told us that, while the sign-presentation requirements should be raised, provisions should be made by Ofcom to ensure that the resulting increases in costs faced by broadcasters do not affect the provision of other types of access services. It was noted, however, that the estimates provided in the consultation paper indicate that there would only be a very limited impact on access services provision overall.

### **What should be the basis for the contribution to alternative arrangements?**

Attendees agreed that it would not be appropriate to use cost data from the BBC and ITV to set the contribution level, as these are two large broadcasters, with different audiences and different cost structures from the typical small-scale producer of sign-presented programming which the BSLBT commissions. Attendees also agreed that it would be inappropriate to compare the cost of producing sign interpretation and the costs of making sign-presented programmes. However, some attendees doubted the appropriateness of the methodology used by Ofcom to determine the contribution to alternative signing arrangements.

A representative of a Deaf group argued that producing sign-presented programming is comparable to producing 'mainstream' programming, and that therefore a good basis for the contribution level would be an assessment of the average production cost, factoring in the additional costs related to the use of BSL. Ofcom invited participants to submit any alternative suggestions in writing.

Ofcom concluded by undertaking to circulate a high level summary of comments from those present, and by asking for written submissions as well where possible.

### **Annex – List of Participants**

Peter Bourton	Head of TV Content Policy, Ofcom
Tanvir Ahmed	Action on Hearing Loss
Austin Reeves	Coventry Deaf Club
Joel Kelhoffer	Scottish Council on Deafness
Jean St Clair	Fingersmiths Theatre Company
Sam Calder	Healthy Deaf Minds
Ted Evans	London Deaf Cinema Group
Francis Murphy	Newcastle upon Tyne Deaf Club

Also attending

Jack Genovese	Content Policy Associate, Ofcom
Naomi Cherubin	BSL interpreter
Marie Webb Stevens	BSL interpreter
Ruth Griffiths	CEO, British Sign Language Broadcasting Trust