Remark!'s Response to Ofcom's review of signing arrangements for relevant TV Channels

Q1. *Do you agree that it would be appropriate to increase the minimum contributions to alternative signing arrangements to bring them back to the 2007 level in real terms, and to make annual adjustments for inflation thereafter? If not, why not?*

Yes, we believe that it is appropriate to increase the minimum contribution in line with inflation to bring value back to the 2007 level in real terms. We also support the idea of annual inflation adjustments which would replace the need for regular consultations.

Q2. *Do you agree that it would not be appropriate to base adjustments to the minimum level of contributions to alternative arrangements on comparisons with the costs of existing sign-presented programmes, or with general TV production costs? If not, why not?*

Yes we agree. We feel that there is a compelling argument for looking at comparable costs within sign presented TV as stated in 3.7; however we agree that the data sample would be small. Nonetheless we would be happy to provide evidence of how comparable costs have changed for future research, or as anecdotal evidence.

We agree that the data solely from sign presented commissions from indies and/or from BBC/ITV productions would not be suitable as per the reasons highlighted in 3.8 and 3.9.

We feel that the approach considered in 3.10 has merit and we would suggest that the cost structures of sign presented programmes do not differ too much from mainstream programmes. The differences highlighted in 3.10 are assertions based on research we have not seen and which we would be most interested in reading. However, we accept due to the lack of research available to Ofcom regarding the structural differences in cost that this approach is unsuitable for this Review. We would be happy to provide support in any future research into this area.

Q3. *Do you agree that it would be appropriate to make annual adjustments to the minimum contributions to alternative arrangements in line with the Consumer Price Index, and to make consequential change to the Guidance, as set out in Annex 4? If not, why not?*

Yes, we support the use of CPI and consequential change to the guidance.

Q4. *Do you consider that minimum signing requirements for relevant channels should remain fixed at 30 minutes a month or should rise progressively over a ten year period to 75 minutes a month? If the latter, do you agree that consequential changes should be made to the Code, as set out in Annex 4? Please explain the reasons for your preference.*

We feel very strongly that the minimum requirements for signing obligations should rise progressively to 75 minutes a month. We feel that signing obligations should be treated in the same manner as subtitling, AD, and for channels with more than 1% audience share. As subtitling has risen from 10% to 80% and audio description has risen from 2% to 10% we believe there should be a staggered increase in the provision of signing.

We are aware of the issues highlighted in 4.6; however we would like to see the claim that signed programmes are unpopular with non sign language users substantiated.

We feel that 4.7 (a) (b) and (c) are compelling arguments which demonstrate the need for an increased signed output. As stated earlier it is not just to see the provisions elsewhere rise whilst signing obligations stay at the current figure. The figures clearly show that an increased requirement would not be financially onerous on relevant channels as they have seen revenue rise by 112%. Whilst we are not suggesting that a 112% increase in revenues should mean a 112% increase in provision, we are adamant that there should be at least a rise in provision given that the main rationale for not providing access services was cost owing to the adverse economic conditions at the time of the report.

The steps proposed in 4.8 allow Ofcom to increase the amount sign presented programming without having a significant effect on the Channels.

Q5. *Do you consider that the transitional arrangements set out in Figure 4 would be appropriate if relevant channels are made subject to rising obligations? If so, do you agree that consequential changes should be made to the Code, as set out in Annex 4?*

Yes, we agree that the transitional arrangements are appropriate if the relevant channels are subject to rising obligations and that the changes to the Code set out in Annex 4 are appropriate.

Q6. *Do you consider that minimum contributions by relevant channels to alternative requirements should remain fixed at £20,000 a year (adjusted for inflation) or should rise progressively over a ten year period to £50,000 a year (also adjusted for inflation)? Please explain the reasons for your preference.*

We suggest that the minimum contributions should rise progressively over ten years to £60,000 (adjusted for inflation) as set out in section 4 and not £50,000 as mentioned in Q6.

As a company who work closely with BSLBT we wholly agree with 3.4 that the resources available for producing sign presented programmes have reduced, which has had a detrimental effect on the number and the scope of sign presented TV productions. By increasing the value of the minimum contributions we would see an increase in quality and quantity as stated in 4.31. It is just to see the amount of sign presented programming delivered by BSLBT increase, given the statutory increases in both AD and subtitles.

A progressive increase in contributions would not have a detrimental impact on channels as figure 8 clearly shows that the costs of these increases would not breach the 1% of relevant turnover cap.

Whilst we welcome the prospect of contributions increasing over a ten year period based on the proposals set out in section 4, we ask if there has been any consideration given to linking minimum contributions directly to relevant turnover? Is there a case to argue that relevant channel's minimum contribution should be a percentage of their relevant turnover?

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