

CHANNEL 4 RESPONSE TO THE 2009 REVIEW OF TELEVISION ACCESS SERVICES

Introduction

Channel 4 welcomes the opportunity to respond to Ofcom's 2009 Review of Television Access Services.

Channel 4 is committed to diversity across all its activities: diversity lies at the heart of Channel 4's public service remit. Catering to the needs and interests of disabled people forms a part of this. Channel 4 actively seeks to represent people with disabilities on screen – such as in the upcoming landmark programme *Cast Offs* which was written by a team of three writers, two of them disabled, and features six disabled actors in lead roles – as well as providing career development and employment opportunities for disabled people off screen.

Alongside this, Channel 4 is committed to making our programmes accessible to as wide a range of viewers as possible, including those with hearing and visual impairments. As such, Channel 4 takes seriously compliance with the access services obligations. Channel 4 meets – and in many cases exceeds – quotas relating to subtitling, audio description and signing across core Channel 4 and the digital channel portfolio. Where possible, Channel 4 aims to provide access services alongside programmes likely to provide most benefit to the relevant audience, and where they will be most easily accessible within the schedule. For example, subtitling is provided on the majority of Channel 4 programmes, with a particular emphasis in peak time; Channel 4 provides signing in identifiable, regular programme slots and audio description tends to be provided on programmes with strong narrative that best enhance the experience for the visually impaired audience, such as film and drama. Earlier this year, Channel 4 also introduced subtitling to a wide range of programmes on our on-demand service, 4oD.

Ofcom is required to conduct regular reviews of access services, with the last review conducted in 2006 to look at all forms of access services – subtitling, signing and audio description. While specific proposals have been raised in this review in relation to the RNIB-backed proposal to increase audio description quotas, we believe this would have been an opportunity to look more broadly across access service provision as a whole.

In recent years there have been rapid developments in the way in which programmes and content are accessed. Whilst recognising the legislative limitations to change the access service arrangements, we believe that it would be timely to begin to canvass the views of stakeholders about possible alternative means of delivering access services in future.

Question 1:

Do we need to re-examine the criteria for selecting TV channels required to provide access services?

Channel 4 agrees that the existing method for determining access service provision remains fit for purpose, taking into account as it does the audience share and turnover of channels. However, given the rapid changes taking place within the industry, both in terms of technological developments and the ongoing structural shifts brought about by digital migration, we believe it would be appropriate to keep

under review the thresholds (upper and lower) by which access service provision is determined.

Question 2:

Is there now a case for increasing audio description quotas?

Ofcom puts forward three options for future audio-description quotas:

- retain current quota levels of 10% in line with the Communications Act 2003 – the status quo
- recommend a phased increase to 20% for all qualifying channels between 2011 and 2015
- recommend a phased increase to 20% for PSB only channels

Channel 4 does not believe that an increase applying only to PSB channels would be appropriate. The Communications Act 2003 deliberately sought to extend access service provision across non-PSB channels, and as such access services are now provided on a much broader range of channels. As we approach completion of digital switchover and universal availability of digital channels, it would be a backward looking step to differentiate the provision of access services between PSB and non-PSB channels. The question therefore turns on whether to recommend an 'across the board' phased increase to 20%, or to retain the status quo of 10% audio description on all channels.

While recognising the important role that audio-description plays in making programmes more accessible and enjoyable to the visually impaired, Channel 4 believes that Ofcom's research findings are not conclusive that a rise in the quota would necessarily deliver increased awareness and usage of audio description.

Audience research

The proposal to increase the audio-description quota to 20% draws on Ofcom's research into awareness and usage of audio-description amongst the adult and visually impaired population.

Channel 4 agrees that awareness and usage are important means of assessing how effectively the access service quotas are working. In its previous review of access services in 2006, Ofcom concluded that 'awareness levels needed to grow in order to confer the maximum benefit of this service, before any increase in the quota should be considered' and that at the time levels of awareness did not warrant a quota increase. Channel 4 does not believe that it is clear from the latest research that awareness levels have increased sufficiently to warrant an increase in the quota.

Despite the high profile promotional campaign run by the broadcasters in 2008, which showed a short term spike in awareness, levels of awareness have dropped back significantly from a high of 77% to 50% awareness amongst the visually impaired as a whole and to 61% amongst those with a severe or profound visual impairment. This represents only a modest increase in awareness overall between the first and most recent surveys.

Moreover, it is not clear from the research that awareness of audio description necessarily translates into usage. While awareness has increased slightly,

there has been a fall in usage over the same period – in the latest survey 21% state that they have used audio description at least once, compared to 28% in survey 1 and well down on the 32% who reported using audio description in survey 2. There is a striking gap between awareness and usage – with over 20% of the severely or profoundly visually impaired aware of but not using audio description and some 30% of all visually impaired respondents aware of but not using the service.

As well as showing some support amongst the visually impaired for more programmes with audio-description (which we discuss below), the research also indicates that having more information about audio description and knowledge about *how* to access would also help drive awareness and usage. Among those aware of the service, 17% of respondents said they don't use audio description because they don't know how to access it. The research suggests that even among those with the necessary equipment, it is not always being used and awareness of its existence is, in some cases, low. Ofcom acknowledges the knowledge gap around *how* to access audio description is an issue that needs to be addressed, and we believe that this is an area that merits further exploration.

Under section 10 of the Communications Act Ofcom has powers to encourage ease of use of equipment by the widest possible range of people, including those with disabilities. Channel 4 suggests that Ofcom should look at whether there are ways of making audio description more easily accessible – such as handset and on-screen menu design – to address these issues around awareness of how to access audio-description.

Range of programmes

Channel 4's selection of programmes for audio description seeks to balance audience benefit with cost effectiveness. Audio-described programmes tend to be those with a strong narrative theme where the visually impaired audience is likely to benefit from additional commentary about unspoken on-screen action. And where possible we seek to maximise audience benefit by showing programmes with audio description at peak times. As such, a large proportion of audio described programmes provided by Channel 4 are drama and film. Recent titles have included *Scrubs*, *True Blood*, *Shameless*, *Friends* and a range of films shown both on the Film4 channel and Channel 4.

Ofcom's research suggests that usage might increase if 'more programmes' were audio described. However, it is not clear if this refers to an increase in the sheer volume of audio-description or an increase in the range of different programmes carrying audio-description. Looking across all channels, there is a tendency for programmes with a high repeat rate to carry audio-description; many of the channels that significantly over-deliver on the quota are those with high repeat rates. This in turn raises a question as to whether a rise in the quota level would necessarily deliver a substantial increase in the *range* of programmes provided with audio description. Indeed, it is possible that an increase in the quota (across broadcasters generally) might be delivered through repeated programmes rather than a significant change in the range of different programmes being audio-described.

Cost

Ofcom's estimates suggest that an across the board increase to 20% would cost broadcasters £2.78 million more than continuing with the current arrangements. For Channel 4, we estimate that a doubling of the quota to 20% would approximately

double the cost of audio description provision by 2015 compared to current annual costs, with a stepped rise in costs in each year. While this would represent an additional burden in the context of wider financial pressures, Channel 4 is of the view that in and of themselves the costs would not be prohibitive as long as the additional expenditure would achieve the desirable outcomes. Therefore, we do not believe that cost should be the determining factor in concluding whether an increase in the quota is appropriate. Rather, as set out above, the emphasis should be on further analysis to understand what would most effectively drive awareness and usage of audio description.

Question 3:

Should the current exemption from providing access services applied to channels targeting areas outside the UK should be re-examined in light of changing circumstances?

Channel 4 has no comment to make on this question.

Conclusion

Channel 4 is committed to making content as widely accessible as possible. However, any recommendation to increase the quota needs to be based on a assessment that looks in detail at audience research and examines a full range of potential drivers of awareness and usage. Given the inconclusiveness of the research in fully understanding the factors affecting awareness and usage, and what would best serve the needs of the visually impaired community, Channel 4 does not believe that it would be appropriate to recommend an increase in the quota levels at present. Our preferred option is therefore for the 10% quota to remain in place. Channel 4 would be willing to engage in further discussion with Ofcom about taking this forward.

At a broader level, while the current legislative framework relates only to the provision of access services on linear television channels, Channel 4 believes that it would be appropriate to begin some early thinking about ways in which digital technology might enable access services to be provided in future. Channel 4 has voluntarily begun to provide subtitling on our on-demand service 4oD; we have supported the launch of the British Sign Language Broadcasting Trust (BSLBT) and recognise the long-felt frustration about the inability to offer a 'closed' signing service. The new Audiovisual Media Services (AVMS) Directive is soon to come into force in UK law, and will encourage on-demand programme service providers to consider the interests of those with hearing and sight impairments. Ahead of any future changes to the legislative framework, Channel 4 believes that some early consideration of how new technologies might in future facilitate improved provision of access services would be beneficial to industry and viewers and would encourage open and imaginative thinking about these issues.

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