



Australian Communications
Consumer Action Network



Mr Chris Chapman
ACMA Chair
The ACMA
PO Box Q500
Queen Victoria Building NSW 1230

24 July 2012

Dear Mr Chapman

Broadcasting Services Act 1999: caption quality – next steps

The Australian Communications Consumer Action Network, Deaf Australia and the Deafness Forum of Australia commend the work that the ACMA has done in developing practical criteria for use when determining the validity of complaints about caption quality.

We believe that a commercial television broadcasting licence is a privileged, commercial right that comes with a strong obligation and responsibility to provide access to all Australians.

Australians expect that their digital televisions will display a good quality picture and have good quality sound. Likewise, consumers who rely on closed captioning now have a realistic expectation that the closed captions that are provided by commercial broadcasters in accordance with the *Broadcasting Services Act* actually enable them to access and understand the content.

As the ACMA assumes its new role regarding captioning, we would like to take the opportunity to outline what we believe to be some of the major concerns of viewers about caption quality on Australian television, and identify some issues which we feel warrant investigation by the ACMA.

Key recommendations

We believe the following recommendations will ensure Parliament's intent in the Act will be assured in the implementation of these new amendments.

- 1. The minimum benchmark for live closed captions must be current best practice or higher, i.e. Channel 7 'hybrid' model of pre-prepared closed captions with scrolling closed captions used only for live feeds.*
- 2. All systemic inaccuracies during live closed captions must be investigated by the ACMA. These investigations should be systemic rather than based on individual programs.*
- 3. The ACMA allowance of 10 second time lag during live closed captions must only be permitted in extraordinary circumstances. A consistent 10 second time lag will not provide quality live closed captions.*
- 4. The ACMA must undertake a community awareness program for new closed caption requirements and current complaints process.*

Live captioning of news programs – a priority issue

We are pleased to see that the 'Closed Captioning Quality Indicators' acknowledge that "Block captions are always preferable for consumers", and "Live closed captioning should be limited to when there is insufficient time to deliver block captions". Live scrolling captions (which appear on the screen one word at a time) are problematic for consumers for a number of reasons. More time must be spent reading them (with consequently less time left to look at the picture); they have a time lag (which can be significant) which is irksome to all viewers but particularly to people who have residual hearing or who lip read; and they are, of course, prone to errors. Concerns about caption quality among consumers are almost entirely focused on live and live scrolling captions. There are relatively few problems with pre-prepared block captions, which appear as one or two lines at a time, and these problems are generally related to transmission issues.

The last few years have seen a major shift in the way that most news bulletins are captioned on Australian television. In early 2005, the bulletins of Seven, Nine, Ten, the ABC and SBS were all captioned using what has been called the 'hybrid' method, a combination of pre-prepared block captions and live scrolling captions. Captioners were located at the stations and would as far as possible prepare captions from video footage and scripts. These captions – which could be fully edited and spell-checked – would then be keyed out as block captions as the program went to air, closely synced to the audio. Only the genuinely live elements of the bulletins would be done live (by stenocaptioners or captioners using speech recognition). With this method, it was often possible to provide pre-prepared block captions for an entire bulletin.

In late 2005, the ABC moved to a model where news bulletins (and other current affairs programs) were done entirely by stenocaptioners producing live scrolling captions. More recently, captioners at Nine, Ten and SBS have been moved out of the stations, and are now captioning bulletins entirely live, often using speech recognition (where they repeat each word of dialogue as the bulletin goes to air, with software converting this to scrolling captions). Only Seven's news continues to be captioned using the hybrid method which produces pre-prepared block captions as far as possible.

The result is a greater number of poor captions on programs which many Deaf and hearing impaired Australians, particularly those who are older and may not have access to the Internet, rely on for news.

This is the single biggest caption quality issue for caption consumers at the moment, and we believe that it warrants a thorough investigation by the ACMA. The 'Closed Captioning Quality Guidelines' state that "Live captioning should be limited to occasions when there is insufficient time to deliver block captions through pre-prepared captioning."

The Seven Network continues to demonstrate every day that there is time to prepare block captions for most if not all segments of a news bulletin. This should be the benchmark for quality.

Error rates

We are disappointed that the accuracy target of 98% was removed from the caption quality criteria, and concerned that the ACMA will not be able to make objective judgements about caption quality without benchmarks to work with. (We note that Canada recently set its benchmark at 95%). Despite the lack of an accuracy target, we expect the ACMA to make an adverse finding against a network where there are so many errors in a program's captions that they are incomprehensible.

Nevertheless, we believe that the simplest and most efficient way to improve caption quality on Australian television is to keep the amount of live scrolling captions to an absolute minimum (i.e. they should only be used when there is no time to prepare block captions).

With regard to error rates in live scrolling captions, we would note that, in addition to proper training, one of the factors that determines the quality of live captions is that captioners have adequate preparation time. This means they can research what they are about to caption, and set up names and phrases which are likely to occur in their captioning software so that they come up automatically, correctly spelled, with a few keystrokes.

When assessing complaints about live captioning, we urge the ACMA to take particular note of instances where names and terms are consistently garbled. This is an indication that captioners have not been allowed enough preparation time. We would expect the ACMA to investigate systemic failures like this, rather than always focussing on individual programs.

Time lag in live captions

We are concerned that the guidelines now state that "Broadcasters should target a time lag of between 3 and 10 seconds". Captions 10 seconds behind are so far out of sync with dialogue that they pose a real problem for the viewer. In news bulletins, for example, it means that captions at the end of one story will extend well into the following story (or, if the story is followed by a commercial break, the final captions are simply cut off).

We acknowledge that there are some circumstances beyond a live captioner's control, such as when people are speaking very quickly or over the top of each other, or when the subject matter is very difficult, which may justify a time lag of 10 seconds occasionally. However, we strongly believe that, while the guidelines identify up to 10 seconds as an acceptable target, if a program or programs on a network have live captions which are consistently lagging by 10 seconds or more, this does not constitute adequate quality.

Fast turnaround programs

In addition to the high levels of live scrolling captions in news bulletins, we are concerned with the number of other, non-news programs which are captioned live. We accept that turnaround times are tighter than in the past, with, for example some (though by no means all) new American programs now broadcast here very soon after being shown in America. However we believe that a significant factor in the increase of live captioning is that caption suppliers do not have as many staff on hand to pre-prepare block captions in short time frames as they did in the past. We believe that this is something that the ACMA needs to investigate.

We do not accept the argument, put forward by suppliers and broadcasters during recent caption quality meetings, that another reason for the increase in live captioning is the increase in the overall amounts of captioning broadcasters are required to provide. Caption suppliers in the UK and US routinely provide 100% captioning over 24 hours for numerous channels. If more captioning needs to be done, caption suppliers need to allocate more resources.

Timeliness of implementation of standards

It appears that the ACMA has up to 12 months after the passage of this amendment bill to formally introduce these captioning quality standards. We urge that the ACMA ensure that captioning quality standards are in place as soon as practicable.

Community education

The new regulatory regime has both subscription and free-to-air television incorporated into it for the first time, deals with quality and has some more complex rules related to repeat programming. With such significant changes, it is not feasible to expect the community to be educated by word of mouth. A proper program of consumer education should be undertaken, including:

- Community service announcements to explain the various changes to be played on TV stations and subscription channels that are carrying captioned programs.
- A national roadshow visiting at least capital cities giving a chance for people to meet face-to-face and ask questions about the new rules.
- One of the Citizen Conversation series should be themed around captioning.
- Social media presence on Facebook, Twitter.
- A new website or substantial section of the existing website.

The impact of these promotional initiatives should be tracked through research.

In conclusion, we look forward to the improvements in closed captions as a result of these new amendments to the BSA. We are keen to provide ongoing consultation with the ACMA to provide the best outcomes for consumers.

Yours sincerely

A handwritten signature in black ink that reads "Teresa Corbin". The signature is written in a cursive style with a prominent underline at the end.

Teresa Corbin
CEO
Australian Communications Consumer Action Network

A handwritten signature in black ink that reads "Karen Lloyd". The signature is written in a cursive style with a long, sweeping underline.

Karen Lloyd
Executive Officer
Deaf Australia

A handwritten signature in black ink that reads "Steve Williamson". The signature is written in a cursive style with a long, sweeping underline.

Steve Williamson
Chief Executive
The Deafness Forum of Australia