



19 November 2009

Stephanie Brook
Ofcom
Riverside House
2a Southwark Bridge Road
London
SE1 9HA

Dear Stephanie,

TV access services – response to consultation

The Communications Consumer Panel strongly supports the provision of TV access services and values the contribution that they make to enabling people with disabilities to participate in society.

In response to Ofcom’s consultation, we would like to comment on two issues: the threshold for the provision of access services in general; and the level of provision of audio description services.

In relation to the threshold for the provision of access services, we believe that if a fall in turnover results in the cost of providing access services exceeding one per cent of turnover, then this should not necessarily result in a channel ceasing to provide any access services. If a channel were to stop providing access services altogether this would lead to wasted investment in the infrastructure needed to provide the services and the discontinuity of these services for viewers. Therefore, we believe that where the cost of providing access services increases to over one per cent of turnover, Ofcom should require the channel in question to provide a more limited set of access services at a cost of up to one per cent. One way to do this would be to allow channels to provide one or two access services, but not all three.

In relation to the provision of audio description services, the Panel is mindful of the potential impact of increasing the level of regulation, particularly in the current economic climate. However, in our view, the likely impact of increasing the amount of audio description that channels must provide is not as great as might first appear. As a result – and taking into account the benefits to visually-impaired people that would accrue – the Panel supports an increase in the level of provision of audio description.

It is unfortunate that Ofcom has not been able to gather more detailed evidence about the take-up of audio description services because without knowing which channels people using audio description are watching, it is difficult to conclude on the basis of take-up alone whether it would be appropriate to select option 2 or 3. We note your assumption that the

viewing habits of visually-impaired people are the same as for the general population, but this may not be correct. People who are visually-impaired tend to be older than people who are not and therefore, may be more interested in watching public service broadcasting channels than the general population.

However, in our view the crucial consideration is that many broadcasters already exceed the requirement to audio describe ten per cent of transmission hours, with the channels required to provide access services providing an average of 18 per cent of hours transmitted. This calls into question whether you have chosen the right base case for considering the impact of an increased requirement to provide audio description. Arguably, the base case should be the average level of audio description that broadcasters currently provide. This would mean that the incremental cost of options 2 or 3 would be significantly lower, and for some channels it would not involve any significant additional burden. It appears that the additional burden would fall mainly on the PSB channels, who at the moment audio describe less than the average number of transmission hours. In the light of this, the Panel supports increasing the requirement to provide audio description to 20 per cent of transmission hours (including repeats) for all channels that are required to provide access services.

Prior to the next review, the Panel encourages Ofcom to gather further evidence about the take-up of audio description services across the different channels, perhaps by cross-checking Ofcom data with data held by other bodies, such as RNIB. This would mean that in the future Ofcom would be able to conduct a more rigorous assessment of whether the regulatory framework is striking the right balance between imposing costs on broadcasters and delivering audio description services on the channels that visually-impaired people are watching.

We also believe that broadcasters should do more to publicise audio description. They should be required to publicise audio description on an ongoing basis rather than carry out ad-hoc campaigns. Also, it would be desirable to promote specific programmes in advance.

We would be happy to arrange a meeting to discuss our response if that would be helpful.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Anna Bradley', with a large, stylized flourish at the end.

Anna Bradley
Chair