



Committee Secretary
Senate Standing Committees on Community Affairs
PO Box 6100
Parliament House
CANBERRA ACT 2600

By online submission

Dear Sir/Madam

The Australian Subscription Television and Radio Association (**ASTRA**) welcomes the opportunity to comment on the inquiry into the delivery of outcomes under the National Disability Strategy 2010-2020 to build inclusive and accessible communities (the **Inquiry**).

About ASTRA

ASTRA is the peak industry body for subscription media in Australia. ASTRA's membership includes the major subscription TV operators, as well as over 20 independently owned and operated entities that provide programming to these platforms, including Australian-based representatives of international media companies, small domestic channel groups and community-based organisations.

Our Response

ASTRA supports the Inquiry. Although we do not provide a detailed response, we do wish to highlight the significant achievements made by the subscription television sector in delivering captions on broadcast services and our continuing commitment to increasing closed captioning on these services. Critical to this commitment is a set of administrative reforms to the broadcast captioning framework that we and our members have been urging the Government to implement in consultation with relevant disability stakeholder groups. We strongly suggest this reform is necessary to achieve the key priorities of the National Disability Strategy 2010-2020 (the **Strategy**).

Closed Captioning in the STV Sector

The subscription television (**STV**) industry began closed captioning in 2004 with the launch of digital television. Foxtel and a number of third party channels committed to a 5 year captioning plan with the Australian Human Rights Commission (**AHRC**). This plan was further developed in 2009 and new commitments with increased captioning and additional channels were made to the AHRC in 2011. This plan remained in place up until 2015, and has now been superseded by the levels regulated under broadcasting law.

In 2012, the Government mandated set captioning levels in the *Broadcasting Services Act 1992* (Cth). This regulation commits the STV sector to ever-increasing captioning levels and sets a pathway to 100% captioning targets on all STV channels.

Closed Captioning Reform in Australia

ASTRA and its members remain committed to increasing captioning levels across their services. However, since the introduction of the STV captioning legislation in 2012, a number of operational issues with the framework, and technical and commercial problems have become apparent which necessitate the need for reform. The reform the STV sector is proposing has been discussed with hearing impaired stakeholder groups and, in most part, will deliver long-awaited benefits in terms of transparency and ease of use for deaf and hearing impaired users of subscription broadcast services.

ASTRA strongly believes that regulatory reform in this area is long overdue and is also a simple means of improving the performance of mainstream services for people with disability. Attached as **Annexure A** is a copy of the 2016 submission provided by ASTRA to the 2015 Department of Communications and the Arts captioning consultation. This submission outlines in greater detail ASTRA's overall position and legislative proposals.

ASTRA's members remain committed to providing quality and reliable closed captioning to their customers and promoting inclusion and accessibility for all Australians. Subscription TV licensees and channel providers spend a significant amount each year on captioning, currently providing captioning (at different levels) across over 80 channels, as well as demonstrating compliance with legislative requirements. However, the current regulatory framework for STV is inefficient and unnecessarily complex, leading to excessive compliance costs and arbitrary outcomes which do not necessarily benefit the caption user. There are a range of reforms which can be made which will greatly improve the framework without any detrimental impact on overall captioning levels.

Significantly, the current legislative requirements are different for STV and FTA TV channels and there are incongruously different approaches for STV and FTA multi-channels as FTA multi-channels escape substantive captioning obligations while STV channels are regulated for the same genres. This approach increases uncertainty and decreases transparency for audiences as to which programs are and are not captioned.

Closed Captioning and the National Disability Strategy

There are clear links between undertaking closed captioning reform as proposed by ASTRA and the aims and priorities of the Strategy.

Closed captioning regulation reform will increase the cohesiveness between the subscription TV and free TV closed captioning frameworks. The Strategy "seeks to create a more cohesive approach across all governments" (page 8). We argue that similarly – we are seeking a cohesive captioning strategy across all broadcast television service providers, which improves reliability and transparency for customers.

ASTRA believes that closed captioning and our proposed reforms are critical to the improved performance of mainstream services in delivering outcomes for people with a disability. In particular, our approach to this reform has ensured that those with hearing impairments were included in the development and implementation of the policy.

Finally, closed captioning is a key example of universal design that enables inclusive and accessible communities. We are confident that by undertaking closed captioning regulation

reform that the Australian government will assist in improving the accessibility of broadcasting in Australia and we urge this Inquiry to encourage the Government to act.

Thank you again for the opportunity to provide comment on the Final Report. If you have any queries in relation to the above, please contact Holly Brimble, Policy and Regulatory Manager

Yours sincerely

Andrew Maiden

CEO