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**Vision Australia Submission to the
Senate Standing Committee on Environment and
Communications Legislation**

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**Submission to: Joint Standing Committee on Environment and
Communications Legislation
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Introduction

Vision Australia welcomes the opportunity to submit comments to the Committee on the Australian Broadcasting Corporation Amendment (Rural and Regional Advocacy) Bill 2015. The ABC plays an important role in the lives of most Australians by providing them with news, entertainment and information. Yet people who are blind or have low vision, especially those in regional and rural areas, are not catered for by the ABC in the development and delivery of its television services. The result is that people who are blind or have low vision do not have access to television, unlike the rest of the community.

Using population data from the Australian Bureau of Statistics (ABS), Vision Australia has produced a Prevalence Model of blindness and low vision. This model estimates that there are about 357,000 people who are blind or have low vision in Australia. More than 100,000 of these people live in rural and regional areas.

People who are blind or have low vision and who live in rural or regional areas generally experience reduced access to services, and a greater degree of isolation. Public transport is often lacking or minimal, and without access to a car it can be difficult or impossible to participate in the life of the community. Television is an important medium for helping people to stay up-to-date with news and current affairs, and it is also a rich source of entertainment. However, people who are blind or have low vision are denied equal access to television because of the failure of the ABC to provide audio description on any of its free-to-air television programs.

What is Audio Description

Audio description (AD) refers to a verbal commentary used to describe key visual elements of a television program, film, or live performance or event.

Identification of speakers, description of gestures, facial expressions, locale, scene changes, and other visual content are narrated. If dialogue is present as part of the program or event, these narrations are interpolated in gaps in the dialogue. The audio description may be pre-recorded on a separate audio track in the case of television programs or films. For live performances or events the audio description is usually delivered in real-time.

Without audio description, people who are blind or have low vision cannot experience television with the same level of understanding and enjoyment as the

rest of the community. This is because almost all television programs include a significant amount of visual content that is not duplicated in an audio form. Without access to this visual content, which audio description provides, many television programs can be largely incomprehensible to a person who is blind or has low vision.

The provision of audio description also benefits other sections of the community, for example, people with autism. People on the autism spectrum typically have trouble discerning emotions, identifying people and remembering names. Audio description includes descriptions of characters' moods and temperaments, names and physical appearance. This level of description is essential for people who are blind or have low vision, and it can also significantly increase understanding of content and therefore create a more engaging viewing experience for people on the autism spectrum.

The Australian Bureau of Statistics has reported a 79% increase between 2009 and 2012 in the number of people in Australia on the autism spectrum (ABS 2012: Autism in Australia). The increasing prevalence of autism spectrum disorder must be considered by the ABC and other television networks as they plan for their future services, and the inclusion of audio description will be necessary if the ABC is to fulfil its charter by providing television services to the entire community and addressing market failures.

Audio Description: The International Context

At present, the UK has the highest amount of Audio-described content on television of any other country. AD television quotas are regulated by the Office of Communications through The Communications Act 2003, which requires that 10% of television content be audio-described, depending on the size of the channel and the content available. Some channels have voluntarily exceeded this by providing up to 20% AD content.

Audio description is also provided on television in the US. In July 2000, the Federal Communications Commission (FCC) ordered the four big TV networks and the five biggest cable networks to show 50 hours of audio described programs per quarter by April 2002. The FCC's power to do this was challenged by the Motion Picture Association, and the challenge was eventually upheld. By then, the networks were meeting the quota anyway, and some continued to do so. The Twenty-First Century Communications and Video Accessibility Act of 2010 restores the initial rules set out by the Federal Communications Commission (FCC) mandating the level of AD content on television. This Act also authorizes the expansion of the number of hours of AD programming on a range of channels and to various markets over a 10 year

timeline. After 10 years, the Act aims to have achieved 100% nationwide coverage of 7 hours of AD content per week.

In June 2014, the Federal Communications Commission issued a report to Congress which looked at the current state of AD television in the US. The report found that broadcasters have largely complied with the audio description rules without significant technical issues, but consumers overwhelmingly believe the levels of AD television content are too low.

New Zealand's AD television service was launched as a pilot in March 2011 with funding from New Zealand on Air, following intensive campaigning by the blind community and New Zealand on Air staff. Following the trial, it was determined that AD would be best funded through New Zealand on Air, which is an independent public funding system that also provides for captioning on free-to-air television. Presently, AD is included on a selection of movies and a range of local and international content in prime-time on TV ONE, TV2, TV ONE + 1 and TV2 + 1. An average of 20 hours a week of audio described content is now broadcast, again favouring local programs.

Varying levels of audio description are also provided on television in many other countries, including Austria, Canada, the Czech Republic, France, Germany, Italy, Portugal, and Spain.

Audio Description in Australia

There is currently no audio description provided on free-to-air television in Australia, either by the ABC, SBS or commercial networks. In 2012 the ABC conducted a 13-week technical trial of audio description on its ABC1 channel. During the trial, 14 hours per week of audio-described local and imported programming were provided. The trial was funded by the Australian Government, and although it was judged by people who are blind or have low vision to be an overwhelming success, it has not continued.

In April 2015, the ABC, again with Australian Government funding, commenced a 15-month trial of audio description on its catch-up iView service. In part the trial was a response to 31 complaints lodged under the Disability Discrimination Act by people who are blind or have low vision. This trial is due to finish in July 2016, and we are aware of no plans to continue with audio description after this point.

Despite ongoing advocacy from Vision Australia and the blind and low vision community, neither SBS nor any of the Australian commercial television networks have conducted trials of audio description on their television services. This means

that the 357,000 Australians who are blind or have low vision do not have equal access to television.

Market Failures

There is clearly a complete market failure to provide equal access to television for people who are blind or have low vision in Australia, including those who live in rural or regional areas. The ABC has a dual responsibility as Australia's national public broadcaster, to not only deliver services to all sections of the community, but also to address market failures.

While the trial of audio description on iview is a small step forward, it by no means absolves the ABC from its dual responsibility. The ABC has done almost nothing to promote the trial, so many people who are blind or have low vision are unaware of it. The trial is only available to those who have internet access, either via a smartphone or computer. Vision Australia's research shows that only 17% of people who are blind or have low vision have access to a smartphone, and only about 35% use the internet. We expect these figures are even lower in rural and regional areas, where mobile phone and internet coverage is much less widespread, and data plans much more expensive, than in metropolitan areas.

The iview trial of audio description is therefore only available to a fairly small proportion of the blind and low vision community, and once the trial finishes, there will be no audio description provided on television in Australia; either free-to-air or streamed.

The Australian Government's Responsibility

Australia has signed and ratified the UN Convention on the Rights of Persons with Disabilities, and therefore has obligations to implement it, in its entirety. Article 30 of the Convention affirms the right of people with a disability, including people who are blind or have low vision, to have equal access to culture, entertainment and recreation, including access to television programs. The Government therefore has a responsibility to take decisive action to ensure that people who are blind or have low vision can have the same access to television that is taken for granted by the rest of the community.

The most effective way to provide access to television is for amendments to be made to the Broadcasting Services Act 1992, to mandate minimum quotas in the

same way that quotas are mandated for captioned television programs. At the same time, the ABC must be required to meet its responsibilities to people who are blind or have low vision, particularly those in rural and regional areas. The ABC's charter must be amended to clarify that the ABC has a responsibility to provide audio-described content on its free-to-air television services, and the Government must ensure that this responsibility is met.

About Vision Australia

Vision Australia is the largest provider of services to people who are blind, deafblind, or have low vision in Australia. It was formed through the merger of several of Australia's most respected and experienced blindness and low vision agencies.

Our vision is that people who are blind, deafblind, or have low vision will increasingly be able to choose to participate fully in every facet of community life. To help realise this goal, we provide high-quality services to the community of people who are blind, have low vision, are deafblind or have a print disability, and their families. The service delivery areas include:

- early childhood
- orientation and mobility
- employment
- accessible information (including library services)
- recreation
- independent living
- Seeing Eye Dogs
- advocacy, and working collaboratively with Government, business and the community to eliminate the barriers our clients face in making life choices and fully exercising rights as Australian citizens.

Vision Australia has gained unrivalled knowledge and experience through constant interaction with our 27,500 clients and their families, and also through the involvement of people who are blind or have low vision at all levels of the Organisation. Vision Australia is therefore well placed to provide advice to governments, business and the community on the challenges faced by people who are blind or have low vision fully participating in community life.

We have a vibrant client consultative framework, with people who are blind or have low vision representing the voice and needs of clients of the Organisation to the Board and Management.

Vision Australia is also a significant employer of people who are blind or have low vision, with 13.9% of total staff having a vision impairment.

Vision Australia also has a formal liaison arrangement with Blind Citizens Australia (BCA) through a Memorandum of Understanding for a number of purposes, including collaboration, so that Vision Australia's systemic advocacy and public policy positions are, wherever practicable, consistent with the programs and policies of Australia's peak body representing people who are blind or have low vision.