

Australian Caption Centre

Submission to the
Department of Communications Information Technology and the Arts

Convergence Review

December 1999

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1. INTRODUCTION

This submission deals mainly with the questions posed under *Section 4.3 The media and content industries*.

The broadcast industry has already experienced convergence to some extent. Captioning has, like many other content industries, adapted rapidly to the needs of convergence. Captioning software and hardware has already been developed and continues to evolve to capitalise on any changes and developments in technology and delivery media. For example, in use at present is teletext captions for analogue, teletext for DVB, bitmap subtitles for PAL and ATSC digital, streaming on Quicktime Real Video, ASF video and Microsoft's SAMI cross-platform media accessibility format.

Captions also provide new avenues for development of media. For example, caption files are already used as the basis for providing internet content, particularly transcripts of speeches broadcast or segments of a news story. Archiving and retrieval systems (including media monitoring) have also been developed using captions as the basic search engine.

This shows that captioning is not just a specialist service for Deaf and hearing impaired people. It is a tool for developing access to video material in a wide range of applications.

However, in an Australian regulatory framework, the approach to captioning has been ad hoc in the last 17 years since captioning first appeared in Australia. The regulation of captioning in Australia has been restricted to the free to air television industry and we will argue that the approach of regulation on an industry basis has missed opportunities to provide captions across the spectrum of video media in the most efficient and cost-effective manner.

That is not to say that captioning development in Australia has been driven solely by regulation. Market forces and industry driving new innovations and reducing costs in an attempt to increase the amount of captioning. Where captioning is already available (such as overseas product distributed in Australia) the industry has worked with organisations such as the Australian Caption Centre to ensure that the captions are retained.

The starting point for the Australian Caption Centre is, however, that as a principle, everything should be captioned.

2. THE PRESENT APPROACH TO CAPTIONING

2.1 Historic approach to regulation

Captioning in Australia started with free to air television as it was the only mass broadcast media that was available to the general public, apart from cinema. Control and regulation of captioning has been locked into this historical perspective ever since, despite changes to the broadcast industry.

Following a voluntary adoption of captioning in the early 1980s, the free to air television industry has incorporated captioning in its code of practice with an undefined commitment

to 'endeavour to increase the amount of captioning' over time. This has led to about 18% of programs being captioned on Australian free to air television by 1998.

With the introduction of digital television, the Federal Government has mandated captioning quotas as part of the *Broadcasting Services (Digital Conversion) Act 1998*. This is presently under final review, but broadly expects to introduce quotas ensuring that all prime time (6.00pm – 10.30pm) and all news and current affairs programs are captioned. This again affects only free to air television.

Table 1: Captioning by media type – the current state of play in Australia outlines the results of the current approach to captioning regulation.

Table 1: Captioning by media type – the current state of play in Australia

Broadcast media	Extent of captioning in Australia	Factors in development of captioning
Free to air television	Approx 18% of programs captioned in 1998. Expected to rise to about 30% of programs with the implementation of the digital television legislation.	<ul style="list-style-type: none"> • Captioning included in voluntary industry code of practice. • Innovations from Australian Caption Centre in area of converting American caption files for use in Australia. • Growth in captioning overseas (particularly US and UK) leading to more caption files available. • Limited sponsorship secured by Australian Caption Centre to pay for captioning of programs (such as <i>60 Minutes</i> by Toyota).
Pay television	Rebroadcast of free to air stations with captions is the only captioning appearing on pay television channels.	<ul style="list-style-type: none"> • Included in code of practice, but no requirement to caption programs. • No Government legislation covering captioning. • Unwillingness of providers to look at captioning as a mechanism for securing more subscribers, despite the wide availability of existing caption files for most of the programs shown.
Video	Most new videos (last 2 years) and many classics, carry closed captions, except Australian titles. Approx 50 titles are open captioned each year (mix of new releases and classics) under a Federal Government grant administered by Australian Caption Centre. Around 800 open captioned titles are currently available in Australia.	<ul style="list-style-type: none"> • Open captions were the norm up until now due to the lack of availability of closed captioned video decoder. There are several models now available in Australia. • Most videos originate from the US or UK where closed captioning of video is mandatory or widespread due to market demand. • Closed captioned videos have spread rapidly in Australia once basic duplication problems (whereby the captions were stripped off during the dubbing process) have been identified and solved. • As closed captions can be turned on and off (like television captions) only one copy (with closed captions) is distributed and thus they are widely available. Open captioned videos (where the captions are permanently on the screen) are more difficult to access and tend only to be available for sale. Thus there is poor distribution of these titles.
Cinema	There is no captioning of cinema in Australia.	<ul style="list-style-type: none"> • Cinema captioning is relatively new in overseas markets. The USA has a closed captioned system known as 'Rear Window'. This is in some cinemas, but only a handful of movies have been captioned using this system. • Open captioned movies are a little more widespread in the USA, however

		this system is also limited.
DVD	Most DVDs carry 'subtitles for the hearing impaired', apart from Australian titles.	<ul style="list-style-type: none"> The DVD market is world-wide and requires subtitling/dubbing for different markets. The US market (where most DVDs currently originate) requires captioning, thus this flows on to other markets.
Internet	There is no captioning of video material on Australian internet sites.	<ul style="list-style-type: none"> As video material is developed and adapted for internet use (particularly promotional material) the captions created for it (eg a movie or television commercial) can be used for internet display. Australians are not limited to accessing Australian sites only. Any development of internet captioning will have immediate benefits to Australian consumers.
Computer Games	There is no captioning of computer games authored in Australia	<ul style="list-style-type: none"> There are some computer games available with captions and these can be accessed through mail order (or some retail outlets) by Australian consumers.

2.2 The flaws of this approach

This industry by industry approach, although the easiest to implement for regulatory purposes, does not take advantage of the convergence that has already happened in the program production and distribution industries which captioning is part of. The expected acceleration of this convergence makes the need for a different policy approach even more urgent.

Captioning could be treated as an integral part of production, not an add-on service. It is treated as a production process in the USA and UK and this has led to the spread of captioning across all broadcast media (including new media).

The focus on free to air television, because of historical reasons, has meant that there has been no parallel legislation for new broadcast media as they have come on line. This has led to wasted opportunities to provide captioning at minimal cost and to integrate captioning into the production process (in the same way as the soundtrack and vision is an integral part of the production process). For example, *SeaChange* is captioned for ABC television on its initial release, but then when it is released on video there are no closed captions on the video, despite the fact that the caption file exists and the cost of adding the captions is minimal.

The industry approach to regulation has ignored the chain of distribution for programs. That is a movie moves from cinema to video/DVD to pay television to free to air television in essentially the same form. This chain is the earliest form of convergence and shows that media companies have gained major efficiencies through an integrated approach. Thus an Australia movie is not generally captioned until it reaches free to air television, ignoring the captioning possibilities of video/DVD and pay television.

Market providers, such as the Australian Caption Centre, have found ways of utilising opportunities to make the captioning process more efficient, but these have been mainly to provide captions for the free to air broadcasts. Innovations such as the conversion of American captions file for PAL use (which the Australian Caption Centre pioneered in 1994). The subsequent conversion of live American captions for PAL use (which the Seven Network developed in 1998). Caption files are traded regularly across the world to improve the efficient distribution of captions and to keep costs of captioning as low as possible.

Captions have been included, despite the absence of regulation, where other markets have produced captions. For example, the retention of closed captions on videos originating from the USA and UK. However, this has not been industry-wide, there are sporadic problems and the whole process needed to be driven by a public benevolent agency, the Australian Caption Centre.

3. AN APPROACH FOR CONVERGENCE

3.1 Captions are part of the broadcast product

As we discussed earlier captions are an integral part of the broadcast product, much in the same way as sound and vision. As it moves from medium to medium it requires minimal modification to comply with that medium. Such modifications include:

- Reduction of amount of captions reflecting a cutting of the content to satisfy censorship requirements that may vary from location to location.
- Adjustment of the captions to suit changes in program timing (for example the addition of commercial breaks).
- Adjustment of spelling to reflect local markets.
- Addition of new captions to reflect copyright differences (particularly with soundtracks).
- Technical formatting reflecting the systems used by that medium to deliver data such as captions (eg teletext on PAL television, Line 21 on VHS video, subtitling track for DVD).

In all cases these adjustments reflect a change in sound, vision or technical content that affects the whole product.

3.2 The benefits of a product focus

The product focus (which is the basic model used by American regulators and to a lesser extent their British counterparts) has a number of benefits over the industry approach:

- Regulators do not have to react to or anticipate new media. The regulations can cover video material delivered in any form.
- The production costs (including captioning) would be amortised over a number of sales to different media rather than being imposed on one media with limited flow on effects.
- The total audiences using captions would increase, even if audiences fragmented to new media as the captioning would be covered as part of the overall production costs.
- Regulations can focus on more universal issues such as presentation standards and clear and accurate labelling.
- The market (particularly the producers of the visual product) will then find the most efficient way of delivering the captions to the end user, including modifying and adapting existing caption files for the various 'versions' of the product that are produced. This already happens in broad regulatory environments (such as the USA).

3.3 How can regulations be enforced?

Even though international boundaries may dissolve in ownership of broadcasting media, presumably there will still be the control of access through some form of licensing system (whether this is a television signal using frequency spectrum, a cable going into a home, a satellite signal accessed via a transponder, a physical video tape or DVD/CD-Rom being purchased or hired) that will allow regulations to be included to stipulate that it must be captioned. However, the captioning regulations will not need to be customised for each media as they would only need to be in a general form of referring to a specific regulation covering captioning on video media (in a similar way to the universal application of censorship laws across a range of media).

If internet 'television' channels evolve, presumably they will want to charge for access and would have some mechanism for dealing with Australian consumers. This could be the point of access for regulation.

4. CONCLUSION

The issue of convergence has a number of difficulties in applying various regulations to broadcast media. Captioning is an integral part of the production process but has been treated historically as a specialist medium for regulatory purposes. The adoption of captioning in Australia has been ad hoc, part driven by regulation and by market forces. The process of captioning lends itself to the benefits of convergence as a caption file remains little changed as it adapted for use in broadcast media. By treating it as a production issue and regulating for captioning across all media, the considerable cost and production efficiencies can be realised.

In regulatory environments where this already happens, such as the United States, captioning is universal and is easily added to new broadcast formats as they appear. As a program follows the distribution chain from movie to video/DVD to pay television to free to air television, the captions follow and are modified as needed at minimal cost but providing maximum access.