



National Association Of Deafened People

Registered Charity no 294922

Ensuring the quality of TV and on-demand access services. NADP response to Ofcom Consultation on proposed modifications to the TV Access Services Code and updates to Ofcom’s best practice guidelines on access services.

The National Association of Deafened People (“NADP”) is a nationwide charity run by its members who are deafened. Our members have experienced hearing loss to varying degrees during their lifetimes. Some have had a hearing loss since birth or early childhood, others may have become deafened suddenly during adulthood. Many share a gradually deteriorating hearing loss with age. Our members have a wide-ranging experience dealing with their hearing loss, many use hearing aids while others have been fitted with Cochlear Implants. Our membership includes people of working age and those who have experienced deafness during their working lifetime. NADP welcomes the opportunity to respond to this consultation.

Proposed approach and additions to Code

1: Do you have any comments on our proposed approach to making these changes?

In general, we agree with the proposed approach and in particular the focus on quality in ensuring that the standards historically set in the UK for subtitling continue to be maintained and improved. We have been concerned that with the advent of improved technology that cheaper options would be available to meet the quantity of subtitling as required under the TV Access Service Code and as a result the quality of those subtitles produced would go down, so the focus on retaining quality is well received. We welcome the inclusion of other disabilities being considered by the code, but we would want to ensure that there are additional resources supporting the proposed approach based on the existing standards and resources spent to ensure the standards remain high and continue to set the benchmark internationally.

We also welcome the opportunity for audiences to tailor the way subtitles are presented with choice being available, but we believe that there needs to be a standard default subtitle format that is available for individuals who may not want to have to adjust the settings themselves or indeed have the capability to do so. As the regulator we believe that it is the responsibility of Ofcom to specify what this default option should be and to liaise with industry and user

representatives to specify what this default option should be. There is already significant research on this option, particularly by BBC R&D, so this default choice should be relatively straightforward to establish. The offer of a default option is consistent with the work of the government's Behavioural Insight team with regard to other key consumer decisions.

One aspect of the proposed approach which is already evident in the content of the consultation is the time and effort Ofcom's accessibility team have gone to offer the opportunity for interested parties to feedback their views. We appreciate how much of these discussions have been captured through the proposals and that many of the issues we have raised on behalf of our members have been addressed in this consultation. We welcome the opportunity to continue to provide this feedback and in particular the formation of a new working group on access services quality which brings together charities, broadcasters and VoD providers.

We also look forward to the reports on the research that has been conducted by Ofcom and how this will be utilised in discussion and implementation.

We welcome the use of terminology of "disabled people" instead of "vulnerable" within the consultation, however we also note that the term persons with disabilities is used in the United Nations CRPD. We agree with the use of hearing loss rather than hearing impairment.

2: Do you have any comments on our proposed additions to the TV Access Services Code?

We agree with the proposal to clarify and strengthen the Code guidance including timely on-air information where there is a failure of access services. This is something we have suggested for some time. We have reported previously on cases where subtitles stop mid broadcast and the viewer is left in a quandary as to whether it is a central disruption, local or due to their own equipment. Being able to identify the cause of the disruption through better on display information would help improve the viewers' experience. However, we also believe that all broadcasts should identify if and what access services are available at the start of the broadcast so that viewers can identify another source if necessary. There have been reports of subtitles not being available on content despite being advertised as such on an EPG. Until all content is subtitled then there is still a need for this information to be available on each and every broadcast.

We agree that the percentage target for access should be met by the service on each delivery platform where it is regulated. This would ensure that the

seamless viewing of content across platforms as developed and promoted by broadcasters/ VoD providers will also be enjoyed by people with access needs.

We agree with updating the Code to remind broadcasters that any such information should be provided in a manner that is accessible. This is particularly important for Emergency broadcasts where there were reports that when a BSL interpreter was available in the government announcement, at the same time there were no subtitles available, which meant that vast majority of viewers who had a hearing loss and do not use BSL were unable to fully understand key information presented. In this scenario, providing information in an accessible manner means including both BSL and subtitles.

We agree that the primary focus of subtitle provision should be people with hearing loss and a secondary focus can be translation subtitles and not the other way round. We are aware that this may mean captions produced outside the UK but supplied with video and audio content may need considerable editing at a cost to the broadcaster. We believe a minimal standard should be set for the quality of subtitles provided with content and agree with the proposed addition in 4.14 that access content should be included in the content package alongside video and audio content, and not, as it seems, as an afterthought. However, we believe that rather than encourage, it should be required. This would ensure that smaller broadcasters would still be able to offer subtitles rather than be inhibited due to cost of such provision. It may be that this requirement needs to be discussed directly with the DCMS, if Ofcom does not have the power to enforce.

Overarching best practice guidelines

3: Do you have any comments on any of the following proposed changes/additions? Please provide any additional evidence you think we should take into account.

• Understanding audiences

Whilst we agree with Ofcom's aims to include other groups of disabled people beyond those with sight and hearing loss, we believe further research needs to be carried out to better understand the ways in which people with different levels of hearing loss may engage with content. For example, people with mild loss are more likely to rely on clarity of sound to aid their understanding and may or may not use subtitles to pick up on any words they may have missed. People with more profound hearing loss may rely predominantly on subtitles but complement this with sound to enhance their enjoyment e.g. music.

Since the incidence of hearing loss and hearing deterioration progresses with age so it is worth recognising that this population, which as Ofcom research already shows is an increasing proportion of the viewing audience, may find it more difficult to navigate complex settings on a TV. A simplified, default option, based on Universal Design, should therefore be available upon which any customisation could be built.

We agree that disabled people need to remain the primary focus of access service provision and support Ofcom's proposals to encourage providers to involve disabled people in feeding back and being involved in the development of access services, ultimately resulting in a wider range of audience and a more attractive proposition for providers.

• **Developing strategies**

We agree that providers should be encouraged to increase access provision. Whilst we have seen a voluntary target of 100% subtitles by some broadcasters, we believe that this is achievable by all broadcasters particularly if subtitle or caption files are included with content. We would however like to see all audio subtitled and included within this target such as lyrics to end of program playoff, announcements, adverts and trailers ¹between scheduled content.

As discussed earlier we agree that providers and content suppliers include access services as part of the acquiring/ selling of content. We have consistently queried why content that has been shown with subtitles previously does not include subtitles when repeated on the same channel or elsewhere. This is a common complaint from our members. We have argued in previous consultations that the same principles are applied in the UK as adopted in the USA by FCC in that any content shown with subtitles should be shown with subtitles if and when repeated. If this same principle was applied, then there would be no need for Ofcom to encourage providers and content suppliers and therefore save resources. Given that a significant amount of content shown in the UK is sourced from or destined for the USA then we see no reason why this content is not supplied automatically with subtitles/ captions. Reformatting the existing subtitles to meet UK guidelines should be taken as an automatic part of the workflow when broadcasting such programmes.

We agree that new technologies should be utilised for access provision but only if the quality of this provision is not impacted. As such we agree that an agreed measure of quality such as the NER model be adopted to ensure there is consistency in the quality of subtitles.

¹ Moores, Z. 2022. Training professional respeakers to subtitle live events in the UK: A participative model for access and inclusion.

We are encouraged by Ofcom welcoming views on how developments in new technologies may inform production of access services in coming years but ask if they can take this a step forward and facilitate a regular update on technologies between all interested parties going forward. As a member of the DTG Accessibility Working Group, of which Ofcom is also a member, we have enjoyed seeing and sharing perspectives on new developments with other industry partners including developers, manufacturers and broadcasters, and believe this unique framework could be expanded further. Often, we see technology being developed for people with disabilities without their active involvement and often this approach has contributed to the project failing. We would therefore encourage an open discussion between all potential parties at an early stage which should improve the potential success for the benefit of all involved in the spirit of “nothing about us without us” from disability advocates and UNCRPD. This early approach to integrating access would also be in line with the Accessible Filmmaking Approach (for example Romero-Fresco and Fryer), which the Ofcom consultation refers to in 4.36.

We have often asked why Smart TVs cannot have the accessibility delivered via IP alongside broadcast so that a wider range of options can be made available. One example could be subtitles but another could be a unique speech track.

We recognise that TVs can improve the intelligibility of sound but the fact remains that the audio is mixed at source and so it is difficult to remove background sounds and music which are not helpful to people with hearing loss. Salford University had researched how people with hearing loss may change the volume if each of speech, background sound and music could be adjusted independently with interesting results. This choice could benefit the enjoyment of TV for people with hearing loss, yet it has been established that it would be difficult for a terrestrial broadcaster to offer these three separate streams through traditional means. We would like to see how this concept could be developed further as it would no doubt ensure that people with hearing loss can continue to enjoy audio as far as possible despite their hearing deteriorating.

We welcome Ofcom’s plan to introduce accessibility guidance to providers on developing accessibility action plans and we expect that this guidance be developed through liaising directly with representative charities and Organisations representing people with disabilities.

We would also question how audience priorities for accessibility for a specific audience would be determined and we are ready to contribute to this on behalf of our members.

We are encouraged that Ofcom's guidance aims to be embedded in the wider product development strategies and hope that this would include the latest current developments such as FAST which provides IP content specific to a particular make of TV; currently very little of this content is subtitled despite being previously broadcast with captions/subtitles.

- **Programme selection and scheduling**

Proposed addition: Providers should prioritise making occasions of national importance accessible with subtitling, signing and spoken descriptions.

We agree that occasions of national importance should be made fully accessible along with key cultural, political and societal events. We have highlighted in previous consultations that hearing loss impacts on the ability of those affected to continue to fully participate in society and they become increasingly reliant on TV to remain engaged. It is therefore essential that all these areas are fully accessible. We would go further and ask that all bids for national and international coverage of national sports teams or individuals representing any of the nations in sport are accepted only if full access is to be provided. We welcome the opportunity to feedback from our members on which events they believe are of "national importance".

We have also reported our members' frustrations at subtitles being delivered late for online services when the same content has been delivered with subtitles when broadcast live. This experience is particularly frustrating with live sports events which may be broadcast live with subtitles but do not show the same access when streamed live. Such occurrences rarely happen in the US due to the FCC requirement that closed captions must be provided for video programmes shown on the internet if shown on TV. NADP has advocated in previous consultations that this same ruling should be replicated in the UK.

As already commented earlier we agree providers should ensure that access services should be included as part of the content rights automatically which would remove any additional time required to negotiate their inclusion in content provision. However, where this content is not provided or is not in the right format to be shown at the first instance then we agree that it should be made clear to viewers when the specific access content will be available and notified in advance of the first showing.

Proposed addition: Providers should make every effort to add access services to on-demand program in in as soon as it is made available.

Given that the most significant VoD providers in the UK are US based companies and are required to comply with US legislation for access services (100% captioning²) we see no reason why the same conditions cannot be applied to their content shown in the UK. That is any content that has already been broadcast with access services, if repeated online, needs to include the same level of access. When introduced, the US regulations offered a phased approach to full access for existing content and the same approach could be adopted for providers regulated in the UK³.

Proposed additions: VoD providers should consider the popularity and usability of given platforms and consult with audiences and / or disability groups in choosing which to prioritise.

Whilst we agree that providers should be consulting with their audiences to ensure that the most popular platforms are prioritised, we would hope that all platforms would be considered over time to ensure full accessibility. As noted earlier the ability to continue to be able to watch content seamlessly from one platform to another should be enjoyed in the same way for disabled people.

We are mindful though that it is often the platform that does not offer access, and this is a common excuse offered by providers when access service is not available on a particular platform. Previously the BBC iPlayer in its early days was renowned for only providing access to its content on any platform if that platform ensured that the content could be played with access features. This policy ensured that those platforms offered access if they wanted to offer BBC iPlayer. So, we see some potential merit in encouraging providers to focus on the platforms, however we wonder how much influence they will have on a particular platform that is most popular for their audience. As such we believe the focus needs to be on the platform providers. We recognise that this is outside Ofcom's remit but would ask that DCMS considers whether platform providers should be required to ensure full access. We note the Culture Secretary's (Lucy Frazer) recent remarks⁴ at RTS Cambridge saying that while

² <https://www.fcc.gov/consumers/guides/closed-captioning-television#:~:text=FCC%20closed%20captioning%20rules&text=Synchronous%3A%20Captions%20must%20coincide%20with,can%20be%20read%20by%20viewers.>

³ <https://www.fcc.gov/consumers/guides/captioning-internet-video-programming>

⁴ https://advanced-television.com/2023/09/20/culture-secretary-well-protect-terrestrial-tv/?utm_campaign=Friday%20Bulletin&utm_medium=email&_hsmi=275263854&_hsenc=p2ANqtz--PSDob2SKALZBz2EsW-o4WkBoCZOR7sponQEDQXX5L1RHefs1J98dmtWGqBaMFQYFFK8dE7YP8pDJEzhGFv7lq6rU2Rg&utm_content=275230264&utm_source=hs_email

innovation should be embraced, no UK TV viewers should be left behind, or have ‘the rug pulled’ from under them in a transition from DTT to IP delivery. So, this could be an opportunity for the DCMS involvement.

- **National emergencies and important on-screen information**

Proposed addition: Providers should ensure that broadcast information about national and local emergencies is subtitled, signed and spoken.

We agree, and in addition we suggest that relevant telephone numbers and links to further information should be shown clearly on the screen rather than just as subtitles which will disappear leaving too little time for the viewer to take down the details.

- **Promoting awareness**

Proposed addition: Extended advice on communication with the relevant audience and raising awareness

We agree with the need to communicate with the relevant audiences and providing regular updates both on-air (visual) announcements and information on-line. We agree that social media should also be used in a timely manner with two-way communication available. We suggest Ofcom applies the AVMSD requirement of a single point of complaint to empower viewers and improve provision of access.

Proposed addition: Awareness guidance applied to VoD providers

We agree with this proposal and welcome the opportunity to engage with the VoD providers on behalf of our members.

Proposed addition: Awareness guidance applied to VoD providers

Discovering that paid-for services do not include access has been a common complaint for many years, and unfortunately still occurs, for example with Amazon Prime. In addition there is a similar issue with FAST (Free Ad Supported TV) in that TVs are being sold that offer IP content which does not have the content subtitled. We would encourage Ofcom to be forward thinking and consider all content is accessible at the point of production/ distribution.

- **Accessibility and diversity in production**

Proposed addition: Providers and content makers should consider accessibility issues early on in the commissioning and production process

We agree with this addition and would also ask that content makers also consider offering different audio content with their content so that it can be mixed at the destination rather than at source. This would allow technology such as clean audio to be offered to the consumer. This would enhance the viewing experience of people with a wide range of hearing loss and also comply with Ofcom's aim of offering choice to consumers, in a similar way to offering choice of format of subtitles as addressed earlier.

- **Training**

Proposed addition: People making access services should be appropriately trained

We agree with this proposal in principle, but we believe that it is more important that the quality measures are set and met on a consistent basis. It is ultimately down to the provider to ensure that its people are skilled to meet this standard. It is not clear to us how Ofcom intends to measure this proposed addition. We would suggest that ITU and ISO standards are applied together with the BBC R&D resources and ensure continuous professional development of staff.

- **Monitoring of quality**

Proposed addition: Providers should consider using quantitative tools to assess the quality of their access services

We agree with this proposed action. We were very encouraged by the results of the research in Ofcom's 2014-2015 live subtitling review which used quantitative tools but were disappointed at the time that the quantitative measure was not adopted going forwards. We recognise that recommendations were given on certain measures including latency and that broadcasters identified that they could make improvements and offered the opportunity to do so. We note that not all these improvements were implemented, but it is encouraging that Ofcom is now proposing the quality of subtitles is assessed more formally.

We believe feedback from viewers supports understanding how the services are received at the delivery point at home but may be subject to bias. However, we

believe a central streamlined approach to reporting issues could help alleviate potential bias concerns.

4: Do you have any views on how developments in technology may inform the production of access services in the coming years?

With the ASR and AI development, we can see a potential to support access where traditionally it has not been available, however the technology is still not ready. Should providers consider such routes, they must be subject to existing quality benchmarks.

5: What do you think about the proposed list of external sources/ guidelines in Annex 3? Are there any additional sources which Ofcom should refer to?

We agree that this would be a useful reference list but would need reassurance that it is maintained and updated regularly. It also needs to include Ofcom's own research and previous consultations. We have included some research references in this response which could also be considered for this list.

Subtitles/ captioning

6: Do you have any comments on the following suggested changes relating to subtitling? Please provide any additional evidence that you think we should take into account.

• Subtitling speeds

We agree that subtitles should generally be synchronised with audio as closely as possible. We agree that this provides a more consistent viewing experience for lip readers but also people with some hearing who are relying predominantly on sound. In both cases the individual can then go back and forth between lip reading or sound and subtitles more freely. We note that this conflicts with Ofcom's suggestion that latency is allowed of up to 4.5 seconds for live content. The content should not be delayed by more than 3 seconds.

We agree that maximum recommended subtitle speeds of 160-180 wpm should be removed. It should be recognised that the faster the wpm the more likely the quality of the subtitles would reduce. Therefore, measures need to be put in place to ensure that the quality remains the same regardless of the speed. This may mean that for faster talking speeds more accurate systems are put in place to ensure this quality at higher speeds such as the use of STTR. It should be noted that with the higher quality requirements in the US there tends to be more use of STTR in live broadcasts, in particular, than in UK. Perhaps broadcasters

could consider the use of STTR again for the broadcasts which require faster accurate speech such as live chat shows or news items as used in the US.⁵

We do not believe subtitles should be unnecessarily edited although agree that some words can be removed without impeding the enjoyment of some content e.g. chat shows. Heavily edited subtitling does not provide equitable access to content.

• **Live programming**

Latency is a key disruptor to the enjoyment of content with subtitles. Research by University of Roehampton⁶ has identified latency as the highest priority for users of subtitles. Latency has shown to cause frustration, confusion and ultimately abandonment. It is interesting to see that hearing people have complained heavily when audio is not in sync with the visual e.g. the Woman's World Cup⁷⁸ and yet it is deemed acceptable for subtitles to lag behind audio and visual.

Our complaints about the length of latency during Ofcom's research on Quality of Live subtitles led to a review by BBC R&D of how it delivered subtitles alongside video and audio content. As a result, it was established that it was possible to change the delay in delivering subtitles on HD content such that the latency was reduced. We understand that the larger the video file the longer it takes to be broadcast, for example High-Definition content takes longer to broadcast than Standard Definition due to the larger data involved so there is a natural latency for video content compared to the live event. i.e. SD content is delivered slightly later than the live broadcast and HD slightly longer than SD. As such the latency of subtitles compared to video and audio delivery can be reduced. Given the increasing availability of UHD in the future we would expect it to be possible to reduce latency of subtitles compared to video even further. It was also established that it was possible to delay video content such that the video content and audio is synchronised completely with subtitles. We note that the Netherlands has introduced a delay of the video transmission⁹ to provide zero latency of subtitles and ask why it is not possible for this approach to be adopted in UK.

⁵ <https://www.youtube.com/watch?v=-mZTvN79Dkc>

⁶ Moores, Z. 2022. Training professional respeakers to subtitle live events in the UK: A participative model for access and inclusion (p.195-197)

⁷ <https://metro.co.uk/2023/08/16/womens-world-cup-england-lionesses-bbc-commentary-19342697/>

⁸ <https://www.mirror.co.uk/sport/football/news/breaking-ireland-world-cup-coverage-30511406>

⁹ https://www.researchgate.net/publication/221151806_Efficiency_of_Speech_Alignment_for_Semi-automated_Subtitling_in_Dutch

We agree that prepared scripts such as those used by news readers and announcements between programs could be used to reduce latency and improve the accuracy of live subtitles. We understand that live subtitle providers are also able to receive audio content slightly earlier to the broadcast so that they have slightly more time to prepare the subtitles.

We note that Ofcom recognises that STTR provides faster transcription speeds than respeaking methods, and as our members have noted over the years the move from STTR to respeaking has led to greater latency. It has also been noted that the move from the in-house production of subtitles to external contracts has also increased the potential latency. As an ex-BBC Speech to Text Reporter once told us, it is a lot easier to produce quality subtitles when you are actually in the studio receiving sound first hand and also being able to see people speaking, rather than stuck in a sound booth in a different location.

Overall, we believe that there are a number of factors that contribute to the latency and if each of these were addressed the latency would be improved. Ultimately, we believe that subtitles should have the same priority as audio and as such complaints about subtitle latency should be treated the same as audio latency.

- **Subtitling presentation**

Proposed change: Replace specific guidance with principle that subtitles need to be easy to read, clearly visible against the background and positioned to avoid obscuring the speaker’s mouth/ other vital information (taking into account varying screen sizes).

We do not agree with the proposed change, as we have concerns about how the presentation of subtitles will be monitored by Ofcom and in particular “how easy to read” will be measured in the proposals. ITU and ISO standards may also be a good reference to follow. Whilst we recognise that the presentation of captions on VOIP content tends to follow the US regulation, this content tends to be for a younger audience than the typical population with hearing loss and there will need to be some consideration of the presentation of subtitles that the older population is used to through the existing UK regulations. It would be disappointing if the high standards of subtitling experienced in the UK, and the envy of many around the world, falls as a result of various styles being acceptable. In any case we would strongly encourage the participation of the people with hearing loss when choosing or accepting various styles of presentation to ensure these meet their needs. In any case, we believe that a standard default font should be set for all content based on the current standard which over 90% of DTV4All respondents said that they found the font used in

TV subtitling easy to read.¹⁰ In addition, the default setting should include a solid black background for ease of reading particularly for people who are partially sighted.

Proposed change: Replace specific guidance on speaker and sound identification with principle that speakers should be clearly identified and sound/music effects clearly described.

We agree that it makes sense to offer alternative ways to identify a speaker or sound identification. It also makes sense for there to be flexibility in how music effects are described. However, as mentioned earlier in our response, we think it is necessary that music lyrics are subtitled if music is played in content so that people with hearing loss can make their own interpretation of the music. In fact in the DTV4All Survey conducted by Pablo Romero-Fresco, as referenced in the consultation, it was established that over 70% of hard of hearing people involved in the survey would prefer to see lyrics shown.

Typically, lyrics are shown in italics and shouting is in capitals. For the sake of older viewers, we would prefer to see consistency in how subtitles are presented rather than seeing new ways of presenting as and when a broadcaster fancies a change. We believe that there should be sufficient research on all proposed formats and their comprehension by people with hearing loss before they are accepted by Ofcom.

Proposed change: Providers should consider customisation options in subtitle presentation.

As mentioned earlier in our response, we agree that customisation should be available to the viewer but that a default option should be available from switch on. The default could be one of a range agreed with Ofcom and based on research on the comprehension of different styles by people with hearing loss.

We look forward to being involved and seeing the results of Ofcom's research on customisation options.

• Sound and music descriptions

We agree that descriptions of the type of sound or music would be helpful and enhance the viewers' experience. However, we would also encourage Ofcom to require song lyrics to be included as part of the requirement for all content rather than as often happens the name and title of the song is shown. Showing

¹⁰ Romero-Fresco, P. (Ed.). (2015). The reception of subtitles for the deaf and hard of hearing in europe : Uk, spain, italy, poland, denmark, france and germany.

lyrics helps the viewer recognise the song and reason why it may have been chosen to complement the content.

- **Language of subtitling**

Proposed addition: Providers should make subtitles in the same language as that used by the programme’s intended audience for the spoken language

Agreed, and we would expect that if someone speaks in another language then the subtitles will be in that language and not translated, if no translation is provided in the audio.

7: Do you have any comments about the other proposed changes to the subtitling guidelines, as summarised in Table 1 (Annex 1)?

Audiences

We agree that it should continue to be noted in the guidance that “people using subtitling have varying degrees of hearing loss” and would add that they will likely be using both audio and subtitling to enhance their enjoyment of content. We would welcome the opportunity to participate in further research to further investigate this relationship with consideration to the varying degrees of hearing loss potentially building on existing research by UCL, Salford University, BBC R&D and Roehampton University. But we would emphasise that quality of both subtitles and audio should be the prime objective rather than for broadcasters to be encouraged to differentiate between different groups.

Programme Selection/ Scheduling

Whilst we do not represent people who use BSL we would expect that those programmes that are of interest to the Deaf community should be interpreted in BSL alongside subtitles.

Accuracy

We agree that all audio should be subtitled and not censored unless the audio is censored.

Speed/ Synchronicity

We agree that subtitles should be synchronised with speech, but they should remain displayed beyond when speech ends to allow for reading speeds.

Accuracy and synchronicity in live subtitles

We do not agree with this change and believe the maximum latency should remain at three seconds. We agree with the proposal to use switchable delays. See our response earlier.

Sound effects and music

We agree with these proposals but would also add that lyrics of music played should also be subtitled.

Presentation

We agree with this proposal in principle but believe a default option should be available, as discussed earlier. We also ask that there is consistency in presentation across platforms and that the chosen setting is available on each platform. i.e. if the viewer has chosen a specific setting for the subtitles then this is carried forward on to any platform on which they intend to watch that content.

We also agree that block subtitles should be available, and that consideration should be made of how these are presented to aid speed and comprehension.¹¹

Publicity

We disagree with this change. We believe there should be a clear visual indication that the program is subtitled at the start of the program. We do not believe it is sufficient for a viewer to rely on the EPG each time they view a program to see if it is subtitled. In fact, in the DTV4All survey more people said that they waited until the programme started to find out if it had subtitles than referred to the TV Guide.¹²

Language of subtitling

We agree with this proposed change but as in our response to 5.20 believe that this should also be applied to any foreign language spoken within the content which is not dubbed in the audio.

¹¹ Subtitles on the moving image: an overview of eye tracking studies [Jan-Louis Kruger](#), Agnieszka Szarkowska, Izabela Krejtz

¹² Romero-Fresco, P. (Ed.). (2015). The reception of subtitles for the deaf and hard of hearing in europe : Uk, spain, italy, poland, denmark, france and germany.

Other features

We strongly agree with this proposal and believe every effort should be made to ensure dialogue is audible so that people with some residual hearing can enjoy the dialogue as far as possible without having to refer to subtitles. We would go further and ask that Ofcom continues its conversations with broadcasters and manufacturers to enable the enjoyment of Clean Audio for people with hearing loss and the wider population in the foreseeable future.

Thank you for the opportunity to respond to this consultation. We hope our comments are helpful and look forward to discussing our responses with the Ofcom team in the near future.

Simon Pearse
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