



Broadcasting Authority of Ireland (BAI)  
'Access Provision – A Human Resource Analysis' to  
Inform Review of the Access Rules

November 2009



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## 1. Introduction

The Broadcasting Authority of Ireland (BAI or ‘the regulator’) was established on October 1st, 2009 and is an independent statutory organisation responsible for a number of key areas of activity with regard to television and radio services in Ireland. The work of the BAI is principally guided by the Broadcasting Act, 2009 (“2009 Act”). The objectives of the BAI as set out in Section 25(1) of the 2009 Act are: to ensure that the number and categories of broadcasting services made available in the State best serve the needs of the people of the island of Ireland, bearing in mind their languages and traditions and their religious, ethical and cultural diversity; to ensure that the democratic values enshrined in the Constitution especially those relating to rightful liberty of expression, are upheld, and; to provide for open and pluralistic broadcasting services. The BAI incorporates work previously undertaken by the Broadcasting Commission of Ireland (BCI) and the Broadcasting Complaints Commission (BCC).

The Broadcasting Act 2001 called on the regulator to draw up rules which required broadcasters to take steps to promote the understanding and enjoyment of programmes by people who are Deaf, hard of hearing or blind or vision impaired. The legislation allowed for such rules to specify the percentage of programmes broadcast that must be ‘accessible.’ The subsequent ‘Access Rules’ developed by the regulator therefore determine the levels of subtitling, sign language and audio description that broadcasters in Ireland are required to provide in accordance with their statutory obligations. The Access Rules were developed through a process of public consultation together with submissions received from various interest groups. The Access Rules came into effect on the 1st March 2005 and apply to broadcasters in the jurisdiction of the Republic of Ireland namely RTÉ 1, RTÉ 2, TG4, TV3, 3e, Setanta Ireland, City Channel (Dublin, Galway and Channel South), Dublin City TV and P5 TV. (During the period of the review ESPN America was also subject to the Access Rules and was therefore included in the consultation process conducted as part of this strand of the review of the Access Rules.)

In determining the quotas or targets to be reached by broadcasters, the BAI takes a number of things into account – the cost of providing access services, the resources of each broadcaster, the broadcaster’s remit and the type of programming carried by each channel (e.g. live sports broadcasts present different requirements and challenges from pre-recorded programme material). Targets for both Irish Sign Language and audio description provision were only applied to RTÉ services in acknowledgment of the public service remit and funding of these stations.

In keeping with good practice the BAI is currently undertaking a review of the Access Rules. A number of strands of research have been undertaken to inform this review. One of these strands of research, and the subject of this

particular report<sup>1</sup>, involved an analysis of the human resource factors associated with the provision of the various access services – subtitling, sign language, and audio description. This analysis was undertaken in order to develop a clearer understanding of the role of human resource factors and the cost of those resources involved in the provision of access services by television broadcasters in the Republic of Ireland. The research will support the BAI in making decisions in relation to the application of the Access Rules that are well informed and based on robust and current evidence. The field work for this most recent strand of the review of the Access Rules was conducted between June and August 2009. This report is a summary of the key findings.

## 2. Objective

The agreed objective for the project was:

“To analyse and review the role and cost of human resource factors involved in the provision of access services by television broadcasters in the Republic of Ireland and to put forward practical and actionable conclusions and recommendations appropriate to informing the BAI’s decision making in relation to the application of the Access Rules.”

## 3. Methodology

OCS Consulting undertook a combination of a round of intensive desk based research and a series of one to one depth interviews in order to realise the objective outlined above. In summary the following steps were undertaken;

- **Strand of desk based scoping research** involving a review of relevant secondary sources of information was undertaken to help to develop a clearer picture of the available supply of providers of access services to the Irish broadcasters.
- **Exploratory interviews with key informants** who are particularly familiar with the skill requirements, training pathways and skill gaps involved in the provision of access services. Approximately 10 interviews were undertaken during the conduct of this strand of research.
- **Interviews with key contacts amongst broadcasters** operating in the jurisdiction of the Republic of Ireland. As part of this strand of research interviews were conducted with representatives of all twelve of the channels that were, at the time at which the review was conducted, subject to the quotas as established under the Access Rules (RTÉ 1,

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<sup>1</sup> To further inform the Review of the Access Rules OCS Consulting was also commissioned to undertake a targeted consultation focused on those principal audiences benefiting from the Access Rules namely members of the general public who have a sensory disability and who use subtitling, sign language and audio description to assist their understanding and enjoyment of television programmes.

RTÉ 2, TG4, TV3, 3e, Setanta Ireland, City Channel (Dublin, Galway and Channel South), Dublin City TV, P5 TV and ESPN America<sup>2</sup>).

- **Interviews with key contacts amongst current providers of access services to Irish broadcasters.** Approximately eight interviews were undertaken during the conduct of this strand of research.

The various strands of research focused on identifying, where possible,

- The level of relevant 'in house' human resources available to broadcasters.
- The number and capacity of providers (both indigenous and international) of access services that are currently used by the Irish based broadcasters.
- Views on the current availability, capacity and skill set of providers of access services.
- The gaps that may exist in the indigenous skills base that may or may not limit the development of access provision.
- Factors which influence whether access services are provided 'in house' or are purchased from an external provider.
- A profile of the training/education path involved in acquiring the relevant skills involved in providing access services.
- Costs and human resource related issues associated with 'in-house' produced access provision.
- Costs and human resource related issues associated with 'purchased' access provision.
- Influence of the 'type' of broadcast (e.g. live, pre-recorded etc) and the 'format' of access service on the cost involved in providing access services.

Those participating in the research were given assurances of confidentiality in order to encourage an appropriate level of dialogue and 'buy-in' to the research process particularly in the context of cost related data which could be considered to be commercially sensitive information. Therefore feedback was collected in confidence. The findings gathered, and particularly those relating to costs have, with the agreement of both the research participants and the BAI, been presented in this report in a 'generic' and anonymised format. OCS Consulting would suggest this approach worked very well as all stakeholders participating in the study clearly treated the research process with utmost seriousness and contributed well thought out, insightful and meaningful submissions. The OCS research team is extremely grateful to the many research participants who very generously, openly and thoughtfully gave of their

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<sup>2</sup> ESPN America is not currently subject to the Access Rules

time and views over the course of the research. Without their co-operation and informed input this study would not have been possible.

#### 4. Recommendations

This section of the report identifies specific recommendations arising out of the research conducted by OCS Consulting.

When the BAI is reviewing its own approach to the Access Rules OCS would put forward the following points for consideration:

- **Actively consider the need to simultaneously increase the targets and timeframes applying to broadcasters.** Targets for television access service provision are currently based on a ten-year timeframe up to and including 'a final year' of 2014. OCS would recommend that there would be potential benefits for both broadcaster **and** television access service user alike if the timeframe were to be extended from 'a final year' of 2014 to a 'final year' of circa 2020 while simultaneously the specific targets set for each broadcaster for the revised 'final year' of the timeframe (i.e. circa 2020) would also be increased from their 2014 levels. Under such an approach while broadcasters would be obliged to reach an increased target for access service provision across the extended timeframe they would also be afforded additional and much needed time to achieve the revised, increased target set for the final year.

Such an approach could help to overcome levels of 'resistance' or 'scepticism' that may exist amongst certain broadcasters as it would provide broadcasters with some important 'breathing space' to respond to the dynamics of the changed market environment. Such an approach would also have tangible benefits for the users of television access services. While the timeframe for realising increases in television access service provision will have been extended the targeted 'end result', or quota set for the 'final year' (2020) will also have been increased.

If such an initiative were to be actively considered it will obviously be important to keep the interest groups informed as to why such a decision has been made and to remind and reassure them that the end result, or target set for the extended 'final year' of the timeframe has been increased.

- **Reconsider quotas set for subtitling provision in the case of individual broadcasters that have made significant changes to the 'type' of programme schedule that is aired** – a key differentiating factor for determining targets for individual broadcasters. By introducing a greater proportion of live or 'near-live' studio based programming formats certain broadcasters no longer have the same proportion of

programming available to them that can be subtitled at the lower end of the range of costs.

- **Consider awarding additional recognition for broadcasters that provide television access services during peak viewing hours** i.e. 6pm to 10pm as this is the period of television viewing time prioritised by the current users of television access services. (In evaluating and measuring performance, percentage targets are currently calculated over an 18-hour broadcast day from 7am to 1am.)
- **Provide broadcasters with a stronger evidence base**, perhaps drawing on data gathered elsewhere as part of the current Review of the Access Rules, illustrating how access services are being used and the level of importance viewers place on these services. This will help to secure further 'buy-in' amongst broadcasters and will demonstrate the importance of these services to sections of the viewing public.
- **Reconsider the practice of developing targets for subtitling on the basis of a 'nominal' figure for subtitling per hour** as the consultants found, when analysing the various costs borne by broadcasters in providing subtitling services, that 'hourly' fees charged out to the individual broadcasters can vary very significantly. Currently there is not a 'level playing field' as certain broadcasters are benefiting from an ability to negotiate on fees while others are not. Similarly when analysing costs incurred in realising access service commitments it may be appropriate for the BAI to consider both direct and indirect costs as borne by the broadcasters and as described in this report.
- **Adopt a more 'flexible' approach when applying targets on individual television access services.** A number of broadcasters that currently have low subtitling quotas to achieve suggested that they might be encouraged to provide Irish Sign Language if that provision could be recognised in the context of their subtitling quota. By rewarding such initiatives broadcasters will be encouraged to explore and adopt more innovative and alternative approaches towards access provision.
- **Support broadcasters in their search to build capacity and market knowledge by hosting seminars facilitated by subtitling and other access service providers.** Such information sessions could also provide broadcasters with an opportunity to share knowledge and expertise and to possibly explore the potential for collective purchasing. In addition to subtitling providers representatives from bodies such as the Centre for Deaf Studies at Trinity College Dublin, the Stenography Department at the Bray Institute of Further Education, the NCBI Media Centre, and Sign Language Interpreting Services (SLIS) could usefully be encouraged to participate. In particular the NCBI Media Centre and the Centre for Deaf Studies could usefully promote their expertise in the

areas of Audio Description and ISL services more prominently amongst broadcasters.

Similarly expert providers in the field of speech recognition technology could be invited to demonstrate to Irish based broadcasters how to achieve best performance from speech recognition technology and thereby to reduce subtitling costs and increase productivity. High quality, real-time speech recognition tools now provide a viable and economic alternative to conventional keyboard-based methods for live subtitling. The use of speech recognition for subtitling does not mean recognising the voice of the TV presenter as the technology is not yet good enough to deliver sufficient accuracy. Instead, a trained "re-speaker" listens to the programme, and re-dictates a slightly edited transcript of what is said to a speech recognition system that has been trained for their voice. The re-speaker is trained to achieve high accuracy and consistency.

- **Reconsider the relevance and appropriateness of affording so much recognition for subtitling that is featured as part of a high volume of 'repeats'** in a given broadcasters programme schedule. As several of the broadcasters suggested this could be considered a somewhat 'cynical' means of meeting the required target for subtitling provision.
- **Build greater awareness amongst independent producers of the importance of subtitling** and particularly the need to provide broadcasters with programme files at as early a stage as possible as this will help to address some of the work flow challenges borne by broadcasters in providing subtitling.
- **Encourage each broadcaster to prominently nominate a specific 'contact' person** for each television station who would be responsible for fielding and responding to queries, complaints and general requests for information placed by users of television access services. Details for the contact person ought to be placed prominently on each broadcasters Internet and Telextext services.

## 5. Key Findings

The purpose of this report is to provide a documented outline of the key issues arising from the research.

### 5.1 Setting the context – Access provision in the context of a dramatically changed market place

All of the representatives of the twelve television channels that were consulted as part of this research were very anxious to set their comments concerning access provision, and particularly the costs relating to the provision of access services, in a relevant context. Each of the broadcasters emphasised that the financial and budgetary environments in which Irish broadcasters are now operating have changed very dramatically in the last eighteen to twenty four months. According to the broadcasters consulted advertising revenues have reduced significantly when compared against revenues available as recently as in 2007. As a result broadcaster representatives stressed that all areas of spending in each of the broadcasters operations have had to be analysed for potential for costs savings. Several of the broadcasters have recently introduced staff redundancy programmes and salary reductions in an effort to respond to the more limited budgets that are currently available. Changes in programme formats and cuts to programme budgets have also been introduced by several of the broadcasters. In putting these contextual points forward broadcasters were keen to stress that realising access service commitments has become increasingly challenging in the current economic environment. The costs associated with providing access services in general, and subtitling in particular, were characterised as 'significant' and the goal of realising Access Rules related targets was frequently described as 'challenging' and 'increasingly demanding' to achieve in the current economic environment. Indeed several of the broadcasters suggested that 'survival' is currently the modest goal that they have set for themselves over the short to medium term. One broadcaster suggested that;

".....every sector has been hit by the downturn but in broadcasting advertising revenues have been slashed....We are taking in (revenues that are) a lot less than levels secured in 2007....and so have had to look at all our costs and seek out savings wherever possible.....All our staff took a salary cut of around 20% and we had to introduce a programme of redundancies as well.....All of our suppliers have been asked to reduce their prices wherever possible.....We are reaching a point where we simply can not take anymore cost out of the business.....The costs associated with subtitling are really very significant....We appreciate how important this (subtitling) service is and are pleased to say we have hit the targets (quotas set for subtitling) each year but it seems unreasonable to think that while we are cutting back on each and every other cost in the business we will be expected to increase our subtitling

provision each year for the next number of years.....Realising those increases brings with it a significant cost implication.....”\*

Indeed many of the broadcasters indicated that they have adopted a very short term perspective in managing their operations in an effort to respond to the more limited budgets that are currently available. This approach has involved the prioritising of costs in line with available revenues. These broadcasters indicated that realising increases in subtitling provision required over the next 12 to 24 months will not always be afforded the same level of priority as other regulatory related costs which the broadcasters must meet on an ongoing basis. When commenting on this subject one broadcaster stated that;

“...when we have so many pressing regulatory related costs...(such as) insurance, the level of required news related content... ceilings placed on advertising slots that simply must be met.....it’s difficult to see how we are going to be able to meet the increased costs involved in providing increased levels of subtitling...but it’s going to come down to a simple choice based on what we can afford.”\*

It was with these challenges in mind that broadcaster representatives spoke of targets set for forthcoming years as being either ‘worrying’ or even ‘unreasonable’ and ‘unrealistic.’ It was in this context that many of these broadcasters called on the BAI to have greater consideration for the current challenging market conditions in applying quotas to be reached by broadcasters;

“Other things (meeting costs involved in running broadcast operations) will have to take precedence over the next year or two.....we (the broadcaster) are meeting our targets (for access services) at the moment but the targets set for the next few years are just not realistic (or attainable)...”

“.....It (providing television access services) is a really significant cost.....we have had to let several staff members go in recent months (through a programme of redundancies)...We are simply taking a very short term perspective on this (trading as a viable entity) and living from month to month.....The truth is we (the broadcaster) mightn’t be here (as a trading entity) in six months time.....So while subtitling is important, and we have met all of the targets (set under the Access Rules) other issues like staying afloat have to take precedence...”

“They (the regulator) talk about treating us (the broadcasters) equitably rather than equally and having consideration for the stage of development at which we (the broadcast provider) are operating at....I’m not sure that is happening..... We (the smaller / niche broadcasters) are just not as well equipped to deal with

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\* Additional broadcaster comments on this subject are included in the appendices

the downturn and the challenging advertising market as the larger players.....Some concessions (in terms of the application of the targets) have to be made.....even if this were only for a one or two year period..... They (the Access Rules) shouldn't be the thing that pushes us over the edge (towards closure or further cuts backs in operations) or forces us to let more people go (introduce further redundancies).”\*

## 5.2 Attitude towards Access Service Provision

In characterising the broadcasters outlook and attitude towards their requirement, under the Access Rules, to provide various levels of television access services three broad approaches were evident. It may be instructive to outline, in brief, these different approaches or ‘mindsets’;

1. **Category One:** Broadcasters in this category appeared to share three key characteristics as follows;
  - (1) The provision of television access services is viewed by these broadcasters as a critical element of the service provided to television viewers.
  - (2) These broadcasters are clearly committed to high quality access service provision.
  - (3) These broadcasters are reasonably confident of achieving targets set for subtitling provision for the next one to two years.

In the opinion of the researchers only two of the indigenous broadcasters might share all three of these characteristics. These two broadcasters demonstrated that subtitling services are either an important part of the ‘look and feel’ or ‘brand image’ promoted by the broadcaster or are subject to very careful monitoring or quality control measures due to their perceived importance to the viewer experience. Similarly both of these broadcasters also suggested that targets set for subtitling provision for 2010 ought to be reasonably achievable given the two broadcasters current level of performance in this field.

It should be noted however that both of these broadcasters expressed a level of concern in terms of their ability and capacity to realise quotas set for subtitling provision for 2011.

2. **Category Two:** For broadcasters in this category the provision of television access services was described as both a necessary and worthwhile service and one that they are committed to providing. However these broadcasters are either currently struggling to meet existing Access Rules related commitments or are extremely doubtful of their ability and capacity to meet targets set for subtitling provision for

2010 given the impact of current market conditions on available revenues.

These broadcasters in no way question the necessity for television access services and are clearly committed to providing these services at current levels as pertaining in 2009. However they have stressed that targets set for the period 2010 and 2011 are “simply not achievable” and have called on the regulator to ‘freeze’ the quotas set for subtitling at 2009 levels for a period of one or preferably two years. A number of these broadcasters suggested that targets could then recommence in circa 2011/2012 at the level of provision currently specified for 2011/2012. It was suggested that such an initiative would provide these broadcasters with the necessary timeframe to recover and realign their operations and cost base to cope more effectively with the new and challenging market environment. The researchers would estimate that approximately four of the Irish based broadcasters would fall into this category.

- 3. Category Three:** Broadcasters who fall into this category tend to have a very different outlook on and attitude towards their requirements to provide television access services. These broadcasters would tend to view their requirement to provide access services as a ‘punitive’ obligation that provides no return on the necessary and significant investment involved. In the case of these broadcasters it would appear that their involvement in providing access services is undertaken purely to meet the requirements of the Access Rules. These broadcasters would appear to question the necessity for the Access Rules and speculate that there is little if any evidence to suggest that the access services provided are of any real benefit to viewing audiences or are actually availed of by the viewing public.

These broadcasters are most concerned when considering the targets for access provision set for forthcoming years and have suggested that increases set for the next two to three years are unrealistic and not achievable. An obligation to meet the requirements for increased access service provision will, according to these broadcasters, result in further job losses within their broadcast operations. The researchers would suggest that approximately two broadcasters would fall into this category.

### 5.3 Approach Taken Towards Access Service Provision

In characterising the broadcasters approach taken towards developing the key skills, knowledge and range of supplier relationships required to provide television access services in general and subtitling in particular three broad positions were evident. It may be instructive to outline, in brief, key characteristics in terms of the approach taken by broadcasters in their efforts to build capacity to provide television access services;

The majority, if not all, of the indigenous broadcasters would appear to be 'self-taught' in terms of acquiring the key skills and knowledge required to provide television subtitling services. Whether broadcasters had taken the initiative to provide subtitling prior to the introduction of the Access Rules or simply as a reaction to the introduction of the Rules none had sought to buy in or recruit specific personnel with previous relevant experience to direct and manage their subtitling services. Instead existing personnel within each of the broadcasters were assigned responsibility for 'learning' the skills involved and managing the provision of subtitling services within the broadcasters operations. Having held discussions with representatives of the twelve channels that were, at the time at which the review was conducted, subject to the quotas it became clear that a significant and often very steep learning curve exists in acquiring the necessary skills and knowledge, in identifying the most suitable approach relevant to the broadcasters own operations and in building successful relationships with appropriate subtitling providers.

With this in mind it would appear that indigenous broadcasters can, broadly speaking, be placed at three different points or stages of development on the required 'spectrum' of learning. Those who are most advanced on this spectrum have clearly engaged actively in 'scoping' the subtitling market.

**Stage 3:** Most advanced (from an indigenous broadcasters perspective) on the spectrum of learning.

- Broadcasters responsible for three of the television channels subject to the Access Rules have over time, developed, a significant internal expertise base in relation to subtitling provision
- These broadcasters have developed and 'tested' a range of subtitling provider relationships and, following a formal tendering process, have established a pool of providers to meet their ongoing and ad hoc subtitling requirements.
- These broadcasters have established purchasing schemes for subtitling, based on hours per month or year, which allow for discounted fees based on a form of 'bulk' purchasing.
- These broadcasters have very recently sought out and successfully negotiated fee reductions with their subtitling providers in the region of 5 to 10%.

**Stage 2:** Very early stages on the required learning curve.

- For these broadcasters the key priority lies in achieving compliance with the targets set for subtitling provision. These broadcasters have had to respond quickly to the requirement to establish a capacity to provide subtitling.
- There is limited evidence that these broadcasters have actively researched the market of subtitling providers or engaged in a formal tendering process and have therefore engaged with the first subtitling provider that they have encountered.
- Although significant internal broadcaster resources, both human and financial, are associated with providing subtitling services there is a tendency to rely on one or, at best, two subtitling providers.
- Often these broadcasters have engaged in relationships with the 'first' subtitling provider that they have encountered.

**Stage 1:** Reactive approach to requirement for subtitling provision

- Broadcasters have engaged a freelance contractor who only has the capacity to 'part provide' the required solution.
- In addition to the significant fee involved in paying the freelancer for that 'part solution' a significant amount of additional work has to be undertaken by an in-house editor to proof, edit and prepare the file submitted by the freelancer so that it is ready for on screen airing.
- No evidence of researching the market for alternative solutions.

#### **5.4 Factors which influence whether services are provided in-house or are acquired**

With the exception of RTÉ all of the Irish based broadcasters either purchase in subtitle files for material that has been previously broadcast elsewhere or rely on commissioned external contractors to develop 'new' subtitles for new programming. RTÉ is the only Irish broadcaster that has an 'in-house' subtitling department that has the skills and capacity to develop subtitles for programming. RTÉ also enjoys established relationships with a number of both indigenous and international subtitling providers and uses a combination of both salaried and contract stenographers as well as commissioned subtitling providers to meet its significant subtitling commitments as set out under the Access Rules.

Currently there is only one specialist Irish company providing English language subtitling services to Irish based broadcasters on an ongoing basis. A small number of approximately three to four individuals are also known to contract themselves to one of the larger national broadcasters on an ongoing basis. It is believed that the sole specialist provider company as well as the small number

of individual freelancers are operating at, or are close to, 'full capacity' in meeting the partial subtitling needs of the Irish based broadcasters.

The majority of the Irish broadcasters have developed a relationship with at least one of a range of international providers. Currently however Irish broadcasters would appear to be commissioning subtitling from three UK based subtitling providers and one Australian based provider. Relationships have however been maintained, in recent years, with approximately one other UK based provider and a provider based in the USA. It is understood that these are large scale providers who are serving several international broadcaster clients simultaneously. The three UK based providers and one Australian provider that Irish broadcasters are currently working with would appear to have significant capacity available to them and certainly sufficient capacity to meet the current needs of Irish based broadcasters.

In the context of broadcasters who require a combined translation and subtitling service there is one specialist company currently providing Irish language translation and subtitling services to the Irish based broadcasters. A further three to four specialist translation companies have in recent years established 'add-on' subtitling services and are now actively engaged in providing Irish language translation and subtitling services to the Irish based broadcasters. A further small number of approximately two to three individuals are also known to currently contract themselves to broadcasters for Irish language translation and subtitling services.

A number of factors would appear to have deterred Irish based broadcasters, with the exception of RTÉ, from establishing an in-house capacity to provide television access services.

- **Availability of time and expertise to develop the required in-house capacity and expertise.** For broadcasters the necessity to provide subtitling on a proportion of programmes aired has only been in place since 2005. Targets to achieve in initial years were set at what were considered to be reasonably modest and generally achievable levels. The majority of broadcasters therefore felt it was more relevant to commission in services at the required volumes rather than devote resources to investigate the requirements involved in establishing an in-house subtitling service. Given the demands involved in managing other areas of broadcast operations and in responding to the recent sharp reduction in advertising revenues these broadcasters have indicated that they simply have not had the time or opportunity to actively and thoroughly research what might be involved in establishing an in-house subtitling capability.

A number of the smaller niche and specialist broadcasters would also argue that their current volume of subtitling provision would not justify the purchase of the necessary equipment, software and training required to develop an in-house solution.

- **Available budget to purchase necessary equipment and train up staff members to fulfil the function;** The purchase cost involved in equipping a workstation for generating subtitles was also put forward as a key barrier inhibiting the development of an in-house subtitling capacity. The purchase price for the installation of necessary equipment and software was estimated at between €30,000 and €50,000 per workstation depending on the level of sophistication and functionality required. The costs involved in training a staff member to operate the equipment were not thought to be overly significant. However the duration of the required training which can range between one and two academic years has acted as a further deterrent for broadcasters considering such an approach.
  
- **Limited supply of trained stenographers in the Irish market;** A stenographer is a person whose occupation is to transcribe spoken speech into written form, typically using machine shorthand or a digital recorder to produce official transcripts of court hearings, depositions and other official proceedings. Stenographers, employing similar skills as those used by court based reporters, are also employed to develop subtitles for television broadcasts. Required skills of a stenographer are maintaining speed with the flow of speech so that no words are omitted, high levels of accuracy, excellent command of the language being spoken, attention to detail, and the ability to focus for long periods at a time. It typically takes anywhere from one to three years to learn the basic skills to become a stenographer for court reporting purposes.

Until very recently qualified and experienced stenographers in Ireland were understood to be in ‘full employment.’ There is only one, two year long PLC course in Court Reporting and Stenography available in Ireland. This course is provided at the Bray Institute of Further Education. It is understood that this programme can produce up to 20 graduates on an annual basis. The natural career progression for the majority of graduates would appear to involve entry into a court reporting position. While stenography for various purposes is recognised as a ‘transferable skill’ additional training and experience is required in order to make an effective transition from court reporting to providing stenography for television broadcasting purposes. Only a very limited number of stenographers in Ireland are trained and/or directly experienced in providing stenography for television broadcasting purposes. Most if not all of these stenographers are employed on a full time basis by the very small number of small scale stenography providers operating in Ireland or are operating on a freelance basis combining both court reporting and television subtitling duties for clients. OCS’s own discussions with providers in the industry would appear to validate the assertion put forward by broadcasters that it can be difficult to secure the services of a full time stenographer that is experienced in developing subtitles in a broadcasting environment.

'Real-time' or 'live' stenographers are the most highly skilled in their profession. Stenography is a system of rendering words phonetically, and English, with its multitude of homophones (e.g. there, their, they're), is particularly unsuited to direct transcriptions. Stenographers working in courts and inquiries would usually have 24 hours in which to deliver their transcripts. Consequently they may enter the same phonetic stenographic codes for a variety of homophones, and amend the spelling later. 'Real-time' or 'live' stenographers must deliver their transcriptions accurately and immediately. They must therefore develop techniques for keying homophones differently, and be unswayed by the pressures of delivering accurate product on immediate demand. Developing these additional skills sets will require time and investment on the part of broadcasters and stenography companies.

The salary associated with a stenographer who is experienced in providing subtitling for television was estimated to range from between €50,000 and €80,000 depending on the level of competency of the stenographer. Given the salary scales that broadcasters are currently providing it will be difficult for Irish broadcasters to recruit in new personnel at the required salary level. It is estimated that a single broadcast stenographer can produce an average of approximately 180 to 300 minutes of subtitled programming per week at an appropriate quality standard. Stenography for television subtitling is described as a relatively 'intense task'. Stenographers need to be rested and rotated at reasonably regular intervals particularly in the context of subtitling for live programming. Therefore those broadcasters with significant subtitling commitments would need to have a number, and possibly several, stenographers working in parallel in order to meet their entire subtitling requirement. The recruitment and salary related costs would therefore be excessive for the majority of broadcasters. There would also be an additional cost for necessary equipment and software for each additional stenographer.

The introduction of DAR or Digital Audio Recording which is currently being put into place in all Irish criminal courts is expected to have an impact on the labour market for stenographers in Ireland. Digital Audio Recording (DAR) is a technology based method of recording what is said in a courtroom. The recording can be played to confirm what was said during a case. The introduction of this technology will mean that there is less emphasis on the need for a court stenographer as the DAR service will be able to accurately capture what is said. The timescale for this transition to DAR is however unclear. It will ultimately mean however that fewer stenography positions will be available in court reporting which may in turn mean that more trained stenographers will be available for television subtitling in Ireland. However it ought to be borne in mind that stenographers who have worked solely in a court reporting environment will require significant additional experience before they can operate at a

meaningful capacity in television subtitling. Previous practice has illustrated that the use of court stenographers for television subtitling can result in the production of poor quality subtitles.

The relatively high turnaround of personnel within subtitling houses in general and those translation companies that provide an add-on subtitling service in particular, also adds to the challenge in developing a strong working relationship between broadcaster and contractor. The high turnaround in staff will also mean new stenographers are less familiar with the programme material that is to be subtitled.

Although the pool of indigenous subtitling providers is very limited so too is the group of broadcasters that these providers serve. Broadcasters have suggested that there can be reluctance on the part of smaller providers to say 'no' to pieces of available work due to the concern that additional work may not then be offered. Subtitling may therefore be taken on by certain providers when they do not truly have the capacity to deliver as required.

- **Limited availability of trained ISL interpreters that are experienced in the field of broadcasting;** It is estimated that there are approximately 60 Irish Sign Language interpreters in Ireland at present. However there is no formal accreditation and registration system for ISL interpreters in Ireland and therefore there is no official statistic available.

The majority of ISL interpreters work on a self-employed freelance basis and are contracted for ISL interpreting services by one or more of the four main agencies operating in this area. The users of interpretation services include Deaf people, State and Semi State organisations and large private entities. The education sector, and third level education in particular, is one of the main users of sign language interpretation services in Ireland. The voluntary and public sectors are also significant customers of the four interpreting agencies. Although there is no formal accreditation and registration system for ISL interpreters 'Sign Language Interpreting Service' (or SLIS), which describes itself as Ireland's national agency for sign language interpreting, provide on a rolling basis a system of accreditation whereby successful applicants are admitted to the SLIS register of interpreters. The Centre for Deaf Studies at Trinity College also currently provides a two year Diploma programme in Irish Sign Language. The Diploma in Irish Sign Language is a two-year full-time programme of studies accredited by Trinity College Dublin. It provides a professional training for those who wish to work as Irish Sign Language/English interpreters. Central importance is given to the development of (i) proficiency in Irish Sign Language and (ii) interpreting skills. Other course modules deal with such issues as; the linguistics of signed languages, the sociolinguistics of signed languages, deaf people in society, ethics and professional practice. The award is based on continuous assessment, practical placement with professional

interpreters in the field, and final examinations in interpreting. Students must successfully complete all modules to qualify for the award of Diploma. From September 2009 this Diploma programme is to be replaced by a four year Degree programme. There are 20 places available on this four year undergraduate programme.

According to principals consulted in three of the four main interpreting agencies the body of approximately 60 Irish Sign Language interpreters is in very significant demand and each of the circa 60 interpreters “has more than enough work to keep them going”. While the Diploma offered at Trinity College Dublin does not have a formal component in ISL for broadcasting purposes there are plans to include a number of media and broadcasting related modules as part of the third and fourth years of the four year Degree programme.

OCS would agree that there is a limited supply of ISL interpreters in Ireland. However principals at three of the four interpreting agencies indicated that they would, subject to suitable notice being provided, not have difficulty in responding to a request to provide suitable ISL interpreters for the purpose of providing ISL interpretation on television. Discussions with representatives of the Centre for Deaf Studies at Trinity College also confirmed that such capacity and expertise exists within the current body of circa 60 ISL interpreters. It is also anticipated that the capacity to provide specialist ISL interpretation expertise in a television context will improve significantly from 2013 as graduates of the new four year, Centre for Deaf Studies/TCD, Degree programme enter the workforce.

- **Extremely limited knowledge of the skills, technologies and available service providers involved in offering audio description services;** RTÉ, as a public service broadcaster, is the only Irish based broadcaster that is currently required under the Access Rules to audio describe a proportion of its programming. RTÉ worked in association with the National Council for the Blind of Ireland (NCBI) Media Centre in producing a number of audio described programmes, including an 11 week series of ‘About the House’ which was broadcast on RTÉ 1 on Sunday mornings at 9:45am from June 15th 2008. Other Irish based broadcasters however appear to be of the belief that there is very limited or no expertise in this field in Ireland. A number of Irish broadcasters also hold the opinion that broadcasters would be required to secure additional broadcasting bandwidth space with their platform provider in order to have the necessary capacity to provide audio description. There was a sense that the cost involved in securing this bandwidth space could be very significant. (It should be noted that additional bandwidth space is not currently required to broadcast ‘open’ audio described (which is audible to all viewers) programming.)

This lack of knowledge of both ISL and audio description, coupled with the perceived sense that they will be both problematic and costly to introduce along with the absence of a formal requirement, under the Access Rules, to provide such services has, it would appear, deterred the broadcasters from providing either of these two television access services.

### **5.5 Costs and human resource related issues associated with the provision of access services**

In conducting the series of interviews with broadcaster representatives it became clear that 'direct costs' alone, or the purchase price that may be involved in commissioning subtitles, is not the only overhead or human resource related challenge which indigenous broadcasters must cope with. Indeed a range of factors or challenges were identified which impact on both the direct and indirect costs involved in providing subtitles;

- **Direct costs and fees involved in commissioning an external contractor to provide subtitling** on submitted programming were obviously identified as the key challenge faced by broadcasters in providing subtitling on programming. OCS consulted with representatives of all twelve channels that were, at the time at which the review was conducted, subject to the quotas as established under the Access Rules to identify the level of fees involved in commissioning subtitling. These findings were further validated through a series of discussions with a range of subtitling providers.

Most interestingly, and something that both the BAI and the individual broadcasters may need to consider further, is the wide range of estimates put forward for the direct costs and fees incurred in commissioning an external contractor to provide subtitles on a programme. As illustrated in Row Two of the table overleaf the range of fees involved in commissioning subtitling for non-live, home produced, pre-recorded programmes – a form of programming which provides the greatest proportion of subtitling provision in Ireland - can vary from a low of €300 per hour to a high of €1,000 per hour. The underlying reasons for this wide range in fees applied for the commissioning of subtitling is due to a combination of factors;

- The negotiating power enjoyed by the larger, national broadcasters who can agree a more favourable hourly rate based on a comparatively larger volume of programme hours to be subtitled.
- The added dimension of 'language' whereby programmes produced originally in the Irish language first have to be translated from Irish and then subsequently subtitled in English. The specific dialect involved and degree of 'local' knowledge required by the subtitling

provider can also impact significantly on the cost involved in providing subtitles. The pool of available providers who can offer this 'second language' service is understandably very limited. Provider companies will tend to be, first and foremost, a specialist language translation company that has over time diversified and developed an 'add-on' subtitling service in response to market demand.

- The market knowledge and supplier relationships enjoyed by some, but not all, broadcasters. There are some smaller broadcasters who continue to use small, independent freelance providers who would appear to charge significantly more for subtitling services than the larger commercial providers.

**Table One: Cost/fee charged per hour of subtitling<sup>3</sup>**

	<b>Programme / Subtitling Format</b>	<b>Category 1*</b> National broadcasters Large volume of subtitling commissioned	<b>Category 2</b> Niche broadcasters Low volume of subtitling commissioned	<b>Category 3</b> Niche broadcasters Low volume of subtitling commissioned Use independent freelance providers
1	'Live'	<b>€300 - €550 per hour**</b>  - Subtitling for news and fast paced sports such as hurling will feature at the upper end of this range		
2	'Non-live', home produced, pre-recorded programmes	<b>€300 - €400 per hour***</b>  - when translation from a second language is also required range of costs will increase to between <b>€400 - €790 per hour</b>  - programmes involving complex medical, legal terminology or 'local' references or 'slang' will often feature at the upper end of the ranges provided as subtitling in these cases becomes more complex and time consuming	<b>Stg€510 per hour</b>	<b>€1,000</b>  - Plus an additional requirement for an in-house editor to devote 4 to 5 hours for each on air hour to proof, edit and prepare the file submitted by the freelancer so that it is ready for on screen airing
3	'Acquired' i.e. subtitles for purchased, pre-recorded, programmes where subtitles have already been created for the programme. In this case subtitles are purchased separately and, in addition, to the actual programme itself.	<b>€100 - €180 per hour</b>  - Higher profile/more popular programmes will feature at the upper end of this range - For national broadcasters <i>not</i> benefiting from repeat/bulk purchasing discounts range of costs involved can increase to between <b>€150 - €400 per hour****</b>		
4	'Acquired' embedded subtitles i.e. pre-recorded programme where subtitles have already been created and embedded onto the programme file.  The embedded subtitles for these programmes are charged for and purchased separately and, in addition, to the actual programme itself.	<b>Stg€150 per hour*****</b>		
5	<b>Films*****</b>	<b>€100 - €200 per hour</b>  - For national broadcasters not benefiting from repeat/bulk purchasing discounts range of costs involved can increase to between <b>€150 - €400 per hour****</b>		

<sup>3</sup> The various costs charged per hour of subtitling provided are not widely dissimilar to the costs borne by UK based broadcasters as featured in the Ofcom 2009 Review of Television Access Services Report [http://www.ofcom.org.uk/consult/condocs/access\\_services/consultation.pdf](http://www.ofcom.org.uk/consult/condocs/access_services/consultation.pdf)

\* Cost ranges put forward for 'Category 1' broadcasters take account of 5 to 10% cost reductions recently negotiated with subtitling providers.

\*\* Only one of the national broadcasters currently provides subtitling for live programming. Other national broadcasters have **estimated** that costs involved in providing subtitles for live programming can be as high as three times the costs involved in subtitling for pre-recorded programmes or in excess of €1,000 per subtitled hour. (As with other costs included in the table above the €300 - €550 per hour range was validated by third party providers.)

In subtitling for live broadcasts 'pace' and 'frequency' are the key issues of concern. Hurling for instance is understood to be the most expensive form of live broadcast to subtitle due to the pace at which the game is played at. A fast moving sport, will require a number of stenographers, and will also involve a steep learning curve from the perspective of the subtitling provider as the stenographers will need to learn both the rules of the game and the names of the players. News for example is more problematic than golf as news broadcasts are made on a rolling 24 hours a day, seven days a week basis. A considerable amount of subtitling resources will therefore be required to provide required subtitling for these news programmes.

\*\*\* Broadcasters who enjoy 'simulcast' relationships with broadcast partners can, when live subtitling is carried by the broadcast partner, carry the subtitled signal in parallel to the programme signal without having to pay the high subtitling creation cost.

\*\*\*\* If sourced from the USA there will be an additional requirement for the broadcaster to re-edit the subtitling file to match the scheduled advertising breaks and video file type. Files purchased from the USA will invariably be in NTSC format which do not match and run approximately 15% longer than the European PAL standard. It is estimated that this task can take approximately one to two hours of an in-house editor's time.

\*\*\*\*\* Not all of the national broadcasters have the technical capability to broadcast embedded subtitles.

\*\*\*\*\* There is no additional charge to broadcasters for 'open' subtitles as would exist on a foreign language film.

**Table Two: Costs incurred/fees charged for ISL and Audio Description**

	<b>Irish Sign Language</b>	<b>Audio Description</b>
<b>Cost of purchase</b>	<p><b>Approximately €700 per hour</b> on the basis of recommended good practice and current daily rates applying in this area i.e.</p> <ul style="list-style-type: none"> <li>- two interpreters (with one monitoring for quality)</li> <li>- two interpreters commissioned for full day (€350 * 2) to produce a single hour of ISL programming</li> </ul>	<p><b>Approximately €1,000 per hour</b> on the basis of purchase of 'acquired' audio description file. i.e. pre-recorded, programme where audio description file has already been created for the programme.</p> <p><b>Approximately €2,000 per hour</b> on the basis of in-house production of audio description file using key Irish supplier in this area; NCBI Media Centre</p> <p><b>Approximately €1,500 - €2,000</b> per hour on basis of in-house production of audio description file using UK based supplier in this area. (Indicative quotations provided)</p>

- **Indirect costs:** Providing subtitling, in addition to the 'direct' costs involved in commissioning a contracted provider to provide the subtitles, can and often does result in the absorption of a number of other additional 'indirect costs'. In many cases it is difficult and even impractical to accurately estimate the actual costs associated with the additional activities that the broadcaster can often be required to undertake. Often as the involvement of an in-house staff member will be required the indirect cost can usually be characterised as an 'opportunity cost' – that is another task that the staff member had previously been required to complete may then be overlooked. Alternatively it could mean that the staff member simply is required to work additional unpaid hours to fulfil the subtitling related task.

It must also be recognised that some, but not all, of these additional indirect costs may result from the somewhat inefficient approach that some broadcasters have adopted towards managing the procurement and coordination of their subtitling services. The most significant indirect costs that broadcasters may have to bare when providing subtitling services are described below;

- When broadcasters engage with independent freelancers who may only 'part' provide the subtitling solution. In certain cases an Irish broadcaster, on receipt of a subtitling file from an independent freelancer, will then have to resource an in-house editor to devote between four and five hours for each hour of subtitled programming to proof, edit, prepare and 'load' the file so that it is ready for on screen transmission.
- When the purchased programme arrives from a distributor in a form which does not match, due to time code variations, the subtitles which were originally produced for another broadcaster

(but have been subsequently purchased separately by the Irish broadcaster.) Such a situation can require a partial or even complete re-edit of subtitles to match programme time codes, scene cuts and scheduled advertising breaks. The time involved in this re-edit will vary significantly depending on the level of changes required. Estimates for this kind of re-editing of between one and five hours work on the part of an in-house editor were put forward for each hour of subtitled programming required.

- When a broadcaster acquires, from the USA, subtitling separately on a pre-recorded programme. In such instances there will be an additional requirement for the broadcaster to re-edit the subtitling file to match European PAL standards and the Irish broadcasters scheduled advertising breaks. It is estimated that this task can take approximately between one and three hours of an in-house editors time for each hour of subtitled programming.
- When a broadcaster chooses to 'repeat' a programme that already has accompanying subtitles the subtitling file may still need to re-edited to match any scene cuts or changed timing on scheduled advertising breaks. It is estimated that this task, if required, can take approximately between one and three hours of an in-house editor's time for each hour of subtitled programming.
- A significant proportion of a broadcasters Internet bandwidth will be expended in order to send prepared programme files to external contractors and receive back subtitling files from those contractors. This can interfere with other broadcast related operations. Acquiring additional bandwidth will involve additional costs which can vary significantly. The loss of Internet connection on either the broadcasters or subtitling providers part can threaten the workflow significantly.

Those sending and returning files in traditional DVD or videotape format will also have to consider necessary courier and delivery charges which, depending on the turnaround time required, can be significant.

- The time involved in project managing the 'chain of events' involved in providing subtitles is thought to be both 'very significant' and very difficult to quantify. For the larger national broadcasters a significant amount of project management and associated paperwork is required in liaising with external contractors and managing tendering processes and contracts. In the case of two of the broadcasters a full time member of staff is responsible for this role. In the case of a third national broadcaster a senior level members of staff devotes an estimated one quarter to one-third of their time to managing the subtitling

requirement. In the case of 'other' broadcasters' estimates of approximately 20% of one staff members available time were put forward. A key representative from each broadcaster will also be responsible for attending various Access Rules meetings, liaising with the relevant interest groups in this area and responding to viewer queries and comments as they may arise. Salary costs associated with these positions are naturally borne by the broadcasters.

Furthermore both an in-house transmission editor and broadcast engineer will need to dedicate relatively small amounts of their time – often minutes at a time – on an ongoing basis to checking that appropriate subtitles are in place and in responding to any technical problems that may occur at the last minute. It is estimated that a transmission editor can spend approximately three minutes in checking that subtitles are in place for every one hour of programming that is subtitled.

- **When translation from a second language is involved;** In addition to the higher range of direct costs involved in commissioning translation and stenography work as described in the Table One the broadcaster can also face other unique workflow related issues which can impact directly or indirectly on cost;
  - Subtitling for live television is not thought to be feasible due to the lack of specialist stenographers who would be in a position to combine translation abilities with the necessary live subtitling expertise. The margin for error in this type of subtitling would be extremely high. If such a resource were available it would be likely to be very costly. Therefore a proportion of programming scheduled by the broadcaster will not be available for subtitling.
  - The pool of providers available to offer subtitling services involving a second language is even more limited than those available to broadcasters providing a single language service. The need for the subtitling provider to also have some 'local' and 'contextual' knowledge of the subject matter and the dialect being subtitled will restrict the pool of available providers even further for specific programming. A considerable amount of additional research time can be involved in subtitling for programmes involving a second language as names of people and places, dialects and nuances may also need to be researched further.
- **Changes to 'type' and 'format' of programme schedule to cope with reduced advertising revenues.** In a bid to reduce their cost base a number of the broadcasters have partially redesigned their programme schedules. For some this has involved the introduction of more studio based programming which involves a 'live' or 'near live' format. Providing

subtitles for this type of programming will incur charges at the higher end of the €300 to €550 per hour range as these programmes would have to be presented to subtitling providers so close to transmission that they would have to be subtitled as if they were 'live.' These changes to the 'type' of programme schedule, which in the case of some broadcasters have been significant, can 'eat into' the proportion of a broadcasters programme schedule that is available for subtitling at the lower price ranges.

In a similar manner the requirement to accommodate unanticipated changes to programme schedules at short notice can absorb a proportion of a broadcasters programme schedule that is available for subtitling at the lower price ranges. Late programme changes may also mean that the programme originally scheduled for transmission, which may have been subtitled, may require re-editing to be aired again at a different time.

The broadcasters workflow and potential to subtitle a wide range of programmes from the programme schedule is also limited by the available office hours maintained by subtitling providers. As some of the larger providers do not provide a weekend subtitling service, outside of previously agreed contractual commitments, the proportion of a broadcasters programme schedule that is available for subtitling at the lower price ranges can be reduced. The absence of full service cover arrangements at weekends also heightens the challenges involved in 'turning around' and broadcasting programmes with subtitles scheduled for transmission early in the week.

- **Limited time span available for 'turnaround' of programmes** which can restrict the proportion of the broadcasters' available programme schedule that can be subtitled.

Programmes are often prepared and finalised for broadcast, either by broadcasters themselves or by independent production companies very close to, and often within 24 hours of, the scheduled transmission time. As the programme file in its final format has to be sent by the broadcaster to the external subtitling provider, either by DVD or videotape or across an Internet connection, and then subtitled by the external contractor and returned to the broadcaster this practice can lead to certain programmes, which had previously been assigned for subtitling, not being subtitled in time for transmission. Over a period of time this may mean that the broadcaster has no option but to select other programmes and programme formats in order to meet their targeted subtitling requirement. The selection of other programmes or programme formats for subtitling can often lead to higher fees being charged on subtitling due to the programme format or genre involved. One stakeholder suggested that;

".....if your original selection of programmes to be subtitled isn't subtitled....because they arrived into studio late and the contractor didn't

have time to turn them around (develop subtitles).....then that may mean that we have to select other programme types which may end up being more expensive to subtitle than our original selection...Say if we are forced into subtitling something that is live or something that contains a lot of local or obscure references it will cost us a lot more (to commission subtitles)....”

Alternatively in cases where programmes are submitted to external subtitling providers very close to the transmission time and the provider agrees to adjust their workload to accommodate and subtitle the overdue programme file a premium, in addition to the fee originally negotiated, can be charged by the external contractor in return for an accelerated turnaround of subtitling of the programme file. Subtitling providers will however not always be able to accommodate broadcasters in this way as their ongoing workload may not allow for changes at short notice. The additional ‘premium’ can also vary considerably depending on the length of the turnaround time required.

As programmes are often prepared very close to broadcast time the margin for error on subtitling quality is increased as the timeframe available for subtitling and necessary quality control comes under pressure.

## 6. Conclusions and Recommendations

### 6.1 Conclusions

The financial and budgetary environments in which Irish broadcasters are now operating have changed very significantly since the heights of mid 2007. Realising costs savings in all spending areas has become a priority for all of the indigenous broadcasters. Some very significant cuts, which have included redundancy programmes and salary reductions, have been introduced in a number of operations in a bid to respond to the challenging market environment. Meeting access service commitments and the costs associated with those commitments has become an increasingly significant challenge for many of the Irish broadcasters. The costs associated with providing these services can often be considerable. Several of the broadcasters have indicated that their current plans and priorities are very short term in orientation and are geared towards steering their operations successfully through the upcoming two year period. Many of the broadcasters have described the quotas set for subtitling provision for forthcoming years as being both ‘unreasonable’ and ‘unrealistic.’ It is in this context that several broadcasters have called on the regulator to have greater consideration for the changed economic environment when applying the Access Rules and to consider the introduction of a temporary ‘freeze’, for a period of between one and two years, on planned increases in quotas to be reached.

The broadcasters that provide television access services in Ireland are a diverse group many of whom are at quite different stages in terms of developing their approach to realising their access service commitments. While a small number of the broadcasters are taking what would appear to be a reasonably well structured and organised approach to managing the procurement and coordination of subtitling services others are less efficient and perhaps could be considered somewhat strategically naïve when it comes to managing and planning for the acquisition of subtitling services. While a small number of the broadcasters have introduced relevant procurement techniques and initiatives such as formal tendering processes and project management arrangements which have resulted in cost savings and discounts on bulk purchases other smaller broadcasters are less well organised and have adopted somewhat labour intensive and often costly approaches to managing their subtitling provision.

The broadcasting sector in Ireland is traditionally a very competitive environment and although relatively small in size there can be an understandable unwillingness to collaborate on many or even most issues. There would however appear to be openness, amongst many of the broadcasters, to engage more actively with fellow broadcasters on the issue of access service provision and to share information, expertise, contacts and possibly even purchasing power for the benefit of the collective of Irish broadcasters.

With the exception of RTÉ few, if any at all, of the Irish broadcasters have considered engaging in the provision of Irish Sign Language or audio description. There is very limited knowledge amongst broadcasters of the skills or technologies involved in providing either of these television access services. Although few, if any, of these broadcasters have actively researched the topic, there would appear to be a commonly held perception that both Irish Sign Language and audio description would be extremely costly to provide. Similarly there would also appear to be a shared sense amongst broadcasters that there is a lack of appropriate capacity and skills in the Irish marketplace to supply either of these services. This lack of knowledge of both ISL and audio description provision, coupled with the perceived sense that both services will be problematic and costly to introduce along with the absence of a formal requirement under the Access Rules to provide such services has, it would appear, deterred broadcasters from providing either ISL or audio described programming.

Having consulted with both broadcasters and a selection of subtitling providers the consultants would agree that there is a somewhat limited pool of providers, particularly those indigenous to Ireland, for the broadcasters to select from. In the case of broadcasters that have relatively low volumes of programming to subtitle this provides limited opportunity to seek out more competitive prices and discounts. Suppliers instead enjoy more relative 'power' and opportunity to 'set' the fee involved in subtitling provision. However there is evidence to suggest that broadcasters that have more significant volumes of programming to subtitle have the scope to negotiate more forcefully on proposed fee levels and to call for discounts on the basis of the large volumes of programming involved. There is also evidence to suggest that several of the broadcasters would benefit from taking a more strategic approach towards the management of subtitling provider relationships. It is apparent that there is a real, and in some cases, very basic lack of market knowledge amongst certain Irish broadcasters, some of whom simply are not familiar with basic information such as; Who are the providers in the marketplace? Which providers are recognised as being 'best' to deal with? How to establish a trading relationship? What are the benefits of establishing a formal tendering process? What is the optimum number of providers to involve in a selection process? What standards of delivery can be expected? Is there merit in putting a contract in place? What contractual conditions should be set in place? What kind of project management arrangements should be put in place?

The consultants would agree that there is a limited supply of ISL interpreters operating in Ireland particularly those who would have experience in providing ISL for broadcasting purposes. There is also evidence to suggest that ISL interpreters in Ireland are currently working at, or are very close to, full capacity. However it would appear that there is a small but sufficient base of ISL interpreters who would have an appropriate level of expertise and experience to deliver ISL interpreting services at the level involved and required in meeting Access Rules related quotas.

A number of broadcasters have suggested that the transition to the analogue switch off may be an appropriate point to review the funding of television access services. According to a number of the broadcasters consulted, their counterparts in a number of European countries are in receipt of Government funding to assist with the costs associated with television access service provision. Broadcasters also pointed to the US experience where independent sponsors are invited to part fund costs involved in providing television access services. The potential to introduce a scheme of State support and/or a sponsorship initiative should, according to many of the broadcasters, be actively explored. The introduction of either scheme would, according to these broadcasters, certainly help to boost the level of access service provision.

## 6.2 Recommendations

When the BAI is reviewing its own approach to the Access Rules OCS would, in particular, put forward the following points for consideration:

- **Actively consider the need to simultaneously increase the targets and timeframes applying to broadcasters.** Targets for television access service provision are currently based on a ten-year timeframe up to and including 'a final year' of 2014. OCS would recommend that there would be potential benefits for both broadcaster **and** television access service user alike if the timeframe were to be extended from 'a final year' of 2014 to a 'final year' of circa 2020 while simultaneously the specific targets set for each broadcaster for the revised 'final year' of the timeframe (i.e. circa 2020) would also be increased from their 2014 levels. Under such an approach while broadcasters would be obliged to reach an increased target for access service provision across the extended timeframe they would also be afforded additional and much needed time to achieve the revised, increased target set for the final year.

Such an approach could help to overcome levels of 'resistance' or 'scepticism' that may exist amongst certain broadcasters as it would provide broadcasters with some important 'breathing space' to respond to the dynamics of the changed market environment. Such an approach would also have tangible benefits for the users of television access services. While the timeframe for realising increases in television access service provision will have been extended the targeted 'end result', or quota set for the 'final year' (2020) will also have been increased.

If such an initiative were to be actively considered it will obviously be important to keep the interest groups informed as to why such a decision has been made and to remind and reassure them that the end result, or target set for the extended 'final year' of the timeframe has been increased.

- **Reconsider quotas set for subtitling provision in the case of individual broadcasters that have made significant changes to the ‘type’ of programme schedule that is aired** – a key differentiating factor for determining targets for individual broadcasters. By introducing a greater proportion of live or ‘near-live’ studio based programming formats certain broadcasters no longer have the same proportion of programming available to them that can be subtitled at the lower end of the range of costs.
- **Consider awarding additional recognition for broadcasters that provide television access services during peak viewing hours** i.e. 6pm to 10pm as this is the period of television viewing time prioritised by the current users of television access services. (In evaluating and measuring performance, percentage targets are currently calculated over an 18-hour broadcast day from 7am to 1am.)
- **Provide broadcasters with a stronger evidence base**, perhaps drawing on data gathered elsewhere as part of the current Review of the Access Rules, illustrating how access services are being used and the level of importance viewers place on these services. This will help to secure further ‘buy-in’ amongst broadcasters and will demonstrate the importance of these services to sections of the viewing public.
- **Reconsider the practice of developing targets for subtitling on the basis of a ‘nominal’ figure for subtitling per hour** as the consultants found, when analysing the various costs borne by broadcasters in providing subtitling services, that ‘hourly’ fees charged out to the individual broadcasters can vary very significantly. Currently there is not a ‘level playing field’ as certain broadcasters are benefiting from an ability to negotiate on fees while others are not. Similarly when analysing costs incurred in realising access service commitments it may be appropriate for the BAI to consider both direct and indirect costs as borne by the broadcasters and as described in this report.
- **Adopt a more ‘flexible’ approach when applying targets on individual television access services.** A number of broadcasters that currently have low subtitling quotas to achieve suggested that they might be encouraged to provide Irish Sign Language if that provision could be recognised in the context of their subtitling quota. By rewarding such initiatives broadcasters will be encouraged to explore and adopt more innovative and alternative approaches towards access provision.
- **Support broadcasters in their search to build capacity and market knowledge by hosting seminars facilitated by subtitling and other access service providers.** Such information sessions could also provide broadcasters with an opportunity to share knowledge and expertise and to possibly explore the potential for collective purchasing.

In addition to subtitling providers representatives from bodies such as the Centre for Deaf Studies at Trinity College Dublin, the Stenography Department at the Bray Institute of Further Education, the NCBI Media Centre, and Sign Language Interpreting Services (SLIS) could usefully be encouraged to participate. In particular the NCBI Media Centre and the Centre for Deaf Studies could usefully promote their expertise in the areas of Audio Description and ISL services more prominently amongst broadcasters.

Similarly expert providers in the field of speech recognition technology could be invited to demonstrate to Irish based broadcasters how to achieve best performance from speech recognition technology and thereby to reduce subtitling costs and increase productivity. High quality, real-time speech recognition tools now provide a viable and economic alternative to conventional keyboard-based methods for live subtitling. The use of speech recognition for subtitling does not mean recognising the voice of the TV presenter as the technology is not yet good enough to deliver sufficient accuracy. Instead, a trained "re-speaker" listens to the programme, and re-dictates a slightly edited transcript of what is said to a speech recognition system that has been trained for their voice. The re-speaker is trained to achieve high accuracy and consistency.

- **Reconsider the relevance and appropriateness of affording so much recognition for subtitling that is featured as part of a high volume of 'repeats'** in a given broadcasters programme schedule. As several of the broadcasters suggested this could be considered a somewhat 'cynical' means of meeting the required target for subtitling provision.
- **Build greater awareness amongst independent producers of the importance of subtitling** and particularly the need to provide broadcasters with programme files at as early a stage as possible as this will help to address some of the work flow challenges borne by broadcasters in providing subtitling.
- **Encourage each broadcaster to prominently nominate a specific 'contact' person** for each television station who would be responsible for fielding and responding to queries, complaints and general requests for information placed by users of television access services. Details for the contact person ought to be placed prominently on each broadcasters Internet and Telextext services.

## Appendix One: Interviews with Broadcasters – Topics for Discussion

- Views on the current availability, capacity and skill set of providers of different types of access services to the Irish broadcasters (i.e. broadcast stenographers, ISL interpreters, audio description providers)
  - How big is the current pool of providers? Who are you currently using? (Providers, both indigenous and international, of access services that are currently used by the Irish based broadcasters)
  - Is there enough 'supply' to meet the needs of the Irish broadcasters (both current and anticipated needs)?
  - Have you experienced any difficulties in recruiting / procuring the necessary expertise?
  - How would you describe the skill levels of the indigenous providers? How do they compare to the international providers?
  - Ability to deliver 'on time', 'on budget' and at appropriate standard?
- Views on the gaps that may exist in the indigenous skills base that may or may not limit the development of access provision (across subtitling, ISL and audio description)
  - What challenges, if any, does this place on your own internal human resources?
- Rationale for maintaining required 'human resources' and 'skills sets' in house V on an external / procured basis
  - Is there an optimum balance?
  - Limiting factors/challenges (from the broadcasters perspective) arising from the use of external contractors
  - Workflow issues/human resource challenges (experienced by the Irish broadcasters) in providing access services.
  - Factors which may influence whether access services are provided 'in house' or purchased from an external provider

- Costs associated with the access services provided i.e.

(cost per hour/day/contract based service, availability of discounts, 'bulk purchasing' etc)

- Costs associated with 'in-house' produced material
- Influence of 'type' of broadcast (e.g. live, pre-recorded etc) on the cost involved in providing access service
- Costs associated with live subtitling
- Costs associated with 'purchasing' for pre-recorded in house programming
- Costs associated with acquiring international (US, UK, & AUS) material
- Different types of subtitling (open, closed, embedded, file based) – Is there an impact on cost? Does it impact on the human resource input required of the broadcaster?
- ISL (human resource related) costs
- Audio description (human resource related) costs
- How would you like to see the Irish based access service providers develop their offering?
- Do you think the regulator has a role to play in this area?

## Appendix Two: Interviews with Broadcasters - Additional Comments

### **Broadcasters on the subject of providing access services in the context of a dramatically changed market place;**

“...we are committed to providing subtitling for our viewers and to reaching the targets that are set for us currently but at a time when budgets (available to the broadcaster) are so incredibly tight and cutbacks are being introduced right across the operation we (the broadcaster) have really started to scrutinise the often very significant costs and resource related challenges involved in providing subtitling...Something will have to give (if we are to continue to meet our targets set for forthcoming years)...Further tough choices (the introduction of budget cuts elsewhere in the broadcasters operations) will have to be made (in order to realise the quotas set for forthcoming years)...but I really don't know where the scope for further cuts exists (to facilitate the additional spend required in meeting increased targets set for forthcoming years).”

“...we (television broadcasters) are operating in a market that has changed dramatically in the last 12 months....and not for the better.....Cost control is always important but it now dominates everything we do in the station....We have had to introduce a really tough scheme of cutbacks in the last six or twelve months....Its possible that we will have to let other staff go...So it seems a little unfair that costs associated with subtitling are set to increase steadily between now and 2015....I don't think they (the BAI) have taken (changed) market conditions into account at all.....(in determining the quotas to be reached by broadcasters)...”

“.....I don't want to describe it (the requirement to provide subtitling) as a burden but the call (placed on broadcasters) to provide even greater levels of subtitling on a year on year basis seems out of kilter with (detached from) what is going on in the market place (reduced revenues and more cost oriented environment.)”

“.....this is the toughest trading environment we (recently established broadcasters) have operated in....Broadcast operations require significant investment when setting up so there is little opportunity to husband your profits.....We (niche and recently established broadcast operations) can't be compared to the longer established broadcasters and those receiving a state subvention.....We simply don't have the revenue base to cover all of the costs (involved in operating a broadcast operation).....So we are having to cut back elsewhere to meet our obligations under the Access Rules....”

“.....We have taken all that we can (cost reductions) out of the business.....there is no scope for more cuts.....Some other compliance requirement will have to give if we are to meet the increased targets (set for forthcoming years).....I'd be happy if the BAI were to help us make that choice....”

**Broadcaster commenting on the challenge of meeting access service commitments alongside all other regulatory related requirements;**

“...It (requirement to provide television access services as set out under Access Rules) is a regulatory cost.....but there are so many others like the cap on advertising, the need for so much ‘back office’ staff, the hefty insurance bill, the need to air so much news content that something (some regulatory related cost) will have to give....and out of all of those (various ‘competing regulatory costs’) I’m guessing it will have to be subtitling....I’d be happy though if the regulator were to come in and help us make the choice!”

**Broadcasters commenting on the subject of Access Rules related targets set for forthcoming years;**

“We are battling to survive at the moment....Our cost base has changed dramatically.... We have to focus on covering our core costs over the next six to eighteen months....It’s completely unrealistic to think we should be expected to increase our (subtitling) provision and add so significantly to our cost base given what is happening in the market place....Market dynamics have to be factored in to (the BAI’s) decisions on targets.....Targets really should be frozen for a year or two to give the broadcasters a chance to trade through these difficult times....”

“It’s (the increase in subtitling provision set for forthcoming years under the Access Rules) is a real worry....I don’t know how we will reach the targets set for the next couple of years....the increase (next scheduled increase set under the Access Rules) is too big....We (broadcasters) need to be given a break....A compliance issue like this shouldn’t force us into a position where we have to let people go (make staff redundant)....”

“...the targets up to now have been achievable but you (the broadcaster) will eventually hit a ceiling (in terms of possible increases in provision).....We have been confident up to now that we will reach our target but the next jump (in level of target set for subtitling provision) is a real worry....I don’t know how we are going to achieve that.....”

“We (the broadcasters) are not trying to hoodwink you (the BAI) or the users (of television access services) or use the downturn as an excuse for not meeting the targets.....but market conditions have changed very significantly since the Rules were introduced back in 2005.....We are getting to the point, or probably have even past it, where we can’t absorb any more additional costs.....Trying to cover all the costs involved in running the station...which include those involved in providing subtitles is a real challenge at the moment...They (the regulator) rightly apply a number of different criteria in deciding what targets to apply to the different stations.....(i.e. stage of development of the broadcast provider, nature of the broadcast provider (public/private), level of current provision of access services provided by the broadcaster, technical/human resource cost involved in providing the services, technical capacity and type of programme

schedule aired by the broadcaster).....they (the BAI) also need to look at our (the broadcasters) changing structure of overheads and available revenues when deciding on what (targets) to apply.....I just don't know how we are going to respond (whether we can achieve it or not) to the next increase (in target set for subtitling provision.)....An increase (in the level of subtitling that the broadcasters are required to produce) just seems totally unreasonable now....I don't know how they (the regulator) can expect us to meet the increases (in the targets set for forthcoming years)....At least give us a bit of breathing space (freeze the targets) for a year or two.....Even then it would be ok, I suppose, (after this 12 or 24 month target freeze) if we were required to achieve the next increase (established targeted increase) straight away.....Our focus (the broadcaster) is on getting through this \*\*\*\*\* two year period where things (available revenues and budgets) are going to be very tight.....If the Access Rules had some consideration for this (current market conditions) and allowed us (the broadcasters) to play 'catch up' after a year or two out I think that would represent a fair and balanced approach.....and would probably help (the regulator) to secure more 'buy in' amongst broadcasters (in terms of their approach and attitude towards the Access Rules)."