



Dear Mr Hunt,

Sense welcome the opportunity to comment on your open letter entitled “A Communications Review for the Digital Age”.

Broadcast services and video-on-demand can play a more important part in peoples’ lives than is often thought. As well as providing current affairs information such as news programs they also educate, entertain and provide a shared interest which can help with social bonding. Access to broadcast and on demand programs can play an important role in emotional wellbeing and, as a knock on effect, general health. This can be especially true of disabled people who often experience social isolation and whose disability may affect their mobility, restricting their entertainment and socialising options.

Access to the phone system is essential for both social and economic participation and Sense is committed to ensuring that deafblind people get access that is equivalent to everyone else.

Sense is the leading national charity that supports and campaigns for children and adults who are deafblind. We provide expert advice and information as well as specialist services to deafblind people, their families, carers and the professionals who work with them. In addition, we support people who have sensory impairments with additional disabilities.

The government has expressed a preference for a deregulatory approach but this will only benefit mainstream consumers who are likely to be catered for by industry. Deregulation will not bring about accessibility. It will not maintain the accessibility currently in place for disabled people and will not ensure the accessibility of new services and technologies as they enter the marketplace.

**Q1. What could a healthier communications market look like? How can the right balance be achieved between investment, competition and services in a changing technological environment?**

Sense believes a healthier communications market is one where, regardless of the platform, a user can choose what they want to watch based on the program

and the access services available. They should then be able to watch that program with confidence that the access service will be available and reliable. If there is a problem with the access service then fixing it must be given the same priority that would be given to fixing problems with the video or audio. Complaints about access services should be ruled on by Ofcom the same way that complaints about matters of public decency are currently ruled on. It seems scandalous that, currently, using profanity in a program may bring punitive measures but failing dramatically to provide an accessible service will not.

Ideally, all broadcast or view-on-demand programs should be available with the full range of access services but if it is judged that the industry cannot sustain this then minimum quotas for each access service should be placed on all broadcast or view-on-demand services. Where an access service is deemed by Ofcom to be unreasonably poor or unusable then this should be discounted from the quota.

Once an access service has been produced for a program it should be bound to that program material in all further business deals. Wherever possible it should be bundled in such a way that facilitates further use of it. For signing and audio description this may be a separate video or audio file and for subtitling this may be a transcript with timings for when subtitles should be displayed and removed. Similarly if subtitles were delivered in a way that allowed the text to be easily extracted then users could customise their display method. This means that the same subtitle could be delivered in Braille, high contrast text and low contrast text from the same broadcast. Whilst technical details are outside the scope of the Act, the principles of inclusive design coupled with a healthy dialogue between industry and the third sector could mean that access technologies show the same innovation as the rest of the sector.

A healthier communications industry would also be one where disabled people have the same access to the phone network as everyone else. Relay services such as text relay, video relay and captioned telephony can give deaf and deafblind people access to the phone network but currently only text relay is affordable to a deaf or deafblind user in the UK. Ofcom is currently reviewing the provision of relay services in the UK and they must have the duty and all the available regulatory powers to bring about functional equivalence for disabled users in a way that keeps up with the emergence of new technologies.

### **Q3. Is regulatory convergence across different platforms desirable and, if so, what are the potential issues to implementation?**

The accessibility of services needs to be, as far as possible, platform independent. Users should be able to have one expectation of service regardless of how the service is delivered.

**Q5. What further market and regulatory developments would lead to widespread take-up of superfast broadband? What regulatory action would government need to take to make superfast broadband more readily available in a) urban areas; and, b) rural areas?**

In order to deliver both broadcasted programs and to carry communications the networks must be adequate and robust. Current video relay services require a reliable broadband internet connection and this is not something that is currently guaranteed for all UK citizens. A healthier communications market would be one where there is a minimum expectation for communication network speeds and reliability across the UK which is regulated and enforced. This needs to be adaptable to protect users' rights on new communication technologies as they arise. There should not be different minimum standards for urban and rural areas. Market forces will provide for densely populated areas but legislation will be required for sparsely populated ones.

Sense look forward to working with government and industry on the new Communications Act. Together we can ensure that all UK citizens have equal access to the phone network and can benefit from broadcasting which is internationally recognised as being of the highest standard.

Yours sincerely,

A handwritten signature in black ink, appearing to read "John Paton". The signature is written in a cursive, flowing style.

John Paton  
Technology Officer for Sense