

A Communications Review for the Digital Age Response from Sorenson Communications June 2011

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?

Introduction

A healthier communications market would meet the needs of all sections of society, including disabled people. This submission focuses on the needs of Deaf people and outlines how the Government can ensure that services for British Sign Language users are fit for the digital age. There are compelling social, legal and moral reasons for action to provide this section of society with telecommunications services equivalent to those enjoyed by the rest of the population, by establishing a market for the delivery of universal Video Relay Services (VRS). The creation of this market would support growth not only in the communications sector, but in the economy as a whole. In line with the above question, this response is divided into sections focused on services, competition and investment.

Services: ensuring services for Deaf people meet legal obligations and the needs of the Deaf community

Over 50,000 British Sign Language (BSL) users do not have equal access to telecommunications in the UK. Existing text-based services are slow and outdated – they allow conversation speeds of only 30 words per minute and force BSL users to communicate in their second language, English.

The primary telecommunications service for Deaf people in the UK is the Text Relay service operated by BT. As Ofcom set out in the forward to the 2009 Plum report into voice telephony services for Deaf people, the Text Relay service is “... highly valued by users. However, it relies on technology which is 30 years old.” As current provision for BSL users is 30 years old, it is clearly not fit for the digital age.

For the majority of sign language users in the UK, BSL is their first language, not English. Forcing BSL users to use text based technologies deprives them of the ability to communicate their true meaning, and removes the feeling and emotion which is a vital part of BSL.

VRS is a proven technology which enables equal access to telecommunications for sign language users, and for the hearing who wish to communicate with them. VRS typically allows conversation speeds of up to 150 words per minute, very near to that achieved by voice telephony between hearing people, which is estimated at 170 words per minute¹. Crucially, it allows Deaf users whose first language is BSL to communicate in their first language as part of a fluid, expressive conversation. VRS has been universally available in the US for almost ten years but is not universally available in the UK.

The revised EU Electronic Communications Framework, which had to be implemented into UK law by 25 May 2011, creates an obligation on the UK Government to ensure that Deaf people are provided with access to telecommunications which is functionally equivalent to that enjoyed by the majority of end-users. Article 7 of the Universal Service Directive contains an obligation on EU Member States to *'take specific measures to ensure that access to, and affordability of, [telephone services] for disabled end-users is equivalent to the level enjoyed by other end-users.'*

There is now an absolute obligation on the UK to take specific measures to ensure equivalent access. VRS is the only technology which provides a service which is functionally equivalent to the telecommunications services enjoyed by the majority of end-users. The Government and Ofcom must act to create a viable, competitive market for VRS.

¹ Plum Consulting Report 2009

Competition: creating a competitive VRS market

Article 7 of the Universal Service Directive has the clear intention of encouraging competition in the market for disabled end-users. It empowers Member States to take 'specific measures to ensure that disabled end-users can also take advantage of the choice of undertakings and service providers available to the majority of end-users'. The majority of end-users currently benefit from an array of choice in telephony services and in the undertakings which provide these services. The clear intention of the Universal Service Directive is to extend choice of this nature and degree to Deaf end-users as well. In the UK, Deaf and hard of hearing users have only one universally available telecommunications service - Text Relay - and only one provider - the Universal Service Provider, BT.

We believe the introduction of a competitive market for the delivery of VRS would lead to improved quality of service, increased efficiency of operators, reduced costs and greater choice for consumers. Competition is also likely to encourage investment in research and development for specialised terminal equipment.

The competitive market for VRS established in the United States provides a ready precedent for the advantages of competition between providers of relay services. As a result of competition, the average speed of answer for VRS calls is now 10 seconds while the number of video phones available on the market for Deaf people has grown from 1 to a very broad and growing range of hardware, software and mobile app solutions.

We understand that there is a widespread preference for a competitive market among the Deaf community and among VRS providers in the UK, most recently demonstrated by the Telecommunications Action Group's comments at a UK Council on Deafness conference in November 2010: 'Competition in the field of all telephone relay services is badly needed and would undoubtedly help to improve quality of service.'

Investment: the economic benefits of a competitive market for VRS

Independent economic research conducted by Europe Economics has shown that establishing a competitive market for VRS in the UK would create a net benefit for the economy of between £260m and £550m over ten years.

The creation of a competitive market for VRS would drive significant investment by existing providers and encourage new entrants and inward investment. The research by Europe Economics shows that a competitive market would create over 1500 new interpreting jobs and over 2500 jobs in total while bringing benefits to deprived local areas through the establishment of VRS call centres. It would also benefit the UK Exchequer by reducing welfare and public sector spending, and increasing tax and National Insurance revenues.

We also believe that access to universal VRS would empower and enable a section of society which is often marginalised from the jobs market.

Conclusion

Ofcom is due to issue a consultation on the future of Relay Services imminently. However, we are concerned that, since 2004, Ofcom has published ten reviews, consultations, and statements on Relay Services for Deaf people and has not taken any action, leaving Deaf people disadvantaged. Primary legislation is not required to create a competitive market for the delivery of VRS. The forthcoming Communications Green Paper and Communications White Paper provide an opportunity for the Government to demonstrate its understanding of the needs of the Deaf community and its intention to ensure that over 50,000 BSL users can benefit from a telecommunications service which is functionally equivalent and fit for the digital age.

About Sorenson Communications

Founded in 2000 and based in the United States, Sorenson is the leading developer and provider of telecommunications technology for deaf people. Sorenson has particular expertise providing VRS, which enable equal access to telecommunications for Deaf people, and the hearing who wish to communicate with them. [REDACTED]