

BBC iPlayer proposals: a Public Interest Test consultation

The National Association of Deafened People (NADP) is a nationwide charity run by its members who are deafened. Our members have experienced hearing loss to varying degrees during their lifetimes. Some have had a hearing loss since birth or early childhood, others may have become deafened suddenly during adulthood. Many share a gradually deteriorating hearing loss with age and have become increasingly reliant on using subtitles when viewing television broadcasts as their hearing has deteriorated. Many of our members either use hearing aids to enhance their limited hearing or have a Cochlear Implant which means they are likely to use both audio and subtitles to enjoy viewing TV. It is of no surprise that deafened people feel they should be able to enjoy content in the same manner as the hearing population in whichever format this may take and wherever they may be in the world. This is particularly relevant to content provided by the BBC both as a PSB but also as a national institution. Many of our members have expressed their disappointment when finding on demand content without subtitles despite knowing that the same content was broadcast with subtitles.

NADP welcomes the opportunity to respond to the BBC's consultation on its BBC iPlayer proposals on behalf of its members.

Consultation Questions

Question 1: What do you think about the potential public value of our proposals for enhanced availability of BBC content, including the extent to which our proposals contribute to the BBC's mission to serve all audiences through the provision of high quality and distinctive output and services which informs, educates and entertains?

Question 2: What do you think about the benefit to consumers who will use the service, as well as wider potential social and cultural impacts?

Question 3: What impact (positive or negative) do you think our proposals on enhanced availability might have on fair and effective competition?

Question 4: Are there any steps you think we could take to minimise any potential negative effects on fair and effective competition or to promote potential positive impacts?

Our response

NADP is responding to this consultation following our recent response to the Age Related TV Licence Policy and note that there is some overlap in the two responses. We believe this is understandable as both consultations appear to focus on value for money for the younger audience. We question this focus with particular regard to a number of factors, most significantly accessibility and equal access, which we address in this response. It has been difficult to respond directly to the questions raised in this consultation given the context of our response.

Firstly, we would like to point out that our members value the BBC, its values, what it represents and specifically its aims to provide full accessibility. There appears to be a significant amount of loyalty towards the BBC alongside an expectation of quality and values, with the perception that the BBC leads from the front in developments and accessibility. As such we would expect considerable disappointment by our members if this loyalty was not reciprocated. It would appear that this risk has not been considered in this consultation.

We note the BBC's efforts to provide subtitles on all broadcast content, although as mentioned in our response to the Consultation on the Age Related TV Licence Policy, we believe greater focus needs to be placed on the quality of these subtitles particularly for live broadcasts. It is extremely

disappointing that the iPlayer still does not provide subtitles on the live broadcasts which according to the October 2018 BBC report account¹ for 16% of content viewed on the iPlayer. This means that the deaf community which relies on subtitles is unable to view this content. This is of a particularly concern given the extent to which the UK population relies on the live news from the BBC.

Ultimately this means that the deaf population are being excluded from access to live news through the BBC iPlayer.

Furthermore, the BBC itself has promoted the fact that 20% of adult content and 40% of children's content is viewed with subtitles switched on. We fail to understand why the BBC would not want to focus on ensuring this live content is subtitled particularly as this would immediately increase the size of the audience that views live content. This would be also be more consistent with the aim of the BBC that "users are able to access the UK Public services that are intended for them".

We would also emphasise that we continue to receive reports of poor quality of live subtitles including delays, inaccuracies and significant errors. We believe the BBC should focus resources on improving the quality of live subtitles on all platforms to ensure that there is no difference in the message portrayed whether is via audio or subtitles for all live programmes.

We also find it peculiar that Ofcom has focused attention on the younger audience share putting a public broadcaster which they regulate against the likes of SVOD providers which are either unregulated in the UK or have been subject to a light touch regulation with regards accessibility. It is of no surprise that the SVOD providers are now appearing to be beating all competition when they have faced fewer constraints.

That said we are appreciative that Ofcom has taken on board the views of our members as captured in our response to its consultation on the guidance for accessibility in VoD. However we question why the BBC team within Ofcom has failed to reflect a similar focus in its recommendations to the BBC Board. How can it be unaware that live content on the iPlayer is not subtitled?

If we turn back to the value for money question asked in the consultation on Age Related TV licence policy and which remains implicit in this consultation, one key question should be - who pays the Licence Fee?

Given that 40% of the population between 16 and 34 live with their parents², we would imagine in the vast majority of these cases the parents pay. It is therefore no surprise that this age group has the funds to afford SVOD. Even for those people in the age group who no longer live at home, figures from ONS suggest that they are much less likely to live by themselves than someone over 50 who is more likely to be paying a TV licence fee. Given that hearing loss is predominantly age related with over 40% of over 50s and over 71% of over 70s with a hearing loss³ then NADP would argue that to be consistent with the BBCs aim for fairness for TV licence payers that it should focus attention on ensuring access is available on all content.

Interestingly the demographics of the age profile of the users of the iPlayer as shown in the performance report [note 1] shows that 31% of the audience share were over 55, and that this has steadily increased over recent years. The population of the UK over 55 at the last Census in 2011 was only 28%. Whilst the size of this population will have increased, this anomaly suggests that contrary to popular belief the iPlayer is actually used relatively more by the older population. It is well known

¹ <http://downloads.bbc.co.uk/mediacentre/iplayer/iplayer-performance-oct18.pdf>

² <https://www.ons.gov.uk/peoplepopulationandcommunity/birthsdeathsandmarriages/families/bulletins/familiesandhouseholds/2017>

³ <https://www.actiononhearingloss.org.uk/about-us/our-research-and-evidence/facts-and-figures/>

that this part of the population will increase relative to other age groups, as reflected by ONS projections, which suggests that content of the iPlayer should focus on the over 55 age group more and to ensure all content is accessible.

Furthermore, Ofcom's Communication Market Report 2018 demonstrated that the average number of minutes of live TV viewed by over 65s was the highest of all other age groups at 343 minutes per day and which has remained relatively stable since 2010 despite decreases in other age groups. This suggests that as people age they watch more TV. Whilst the next highest age group of 55 to 65 has reduced, it is clear that this is due to their transition to VoD. The report states that the over 55 population accounted for more than 50% of all viewing⁴. This further demonstrates the need to ensure this population is satisfied with the content provided.

We are sceptical of the data used to demonstrate the popularity of the likes of Netflix and Amazon Prime compared to viewing figures of BBC iPlayer. In the consultation we are led to believe that the market share of BBC iPlayer has reduced significantly whilst both Amazon Prime and Netflix have grown significantly. However, in Ofcom's Box Set Britain⁵ report on the state of VoD market in August 2017 it states that 63% of adults use BBC iPlayer to watch TV programmes/films compared to 31% who do so on Netflix and 20% on Amazon Prime. Whilst we recognise the market may have moved we remain unconvinced it has by that extent over a year particularly as the BBC report on viewing of iPlayer shows its audience figures have increased considerably in that same time.

One other area that our members would like to see improved is the quality of audio on the iPlayer. NADP is aware of the research on Clean Audio (or Clear Speech) which we believe would enhance the enjoyment of content shown. Many of our members have some residual hearing and even if fitted with a Cochlear Implant or Hearing Aid which enable them to listen are very likely to watch subtitles to complement what they hear. They often complain that music is too loud to hear speech and so would like the opportunity to adjust the mix themselves and improve the speech comprehension. We believe this would enhance their viewing experience significantly. One particular area of concern is Last Night of the Proms. Many of our members had an interest in music before their hearing deteriorated and can still remember music if the quality is good enough and/or subtitles timely. We hope it can be recognised that such an improvement would enhance the enjoyment and watchability of BBC content on iPlayer enormously.

In a similar vein many of our members comment that they are unable to enjoy the radio after becoming deafened. They may attempt to listen to popular broadcasts but miss out on small items of detail due to their hearing loss, become frustrated and give up. We note that the iPlayer has attempted on occasions to provide subtitles to some radio broadcasts and believe this should be continued and extended, particularly given that over 50% of BBC content is accessed by radio worldwide. Becoming deafened can be a lonely experience and can lead to depression particularly when an individual is unable to enjoy everyday things that one used to do. Listening to the radio should not be one of those losses and can be avoided. Many of our members pay for a TV licence and should by right have access to the radio too.

NADP has a conflicted view in relation to the extension of time limits for content. On the one hand we recognise that there is an attraction to binge watching and obtaining box sets. Obviously the advantage of box sets on iPlayer is that they are free and that they are subtitled. Often our members complain that BBC box sets purchased elsewhere do not have subtitles. However the other concern is that often when a new episode is shown on mainstream broadcast it may be put on the iPlayer but without the subtitles that were included on the original broadcast. Our concern is that with an

⁴ <https://www.ofcom.org.uk/research-and-data/multi-sector-research/cmr/cmr-2018/summary>

⁵ <https://www.ofcom.org.uk/about-ofcom/latest/media/media-releases/2017/box-set-britain-tv-online-habits>

increase in the amount of content made available on the iPlayer that the lack of subtitles of the newer content will increase in actual terms yet appear to reduce as a percentage of the total content. We would like to see a policy whereby all content must be subtitled before it is made available on iPlayer.

Clearly as TV licence payers our members value more content to enjoy for the same price particularly where this would otherwise mean having to purchase historic content elsewhere. However, our concern is that revenues to the BBC will reduce if the content is made available for too long and is no longer attractive to purchase by other SVOD providers. We note the amount of BBC content available elsewhere on SVOD. Similarly the attraction of historic content viewed on terrestrial channels may be reduced which actually reduces competition in that area. However, we have mixed views on this argument as rarely does this content shown on smaller channels include subtitles.

Given our arguments in relation to the focus of the younger population we believe that rather than extend availability for content indefinitely, this content should be available after that cut off period at a nominal charge not unlike that adopted by Apple and Amazon for non-Prime content. This is a concept that appears to be accepted by the younger population who may or may not pay the TV licence. In addition a monthly subscription service could be offered for historic content including box sets to complement the revenues by the BBC through TV licences. This could be used to extend the reach of the BBC iPlayer outside the UK and benefit from the economies of scale utilised by SVOD providers internationally.

As mentioned previously our members value the quality of the content produced by the BBC which includes the provision of subtitles and they would prefer resources be used to ensure content remains attractive and accessible for all age groups. Our members already complain about the number of repeats played on TV. We therefore would not support the BBC buying in second hand material from alternative sources but wish it to remain a source of quality entertainment.

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