12 March 2021

Order Applications  
Diversity, Localism and Accessibility Section  
ACMA  
PO Box Q500  
QVB NSW 1230

Via email: [captioning@acma.gov.au](mailto:captioning@acma.gov.au)

**Re: Draft target reduction orders for comment**

ACCAN thanks the Australian Communications and Media Authority (ACMA) for the opportunity to comment on the draft target reduction orders listed in appendix 1.

ACCAN’s long held concern that Australian consumers who rely on closed captions struggle to have the same functional access to television services as other Australians has not changed since we last submitted to the ACMA’s draft target reduction orders. Deaf and hearing impaired Australians continue to be excluded from full access to any television service in Australia, despite this issue of inequality being debated in our public policy discussions for decades. In 2012 the Australian Parliament passed legislation mandating greater captioning of subscription television with an expectation that subscription television services would meet increasing annual caption targets.[[1]](#footnote-1)

Thus, closed caption requirements have been part of the Australian subscription television market legislative framework since 2012.[[2]](#footnote-2) Under the previous model, in which the Australian Human Rights Commission presided over the exemption process, subscription services needed to provide tangible evidence that they were working towards meeting their legislative obligations; legislation designed to ameliorate disability discrimination. ACCAN urges the ACMA to apply this principle to the current exemption process. ACCAN is concerned that there has been no commitment from the applicants to investigate opportunities to meet their legislative obligation, nor any stipulation from the ACMA that the applicants take any pro-active measures to address their legislative obligation into the future.

In the interest of providing equitable access for all Australians to our changing media environment, ACCAN strongly recommends that the ACMA deny these target reduction applications. This recommendation is based on the lack of evidence that the applicants are taking bona fide steps to meet their captioning obligations beyond the exemption period. ACCAN asserts it is unacceptable that after decades of advocacy and lobbying for increased access to both publicly funded and subscription broadcast television services, Australians who rely on captions continue to find themselves excluded from equitable access to subscription television services.

Sincerely,

Wayne Hawkins

Director of Inclusion   
[Wayne.Hawkins@accan.org.au](mailto:Wayne.Hawkins@accan.org.au)

## **Appendix 1**

| **Draft Order Number** | **Channel Name** | **Applicant** | **Specified Eligible Period** |
| --- | --- | --- | --- |
| STV-TRO-102 | CMT | Foxtel Cable Television Pty Limited | 1 July 2020 – 30 June 2021 |
| STV-TRO-103 | CMT | Selectra Pty Ltd | 1 July 2020 – 30 June 2021 |

1. The Broadcasting Services Amendment (Improved Access to Television Services) Act 2012 <http://www.comlaw.gov.au/Details/C2012A00083> [↑](#footnote-ref-1)
2. <http://www.acma.gov.au/Citizen/TV-Radio/Television/Captioning/captioning-1> [↑](#footnote-ref-2)