

ADDENDUM B

SABC Editorial Policies Review

Submission by the Accessible Broadcasting Subcommittee and the Working Group on Affordable and Accessible ICTs for Persons with Disabilities.

The Accessible Broadcasting sub-committee welcomes the opportunity to submit comments to the SABC for the review of its Editorial Policy Framework following the attendance by members of the Working Group on Affordable and Accessible ICTs for persons with disabilities at the various SABC editorial policy stakeholder engagement workshops across the country.

Background to Working Group & Subcommittees

In May 2015 the Minister of Telecommunications and Postal Services established a National ICT Stakeholders Forum to provide a platform for dialogue and engagement between government, the private sector, academia and civil society. The Forum is made up of four separate Chambers which facilitate participation by a broad range of stakeholders for the implementation of ICT-related policies and plans as provisioned in the National Integrated ICT Policy White Paper (approved by Cabinet 28 September 2016).

The ICT Chamber for Disability, one of the four Chambers, established a Working Group for Affordable and Accessible ICTs for Persons with Disabilities (Working Group) at its first meeting. Initially, the Working Group formed 9 subcommittees, one of which was the Accessible Broadcasting Subcommittee to address the introduction of ICT-based access services to persons with disabilities within the broadcasting sector. The absence of guidelines and standards and the proposed targets set for access services such as subtitles; audio captioning; audio description and close captioning was of concern when measured against affordability and accessibility impacts. This prompted the subcommittee to investigate and evaluate alternative delivery options that were innovative and cost effective.

Other subcommittees of the Working Group that may potentially also provide inputs to the SABC for its Editorial Policies, both broadcast and non-broadcasting services such as online, SMS or mobile phone

communications and productions (by both internal & independent external providers) include:

- [1] Inclusive Education subcommittee
- [2] Accessible Call Centres subcommittee
- [3] Accessible Websites subcommittee
- [4] Consumer Protection subcommittee
- [5] African Digital Voices ad hoc subcommittee
- [6] Accessible Employment Processes subcommittee
- [7] Assessment of Employees for ICT Assistive Devices & Procurement subcommittee.

The work of the Accessible Broadcasting subcommittee was temporarily suspended for a short period owing to the Department of Communications assuming responsibility for drafting the Broadcasting Policy framework as then contained in the National Integrated ICT Policy. At the time, the Working Group investigated the potential of discontinuing its Accessible Broadcasting Subcommittee as its mandate resided under the authority of the Minister of Telecommunications and Postal Services.

However, because no similar stakeholder engagement platform existed within the Department of Communications, and the fact that the National Association of Broadcasters deemed ICASA's draft regulations on Codes for Persons with Disabilities to be unworkable, incapable of implementation and financially unfeasible, the Working Group decided to continue its oversight role within the broadcasting sector in the best interests of all affected stakeholders.

*Refer to: **Addendum A: Accessible Broadcasting Subcommittee Report to the ICT Chamber Working Group for Affordable and Accessible ICT for Persons with Disabilities** (June 2017)*

This submission for the SABC Policy Review process was drafted by the Working Group and accordingly incorporates the collective inputs made from all the interested parties and groups that were involved in its associated work programmes conducted over the past two-year period.

Working Group Membership and Representation

Currently, the Working Group has 11 different subcommittees which engage at a high level with various industry regulators and authorities as well as associated interest groups. It has approximately 108 serving members, representing an increasingly broad spectrum of Government Departments, State Owned Enterprises, NGOs and NPOs serving the needs of persons with disabilities as well as private enterprise involved in the Disability Sector.

The Working Group, and through it, the ICT Disability Chamber, represents an extremely broad, but hitherto marginalized sector of society. The Prevalence of persons with disabilities in South Africa stands at 7.5% of the overall population. This figure is widely accepted to under represent the actual prevalence of disability due to inherent problems in the sampling process during the 2011 census. All children under the age of five with a disability were not included. Furthermore, persons in residential care facilities were excluded and some forms of psychosocial disabilities were not recognized and therefore not included. It thus follows that the percentage of South Africans living with a disability is significantly higher than reported in the 2011 census. It is currently roughly estimated as being in the region of 7 million persons, a significantly huge sector of society and Statistics SA indicates that the majority of persons with disabilities live in rural areas.

Statistics from the 2011 Census show that:

- 11% of persons aged five and older have vision difficulties
- 4.2% have cognitive difficulties (remembering / concentrating)
- 3.6% have hearing difficulties and
- 2% have communication, self-care and mobility difficulties.

Related International & Local Legislation for Persons with Disabilities

South Africa ratified the United Nations Convention on the Rights of Persons with Disabilities (UNCRPD) in 2007 and has embarked on a structured process to embed the obligations of the Convention into South African law, policies and programmes.

The White Paper on the Rights of Persons with Disabilities (WPRPD) came into effect on 9 March 2016 and provides guidance for disability considerations in policy and legislative reform with the aim of integrating disability issues in all government development strategies, planning and programmes.

The definition of disability, the social model, the rights-based and mainstreaming approach as described and advocated in the WPRPD means that persons with disabilities must be considered as target groups and beneficiaries in all policies and legislation. Thus, all policies and legislation that affect the lives of persons with disabilities will have to be reviewed against the WPRPD and the UNCRPD obligations.

Refer to the attached documents:

Annexure B: The White Paper on the Rights of Persons with Disabilities

Annexure C: The United Nations Convention on the Rights of Persons with Disabilities – 2016 ICT Accessibility Progress Report

Annexure D: The National Integrated ICT Policy White Paper
SABC Editorial Policy Review Workshops

Members of the Working Group and specifically members of the Accessible Broadcasting Subcommittee attended the various SABC workshop sessions held throughout the country.

At these workshops they voiced requirements and concerns for the SABC to consider when adopting policies and standards relating to accessible broadcasting on Radio and TV that had been raised by fellow Working Group members representing all disability groups as well as communications sent to the chairperson of the Working Group by interested and affected civil society persons over the past two-year period and which had formed part of its work programme. These include:

1. introduction and regulation of guidelines for Audio Description on TV and Radio stations;
2. introduction and regulation of guidelines for broadcasting South African Sign language and provision of a captioning channel;
3. introduction and regulation of flashing images for persons with photosensitive epilepsy on TV and website images;
4. introduction of digital radio broadcasting technologies and infrastructure;
5. provision of a digital radio channel specifically for persons with disabilities, including presenters who are persons with disabilities;
6. Audio-described movies and TV dramas to be broadcast on a Digital Radio Channel, not transmitted via a TV Channel (to overcome current analogue TV transmission awaiting migration to Digital TV infrastructure). Also, broadcasting Audio Described soundtracks via Radio frees up the 2nd audio channel on TV transmissions to facilitate alternative use of this channel, for multiple indigenous language translations;
7. use of Broadcasting in Education for persons with disabilities and introduction of Digital Radio for distance learning in rural areas;
8. broadcasting and availing access services in all official languages (synchronizing TV programme broadcasts with Radio broadcasts of the audio content in various official languages in the absence of digital TV migration);
9. making websites and online social media communications more accessible to persons with disabilities;
10. positive portrayal of persons with disabilities and content on locally made Radio & TV programmes and casting performers with

- disabilities instead of using abled bodied actors and presenters when the script has roles specifically written for persons with disabilities;
11. not broadcasting dramas or programmes which portray a negative or compromising attitude towards persons with disabilities or the institutions to which they belong.

Recommendations to SABC to Enhance Policy Review Processes for Persons with Disabilities

1. Employment of a Special Rapporteur to deal with all matters relating to persons with disabilities; providing oversight and external collaboration with the authorized national bodies representing the interests of persons with disabilities towards implementing meaningful access services – as well as addressing internal human resource and rights for employees with disabilities and special needs.
2. The accessible broadcasting subcommittee supports the National Association of Broadcasters (NAB) call for ICASA to conduct a Regulatory Impact Assessment (RIA). The SABC would then have validated guidelines on which to base their accessible service policies and broadcasting services to persons with disabilities. Thereby enhancing service offerings; potentially identifying alternative options that may be more sustainable and cost effective; and ensuring collaboration with national representative bodies and stakeholders within the disability sector.
3. An opportunity exists for the SABC to engage in responsible social marketing with its commercial suppliers, not only to enhance its public image as a caring and socially responsible broadcaster, but also to gain an additional five points for contributions achieving the SED target of 1% of NPAT (rising to 2.5% in 2018 under the Amended B-BBEE Act). The Amended B-BBEE Act contains an additional element covering targeting sector-specific programmes, promoting responsible behavioural changes in line with national strategic objectives (of which provision is made in the White Paper for Persons with Disabilities and soon to be implemented under the National Integrated ICT Policy). Further, given that 80% of the National Broadcaster's income is derived from the Commercial sector, not the Treasury, as is the case with its comparative international public broadcasters, the National Broadcaster does not directly incur costs in implementing such disability related social responsibility measures.
The aforementioned opportunity being that, in its Local Content Policy, for content in Advertisements or locally produced productions, the SABC imposes a requirement, or an incentive

reward, for the inclusion of building positive awareness for persons with disabilities in the form of 'product placement' or 'Disability sector placement'. The reward to suppliers could be in the form of a reduction or discount to the ratings tariff per flighting of Advertisements that comply, as well as the acknowledgement of SED scorecard points for the benefit of either the Advertising Agency or Corporate. The SABC would also be able to claim SED points for its part in flighting the Commercial.

An example of a 'placement' in a 30-second TV Commercial could be, including a visual incorporated within the storyline of the AD, of a blind person with a guide dog, walking independently in a busy street situation.

Such subliminal positive awareness building of persons with disabilities is not and should not be intended to dominate, change nor disrupt the Corporate's intended message of the advertisement, rather the intention being that persons with disabilities be portrayed as active citizens in any setting, who are a normal part of any scene; an integral part of society, not separate from nor isolated. Especially given that more than 7.5% of the population of South Africa live with a disability.

4. A second opportunity for the SABC, which may become a requirement imposed by the Regulator (ICASA) once the Broadcasting element is incorporated into the National Integrated ICT Policy, is transferring the liability to its commercial suppliers for the fulfilment of its obligations under a potential Universal Service Obligation (USO). An example of an existing USO imposed by ICASA in its licensing requirements to mobile phone operators, is the mandatory provision of ICT devices to Schools. The value of the actual USO contribution is determined by the spectrum granted to the specific licensee.
5. A third social responsible marketing opportunity that the SABC may like to consider is the promotion of competitive events within the Disability Sector, in partnership with the Department of Basic Education. Similar to the Spelling-Bee competition, events such as Braille-Bee or Sign-Bee to be broadcast or reported on by the SABC. In the same way that the Olympics are followed by the Paralympics, events such as the Spelling-Bee hosted at mainstream schools, could be followed by Sign-Bee and Braille-Bee events which could be hosted at any one of the 453 Schools for Children with Special Needs under the auspices of the Department of Education who selects the educational criteria specific to the skills required by scholars in learning South African Sign Language and contracted Braille.

6. The members of the Working Group as the representative Forum for the ICT Disability Sector, incorporates a broad segment of the commercial and disability sectors. Therefore, it is further suggested that the SABC regularly engage with the Working Group's Accessible Broadcasting Subcommittee so as to be brought up to date on current trends and needs within the sectors and of all aspects involving persons with disabilities. Keeping abreast of technological advances and alternative media that assist persons with disabilities to ensure that they have access to information and entertainment in their preferred medium.
7. Furthermore, that the SABC consider a close working relationship with the ICT Stakeholders Forum, Working Group on Affordable and Accessible ICTs for Persons with Disabilities on matters relating to accessible broadcasting services and programming.
8. Regarding Employment Equity - The SABC should endeavour to foster representivity of persons with disabilities on all its platforms. In HR policy as well as Editorial policy, the following matters should be considered:
 - Strong leadership and a commitment to employment equity fostering a drive to achieve Equity targets for persons with disabilities throughout the SABC (employment, procurement of content etc)
 - Fostering a culture of inclusion which will ensure that talented persons with disabilities stay within the organisation. This includes ensuring access to correct assistive devices to enable these persons to work to potential. A culture of employing persons with disabilities into dead end jobs should be avoided.
 - The SABC should ensure that all facilities and buildings of the organisation have the correct infrastructure to accommodate persons with disabilities
 - Disability sensitisation should be built in to all courses for managers so that awareness of what persons with disabilities are capable of are understood and to dispel myths that disability equates to inability.

Working Group on Affordable and Accessible ICTs for Persons with Disabilities

Policy Review Observations

Submissions will not be made on all the SABC's prescribed Editorial Policies; rather only Policies and issues relevant to persons with disabilities will be addressed herein.

Programming Policy

The Working Group submits that the SABC should amend its programming policy to encourage the rectification and awareness of persons with disabilities and the role they play in society, as being less stereotypical.

With this in mind it is important that persons with disabilities should be reflected as persons within a spectrum of people who are achievers and not only as 'sorry cases' to be pitied. This would require the SABC to actively encourage programming and content which includes persons with disabilities in active roles.

Coverage of sporting events wherein persons with disabilities participate and excel as well as documentaries, news items and editorial content that celebrate the contribution, achievements and excellence in other skills and interests of persons with disabilities.

Health and safety issues should be incorporated into programming policy with verbal and text captioning warnings for persons with photosensitive epilepsy or sensitivity to rapidly flashing images.

Universal Service and Access Policy

It is noticeable that the Universal Access Policy in its current form does not include the need to foster access and services to persons with disabilities. The Accessible Broadcasting subcommittee suggests that commitment to observing the guidelines and intention to adhere to proposed targets for access services such as subtitles; audio captioning; audio description; close captioning and sign language interpretation be incorporated.

Whilst the current analogue limitations and delays in migrating to Digital TV and Radio broadcasting are appreciated as not being of the SABC's making, a mind-set open to exploring and embracing alternative and innovative solutions to enhance the viewing or listening experience for persons with disabilities should be committed to in principle.

Policies should incorporate a commitment to employing best available technology and methodology; adherence to guidelines and standards;

cognisance of high quality standards and usage to ensure that programmes, incorporating universal access services, are flighted at reasonable hours and not outside the normal waking hours of persons with disabilities.

In locally produced accessible services (utilizing Audio Description, Sign and Captioning) the impact on the viewing and listening pleasure of able-bodied audiences, should be of major consideration so as not to interfere, disrupt or degrade the viewing or listening experience. Thereby ensuring that there is no negative public attitude towards persons with disabilities.

Should no standards exist in South Africa regarding programme production and broadcasting in the style and usage of these access services, then international best practice, should be sought.

The Accessible Broadcasting subcommittee is cognisant of the fact that the accessibility services proposed by ICASA in its draft regulations for broadcasters cannot currently be implemented by the SABC as its analogue technology does not permit for the provision of some of the proposed services such as subtitling, audio captioning, audio description and close captioning. However, the sub-committee proposes that the SABC's reviewed policies address accessibility in a more meaningful way. By making provision for a roll-out plan for access services in its digital migration policy which allow for a phased-in approach to enable gradual and seamless implementation.

Taking language diversity into account when setting out policy and regulatory frameworks for access to services. In the case of audio described access services, the subcommittee has been investigating various Digital Radio options.

Education Policy

Broadcasting is an ideal platform free of data downloading costs for distance learning, delivering educational information to persons with disabilities who may be prevented from physically attending schools or universities due to disability or economic conditions.

Since the majority of persons with disabilities live in rural areas far removed from schools for children with special needs, broadcasting educational material and programmes allows vulnerable children to learn in the security of their home environments and be taught their lessons by seasoned and experienced teachers in the language of their choosing.

Online platforms

The Working Group estimates that more than 9 million persons in South Africa have a functional limitation owing to disability, aging, illness or injury. These limitations affect the manner these persons interact with the internet. This sector is a significant portion of the South African community which is denied access when incorrect coding practices are used.

Accessibility, in the context of the internet, means maximizing the ability of all users to access information, services, and resources. A successful website adapts to the needs and preferences of its audience, customizing content to fit the users expressed desires within the constraints of available hardware, software, and bandwidth.

Accessibility benefits everyone. People often talk of accessibility as if it means only “designing for users with disabilities”. In truth, accessibility is relevant for everyone. Just as everyone’s experience is enhanced by multimedia content, since it is easier to digest and remember, everyone can benefit from accessible interfaces because they are easier to use. And for persons using an alternative browser, accessible design can become essential.

To this end the Subcommittee Accessible Broadcasting recommends that the usage of Universal Design be incorporated in policy when planning online platforms. This is inclusive of mobile applications, websites and portals.

In Conclusion

As previously stated the Accessible Broadcasting Subcommittee of the Working Group Affordable and Accessible ICT for persons with disabilities, values the request directed to us at Workshops held around the country to make a written submission in participating in the SABC’s Policy Review process.

We further welcome the opportunity to make inputs into the re-drafted Policy that the SABC will be circulating to interested and affected parties, once it is available.

Elza-lynn Kruger
Convenor: Accessible Broadcasting Subcommittee

Date: 2017.08.31