



Broadcasting Notice of Consultation CRTC 2015-325

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Ottawa, 22 July 2015

Call for comments on the English-language closed captioning quality standard related to the accuracy rate for live programming

The Commission calls for comments on a targeted review of the English-language closed captioning quality standard related to the accuracy rate for live programming, set out in Broadcasting Regulatory Policy 2012-362 (Quality Standards for English-language closed captioning).

As stated in the above policy, the purpose of an accuracy rate is to establish a realistic and achievable level of high-quality captioning for Canadians. In the past, users of closed captioning have expressed concerns to the Commission regarding poorly captioned programming. Neither poorly captioned programming nor uncaptioned programming achieves the goal of accessibility.

On 31 October 2014, the English Language Broadcasters Group submitted a [Report on Efforts to Improve the Quality of Closed Captioning](#). The report outlined the group's challenges in achieving the required accuracy rate for live programming.

Accordingly, the Commission is seeking comments on the effectiveness, achievability and measurability of the English-language closed captioning quality standard related to the accuracy rate for English-language live programming from three perspectives:

- *the experience of Canadians;*
- *the experience of broadcasters; and*
- *the experience of captioning providers.*

As a result of this review, Canadians who use and rely on closed captioning to access English-language programming will have access to the highest possible quality of closed captioning in live programming.

*The deadline for the submission of comments is **22 September 2015**.*

Introduction

1. The Commission is committed to improving the accessibility of the broadcasting system for persons with disabilities. This objective of Canada's broadcasting policy is prescribed in section 3(1)(p) of the *Broadcasting Act* (the Act), which states that

“programming accessible by disabled persons should be provided within the Canadian broadcasting system as resources become available for the purpose.”

2. Television plays an important role in shaping Canadian society. It is a primary source of news, entertainment and sports programming, and plays a critical role in making Canadians aware of the wide range of ideas and perspectives that make up the rich fabric of our society. As a result, it is important that all Canadians have access to what television has to offer.
3. Closed captioning¹ enables persons who are deaf or hard of hearing to have full access to television. It is also useful for people learning to read or speak a second language, and can allow people to enjoy television programming in restaurants, gyms and other locations where the volume is often muted.
4. Recognizing the importance of closed captioning, the Commission directed the broadcasting industry in 2007 to establish a closed captioning working group for each of the English- and French-language television markets to help it establish captioning standards that would ensure consistent, reliable and quality closed captioning throughout the Canadian broadcasting system. These working groups consisted of representatives from private and public television broadcasters, distributors, consumer and advocacy groups representing persons who are deaf or hard of hearing, and captioning providers.
5. While French-language programming is generally captioned through the use of voice recognition technology, English-language programming is generally captioned through the use of stenography. Given these different techniques, the Commission developed similar but tailored quality standards for English- and French-language closed captioning. The quality standards for English-language closed captioning are set out in Broadcasting Regulatory Policy 2012-362 (the 2012 Quality Standards Policy), while those for French-language closed captioning are set out in Broadcasting Regulatory Policies 2011-741 and 2011-741-1.

English-language closed captioning accuracy requirements

6. In the 2012 Quality Standards Policy, the Commission stated that broadcasters should strive to provide verbatim captioning at all times and that the purpose of an accuracy rate is to establish a realistic and achievable level of high-quality captioning. An accuracy rate corresponds to the level of exactness between the captions and the verbatim transcript of the audio content of a program.
7. According to Quality Standard 2 set out in that policy, English-language broadcasters must target a captioning accuracy rate of 100% for pre-recorded programs, including spelling.

¹ Closed captioning is the on-screen textual representation of the audio component of a program. It is presented as a banner and provides a text rendition of all significant audio content, including on-screen dialog, sound effects and non-speech information such as the identity of speakers and their manner of speaking.

8. Quality Standard 3 requires a 95% closed captioning accuracy rate for live programming and allows broadcasters to average that rate over the duration of a live program. In establishing this requirement the Commission sought to provide sufficient flexibility to overcome difficulties inherent to the captioning of live programming. The current review is concerned with this quality standard.
9. Finally, Quality Standard 4 requires broadcasters to calculate the accuracy rate for two live programs on a monthly basis and to provide the Commission with a report every two years describing efforts made to improve accuracy rates. These reports can be found on the Commission's [website](#).
10. The English Language Broadcasters Group (EBG), comprised of the Canadian Broadcasting Corporation, Bell Media Inc., Corus Entertainment Inc., Rogers Media Inc. and Shaw Media Inc., in collaboration with the Canadian Association of Broadcasters, submitted a [Report on Efforts to Improve the Quality of Closed Captioning](#) (the Report). In its report, the EBG indicated that the required 95% accuracy rate for live programming is not achievable, that the verbatim calculation model is administratively burdensome and that application of the formula established in Quality Standard 3 of the 2012 Quality Standards Policy to calculate the accuracy rate does not result in a true measure of the quality of the closed captioning.
11. Similar concerns were submitted by other English-language broadcasters² as part of their biennial reports.
12. It is important that the Commission has a clear understanding of the experiences of Canadians, broadcasters and captioning providers with respect to the quality of the closed captioning of live programming.

Experience of Canadians

13. In the past, users of closed captioning have expressed to the Commission that poorly captioned programming is equivalent to uncaptioned programming. When captioning is incomprehensible, the programming it accompanies becomes inaccessible. In addition, users have expressed to the Commission that verbatim captions are a solution to their needs.
14. Since the implementation of the 2012 Quality Standards Policy on 1 September 2012, the Commission has received a limited number of complaints pertaining specifically to the closed captioning accuracy rate for live programming. However, broadcasters are experiencing challenges, and the number of complaints may not be reflective of the overall experience with the closed captioning of live English-language programming.
15. Accordingly, the Commission is seeking comments from Canadian users of closed captioning on the extent to which the current quality of closed captioning for live

² Namely, the Newfoundland Broadcasting Company (NTV), Newcap Inc. and the Ontario Educational Communications Authority (TVO)

programming fulfills their needs with respect to the accessibility of high-quality television programming.

Experience of broadcasters

16. In its Report, the EBG submitted that while certain types of live programs are easier to caption (e.g., news programs), the required 95% verbatim accuracy rate is generally not achievable when captioning providers are confronted with circumstances typical to live programs, such as rapid speech, ad-lib speech, cross-talk and the density of syllabification on names (e.g., hockey or sports talk programs).

17. The EBG also reported that while accuracy rates vary according to the types of live programs, only 19% of the programs monitored overall met the required 95% accuracy rate. The EBG's aggregated median accuracy rates per program category were as follows:³

Program Category	Percentage
News programs	91%
Talk	87%
Magazine	82.6%
Sports talk	81.1%
Sports ⁴	75%

18. The EBG submitted that while verbatim captioning is the goal of captioning providers, it does not always result in a higher quality of closed captioning. It added that verbatim captioning can be a hindrance to a comprehensive and enjoyable experience, and is not a true measure of captioning quality. With its report, the EBG provided the Commission with specific video examples of programming to demonstrate how verbatim captioning does not make for the best captioning in some instances.

19. The EBG proposed a qualitative methodology for measuring the quality of closed captioning that would require broadcasters to determine to what extent the captions provide an equivalent experience to the spoken word content of the program, rather than focusing on verbatim captioning.

20. The Commission is seeking comments from broadcasters regarding their experiences in captioning live programming and how they would suggest to best serve the needs of Canadians who use and rely on closed captioning.

³ See paragraphs 16 and 18 of the Report.

⁴ Only hockey and tennis sports programs were monitored.

Experience of captioning providers

21. When captioning providers are supplied with certain tools ahead of the broadcast of a given program, the quality of closed captioning may be improved. For instance, when captioning providers are given a script ahead of a live broadcast or a list of player names in the case of a live sports event, captioning may be more accurate.
22. Consequently, the Commission is seeking comments from captioning providers on their experience with the quality standards for live programming and what, if any, additional tools or support could assist them in better achieving a high-quality viewing experience for Canadians.

Call for comments

23. Accordingly, the Commission is seeking comments from Canadians, broadcasters and captioning providers with respect to the effectiveness, achievability and measurability of the English-language closed captioning quality standard related to the accuracy rate for live programming (Quality Standard 3). The specific questions are set out in the appendix to this notice.

Other matters

24. The EBG's report, as well as the biennial reports of other English-language broadcasters, and all related correspondence, will be incorporated into the public record for this proceeding. In the case of information designated as confidential, abridged versions will appear on the public record for the proceeding.

Procedure

25. The *Canadian Radio-television and Telecommunications Commission Rules of Practice and Procedure* (the Rules of Procedure) apply to the present proceeding. The Rules of Procedure set out, among other things, the rules for content, format, filing and service of interventions, replies, answers of respondents and requests for information; the procedure for filing confidential information and requesting its disclosure; and the conduct of public hearings. Accordingly, the procedure set out below must be read in conjunction with the Rules of Procedure and its accompanying documents, which can be found on the Commission's website under "Statutes and Regulations." The *Guidelines on the CRTC Rules of Practice and Procedure*, set out in Broadcasting and Telecom Information Bulletin 2010-959, provide information to help interested persons and parties understand the Rules of Procedure so that they can more effectively participate in Commission proceedings.
26. The Commission invites interventions that address the issues and questions set out below. The questions have been numbered and parties must copy the questions to which they are responding in their interventions. The Commission will accept interventions that it receives on or before **22 September 2015**. Only parties that file interventions may file a reply to matters raised during the intervention phase. The deadline for the filing of replies is **22 October 2015**.

27. Additional information, including video examples of verbatim and paraphrased closed captioning provided by the EBG, may be added to the public file for this proceeding. The Commission encourages interested persons and parties to monitor the record of the proceeding, available on the Commission's website, for additional information that they may find useful when preparing their submissions.
28. Submissions longer than five pages should include a summary. Each paragraph of all submissions should be numbered, and the line *****End of document***** should follow the last paragraph. This will help the Commission verify that the document has not been damaged during electronic transmission.
29. Pursuant to Broadcasting and Telecom Information Bulletin 2015-242, the Commission expects incorporated entities and associations, and encourages all Canadians, to file submissions for Commission proceedings in accessible formats (for example, text-based file formats that allow text to be enlarged or modified, or read by screen readers). To provide assistance in this regard, the Commission has posted on its website [guidelines](#) for preparing documents in accessible formats.
30. Submissions must be filed by sending them to the Secretary General of the Commission using **only one** of the following means:

by completing the
[\[Intervention/comment/answer form\]](#)

or

by mail to
CRTC, Ottawa, Ontario K1A 0N2

or

by fax at
819-994-0218

31. Parties who send documents electronically must ensure that they will be able to prove, upon Commission request, that service/filing of a particular document was completed. Accordingly, parties must keep proof of the sending and receipt of each document for 180 days after the date on which the document is filed. The Commission advises parties who file and serve documents by electronic means to exercise caution when using email for the service of documents, as it may be difficult to establish that service has occurred.
32. In accordance with the Rules of Procedure, a document must be received by the Commission and all relevant parties by 5 p.m. Vancouver time (8 p.m. Ottawa time) on the date it is due. Parties are responsible for ensuring the timely delivery of their submissions and will not be notified if their submissions are received after the deadline. Late submissions, including those due to postal delays, will not be considered by the Commission and will not be made part of the public record.

33. The Commission will not formally acknowledge submissions. It will, however, fully consider all submissions, which will form part of the public record of the proceeding, provided that the procedure for filing set out above has been followed.

Important notice

34. All information that parties provide as part of this public process, except information designated confidential, whether sent by postal mail, facsimile, email or through the Commission's website at www.crtc.gc.ca, becomes part of a publicly accessible file and will be posted on the Commission's website. This information includes personal information, such as full names, email addresses, postal/street addresses, telephone and facsimile numbers, etc.
35. The personal information that parties provide will be used and may be disclosed for the purpose for which the information was obtained or compiled by the Commission, or for a use consistent with that purpose.
36. Documents received electronically or otherwise will be put on the Commission's website in their entirety exactly as received, including any personal information contained therein, in the official language and format in which they are received. Documents not received electronically will be available in PDF format.
37. The information that parties provide to the Commission as part of this public process is entered into an unsearchable database dedicated to this specific public process. This database is accessible only from the web page of this particular public process. As a result, a general search of the Commission's website with the help of either its own search engine or a third-party search engine will not provide access to the information that was provided as part of this public process.

Availability of documents

38. Electronic versions of the interventions and of other documents referred to in this notice, are available on the Commission's website at www.crtc.gc.ca by visiting the "Participate" section, selecting "Submit Ideas and Comments," and then selecting "our open processes." Documents can then be accessed by clicking on the links in the "Subject" and "Related Documents" columns associated with this particular notice.
39. Documents are also available from Commission offices, upon request, during normal business hours.

Location of Commission offices

Toll-free telephone: 1-877-249-2782
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Secretary General

Related documents

- *Filing submissions for Commission proceedings in accessible formats*, Broadcasting and Telecom Information Bulletin CRTC 2015-242, 8 June 2015
- *Quality standards for English-language closed captioning*, Broadcasting Regulatory Policy CRTC 2012-362, 5 July 2012
- *Quality standards for French-language closed captioning – Enforcement, monitoring and the future mandate of the French-language Closed Captioning Working Group*, Broadcasting Regulatory Policy CRTC 2011-741-1, 21 February 2012
- *Quality standards for French-language closed captioning*, Broadcasting Regulatory Policy CRTC 2011-741, 1 December 2011
- *Guidelines on the CRTC Rules of Practice and Procedure*, Broadcasting and Telecom Information Bulletin CRTC 2010-959, 23 December 2010
- *Changes to certain practices for filing interventions – Expansion of filing practices to include the filing of joint supporting comments for broadcasting policy proceedings*, Broadcasting Information Bulletin CRTC 2010-28-1, 10 December 2010

Appendix to Broadcasting Notice of Consultation CRTC 2015-325

Questions on the English-language closed captioning quality standard related to the accuracy rate for live programming

Experience of Canadians

- 1) How does the quality of closed captioning vary according to the type of live programming listed below? Using a scale of 1 to 5 (1 being completely unsatisfactory and 5 being the highest degree of satisfaction), rate your level of satisfaction with the overall quality of closed captioning for the various types of live programming listed below:
 - i. News
 - ii. Magazine
 - a. Talk shows involving a panel
 - b. Talk shows – single host
 - iii. Sports talk
 - iv. Sports
 - a. Hockey
 - b. Golf
 - c. Tennis
 - d. Baseball
 - e. Football
 - f. Curling
 - v. Other
- 2) In each of the instances above, explain how the quality of closed captioning affects your ability to access the programming and with which elements you are not satisfied.
- 3) The Commission recognizes in its Closed Captioning Quality Policies (Broadcasting Regulatory Policies 2011-741, 2011-741-1 and 2012-362) that there are challenges inherent to the captioning of certain types of live programming. As such, the Commission has provided broadcasters with the flexibility to average the accuracy rate over the duration of a program. Based on the current level of closed

captioning quality, are you of the view that your closed captioning experience could be enhanced if you had paraphrased captioning in some instances instead of verbatim captioning? Please explain why or why not.

- 4) If the Commission were to adopt a model that allows paraphrased captioning under specific circumstances, how do you think the quality of captioning should be defined and measured?

Experience of broadcasters

- 5) For **each** of the following live programming categories, identify the programs for which the accuracy rate is consistently below 95%. Identify with evidence any systemic issue that prevents the 95% accuracy rate from being achieved by broadcasters:
 - i) News
 - ii) Magazine
 - a. Talk shows involving a panel
 - b. Talk shows – single host
 - iii) Sports talk
 - iv) Sports
 - a. Hockey
 - b. Golf
 - c. Tennis
 - d. Baseball
 - e. Football
 - f. Curling
 - v) Other
- 6) The current policy provides broadcasters with the flexibility to average the accuracy rate over the duration of a program. Comment on the effectiveness of this approach in allowing broadcasters to address specific conditions during a program that affect accuracy such as rapid speech or several people speaking simultaneously.
- 7) If the Commission determines that the current verbatim model remains appropriate, comment on the viability of establishing a lower accuracy threshold for certain types of live programming with a ramp-up over time to account for technological advances.

- 8) Recognizing that a paraphrasing model is subjective, provide your view with supporting rationale with respect to the following:
- a. What measures could the industry put in place to engage Canadians to ensure that the quality of the closed captioning is meeting their needs?
 - b. How could the industry monitor the needs of Canadians to ensure that a paraphrasing model would invariably be relevant to their needs?
 - c. How could the quality of closed captioning be measured using a paraphrasing model?
 - d. How could the quality of closed captioning be monitored using a paraphrasing model?
- 9) What changes have you made with respect to the training of your in-house captioning providers and/or your contracting of third-party captioning providers as a result of the Commission's 2012 Quality Standards Policy?

Experience of captioning providers

- 10) For **each** of the following live programming categories, identify the programs for which the accuracy rate is consistently below 95%. Identify with evidence any systemic issue that prevents the 95% accuracy rate from being achieved by captioning providers:
- i) News
 - ii) Magazine
 - a. Talk shows involving a panel
 - b. Talk shows – single host
 - iii) Sports talk
 - iv) Sports
 - a. Hockey
 - b. Golf
 - c. Tennis
 - d. Baseball
 - e. Football
 - f. Curling
 - v) Other

- 11) The Commission established the current accuracy rate formula based on the record leading to the 2012 Quality Standards Policy. Has that formula changed the way you train or teach your captioning providers?
- 12) It is important that the meaning of the audio be well communicated to its viewers. Do you believe that there is a way to modify the existing formula while still maintaining a high-quality viewer experience?
- 13) Should the Commission determine that the current verbatim model remains appropriate, comment on the viability of establishing a lower accuracy threshold for certain types of live programming with a ramp-up over time to account for technological advances.
- 14) Are there any additional tools that could help captioning providers improve the quality of the closed captioning of a live program? If so, please list them and explain how they could help.
- 15) Based on your experience with the 2012 Quality Standards Policy, and recognizing that a paraphrasing model is subjective, provide your view with supporting rationale with respect to the following:
 - a. Can a paraphrasing model lead to high-quality captioning? If so, in what circumstances?
 - b. What measures could the industry put in place to engage Canadians to ensure that the quality of the closed captioning is meeting their needs?
 - c. How could the industry monitor the needs of Canadians to ensure that a paraphrasing model would invariably be relevant to their needs?
 - d. How could the quality of closed captioning be measured using a paraphrasing model?
 - e. How could the quality of closed captioning be monitored using a paraphrasing model?