

3Play Webinars | Navigating Broadcast Accessibility in Canada

JENA WALLACE: Thank you so much for joining us today for the session "Navigating Broadcast Accessibility in Canada." My name is Jena Wallace. I am a content marketing specialist here at 3Play Media. And I will be moderating today. Quick self-description, I am a white female with wavy light-brown hair and glasses. And I'm wearing a brown turtleneck sweater.

And without further ado, I want to welcome Melina Nathaniel, president of 3Play Canada. Melina has been involved with the development of live closed captioning quality standards for over a decade and has participated in numerous advisory and steering committees that have been tasked with establishing regulatory standards and defining viewer preferences in live closed captioning in Canada. Thanks so much for joining us today, Melina.

MELINA Thank you, Jena. It's a pleasure to be here.

NATHANIAL:

JENA WALLACE: Great, so to start today's discussion, can you just tell us a bit about how you got started in media accessibility and what the broadcast landscape looked like in comparison to now?

MELINA Sure, I'd love to. So my exposure to the field of accessibility was quite deliberate. But my move into media

NATHANIAL: accessibility was a bit more random and fortuitous. I started a career in HR out of business school. And a few years later, I went to law school with a really clear intention of wanting to practice labor and employment law, including human rights law.

And I did that. I worked both in a law firm and then with a large Canadian bank, both in Toronto, and loved it, loved the human rights aspect of it. I loved the employment law aspect of it.

But while my career was moving along in Toronto, my sister's career in business was also moving along, starting in Toronto, then in Calgary. She was busy building a live captioning business. She was working with Canadian broadcasters as they navigated their way around their obligations around live closed captioning back in the '80s.

So back in the 1980s-- and I'm dating myself-- the regulatory body, which is the Canadian Radio-television and Telecommunications Commission-- I'll refer to that as the CRTC, which I will talk about a lot over the next hour-- had launched a pilot project to introduce live captioning to Canadian broadcasting. My sister was a trained court reporter. She jumped at the chance to use her machine shorthand skills in the field of closed captioning and started a business after she concluded her training.

So fast forward 15 years, I come into the picture. And it was at a time when the industry was really undergoing rapid consolidation, a lot of change in the regulatory environment. So the timing was quite good from both her perspective and my perspective. I like to think that my unique experience in the law and in accessibility generally and also my appreciation for the regulatory environment that our customers operated in really did inform the way that we moved forward as a company and has made us a better partner as a result over the ensuing years.

In terms of the broadcast landscape and how it looked like 15 years ago relative to now, the rules around media accessibility were pretty limited back then. There was no caption quality standard like there is now. There was limited requirement to provide captioning for live content. For large broadcasters it was around 90% back in 2007. For smaller broadcasts it was smaller.

Pretty much within 10 days of my first day, that obligation ramped up to 100%. But again, there was no obligation to caption commercials. There was no obligation around describe video. And then there were really limited regulations around French live captioning.

JENA WALLACE: Cool, so I guess you sort of covered some of this. But can you just walk us through how some of the more recent legislation that's affecting broadcast television in Canada has kind of factored into the way that Canadian media accessibility has changed?

MELINA
NATHANIAL: Sure. I'll start with live broadcast captioning. Obviously the regulatory environment today is much more robust than it ever has been. I'm going to direct most of my comments to sort of the conventional broadcast space, because that's where my experience is. That's where the bulk of the business that we generate currently out of Canada is focused on. And that is the most regulated space in media in Canada.

So in terms of the regulatory changes-- I'll go back again briefly to 2007. That was when there was a very robust, new regulatory policy that was imposed. So broadcasters that were providing closed captioning, the larger ones had to now provide 100% captioning, both live and recorded. Commercials were excluded from that obligation. And more importantly, the CRTC identified the quality around captioning was lacking and that there needed to be more rigor around quality.

So they established a working group in 2007. And the group was tasked with establishing a closed captioning standard. There was both an English working group and a French working group that was created. And out of that came an obligation to produce live captioning for English at 95% verbatim captioning and for French at 85% verbatim captioning.

Fast forward a number of years, the French standard has not changed. It continues to be 85% on the quality side of verbatim standard. And on the English side, the conclusion that was drawn was that 95% was too cumbersome. And it was more than likely that that standard couldn't consistently be achieved.

So the CRTC again tasked broadcasters, caption providers, deaf and hard of hearing groups to sit down and come up with a new standard. And that new standard was called the NER standard. And that's the standard that's in place today.

So NER, just quickly, is basically-- it's kind of a qualitative standard rather than the quantitative. I would say verbatim is a quantitative standard. But NER measures accuracy by comparing a caption viewer's experience with that a hearing viewer. So the verbatim is compared against a captioned text to come up with an assessment of whether or not the viewer experience has been materially changed.

So I'm not going to get into the nuts and bolts of NER. It's a bit complicated. But effectively there's six types of errors that a captioner can have. And the deductions vary from zero, if it's like an inconsequential error that doesn't change the meaning of the caption, to material change of the content or material change in the meaning that would be a full deduction on the quality score.

So the standard for English captioning is the NER standard of a score of 98 or better. So that's the score. And if anybody wants to find out how the NER process works, there's lots of material online through the CRTC that you can guide yourself through.

In addition to quality standards, today there are standards around caption placement. So your captions can't block graphics. They can't run across somebody's mouth. They can't be in the middle of the hockey game, in the middle of the ice rink. So you can't block key elements.

All commercials as I mentioned now must have captions, so 100% captioned end to end in any broadcast environment. There are also regulatory expectations around latency, so caption lag time. And the average has to be no more than six seconds over the entire duration of the program. It may be eight seconds at one point and four seconds at another. But the average has to be six.

For any content that airs on a traditional broadcast platform that also airs on a streaming platform, there has to be captions on the streaming platform. Now if it only goes to the streaming platform, there are no obligations around captioning. For recorded content-- and in Canada, we also refer to that as offline content-- everything has to be captioned. And the accuracy standard is 100% accurate.

For children's programming there is a unique requirement that the speed of the captions must not exceed 120 to 130 words per minute. Briefly on the described video side-- and again, I'll just sort of-- again, terminology's a little bit different between the United States and Canada. We use describe video to basically talk about what Americans might use the term audio description for. So they're interchangeable. They are the same. But the terminology that's accepted primarily in Canada is DV or Describe Video.

So in 2009 there was an obligation to provide four hours of describe video per week. This is larger broadcasters. In 2019 that obligation was increased such that broadcasters had to provide describe video between the hours of 7:00 PM and 11:00 PM seven days a week. Obviously there's these sort of ramp up periods, because it's quite challenging to add that kind of media accessibility over short periods of time. So there is a ramp time.

I suspect that the obligations around DV are going to continue much along the same lines as happened with closed captioning. There were a small number of hours that had to be captioned. Then that number increased until they reached 100%. So that's kind of where we are today in terms of the regulatory environment for broadcasting. That's the CRTC-specific regulatory environment.

JENA WALLACE: Yeah, thanks for walking us through that. In case everybody didn't see, we just dropped CRTC standards and information about that in the chat. So I guess that sort of leads into our next question of what role do governments and industry organizations play in promoting that broadcast accessibility in Canada.

MELINA
NATHANIAL: Well, they play a really large role. I mean, broadcasting is regulated in Canada by the federal government. It falls under the category of telecommunications. Not to get into a charter discussion, but there are some industries that are regulated provincially and some that are regulated federally.

Larger broadcasters-- and it's a pretty robust obligation. So it's not just the CRTC obligation. There's also other pieces of federal legislation, like the Accessibility Canada Act that would impact broadcasters. But then there's also provincial legislation that will also impact.

And so government does play a substantial role. It's so substantial that larger broadcasters tend to have regulatory departments that help them navigate that landscape. And smaller broadcasters do have support from associations like the Canadian Association of Broadcasters or the Canadian Broadcast Standards Council that will help them navigate the landscape. So I'm not sure if that fully answered the question. But it's a pretty substantial role that industry organizations and governments can play.

JENA WALLACE: Yeah, I think that definitely covered what we're trying to ask here. So late last year in the US, there was updated accessibility legislation. And it's called the Communications, Video, and Technology Accessibility Act or CVTA for short. That was introduced I think end of November.

This hasn't been passed yet. But it's going to update the CVAA and have some really major ramifications for the entertainment industry if it goes through in the US, such as requiring audio description on all television and streaming content. And it's an updated look at captioning quality guidelines. So with that preface, with all of that context in mind for the US, since we're neighbors, where do you see broadcast accessibility going in the future for Canada, particularly when it comes to captioning and audio description?

MELINA
NATHANIAL: Yeah, I think that-- I mean, it's only going to increase. With captioning, there's already pretty robust standards around broadcast content. Pretty much everything has to have captioning. There's no restriction there. Even with medium size and smaller broadcasters, there's obligations around having closed captioning in the content, which I think is a little bit different in the United States.

And again with describe video, I think that Canada is a little bit further ahead of where the United States is. But again, because our markets are so tied together, I suspect that things will line up. Like if that legislation is passed, there will be sort of a need for-- if it sort of goes further than where the Canadian legislation is, there will be a need for us to sort of align ourselves.

I also wanted to point out there is reference even within CRTC policy that refers to the current legislation that's in place, which is the Communications Video Accessibility Act in the United States. And I looked it up. I was surprised that it actually referenced it.

But I just want to read one little excerpt from there. And they said, "The CVAA imposes increased describe video requirements on top US channels and networks. As a consequence, the commission is of the view that more US programs with describe video, which can be purchased at a fraction of the cost to produce describe video, will become available to English language broadcasters who tend to broadcast US programs during prime time."

So they're aware. The commission is also aware that jurisdictions are implementing described video requirements and that Canadian programming with described video could become more attractive to broadcasters outside of Canada, thus increasing the pool of available Canadian-made programming with describe video. So I think that there-- again, because our markets are so integrally tied and because Canadian broadcasters are purchasing the bulk of their content from the United States, any sort of improvements in media accessibility will sort of benefit the Canadian market as well.

JENA WALLACE: Definitely. That's really interesting how we've sort of referenced each other's legislation. And yeah, so that's why we figured that was a great question for you, since we're so linked.

MELINA
NATHANIAL:

JENA WALLACE: So still on the topic of legislation, as a result of that legislation and your experience over the years, what are some of the top best practices that you think Canadian broadcasters should be adopting to ensure that their content is accessible to all viewers?

MELINA Well, I mean of course regulatory compliance is important. That's the best practice. There's also-- part of the
NATHANIAL: obligation around accessibility is guided by government. But also there's a lot of market benefit to expanding the breadth of media accessibility that a broadcaster engages in. And I think again with best practices we have to be mindful of what the regulatory obligation is but even consider how much further we can take it to expand the viewership and the market that we're serving.

So best practice-wise, I don't really have any other thoughts on that. Again, it's specific to conventional broadcast. Obviously there's ways where you can expand into the streaming field if you don't have a regulatory obligation to ensure that you're furthering accessibility in that area without sort of substantial cost or budget considerations. So that's something else to consider.

JENA WALLACE: So what are the common barriers to broadcast accessibility? And how are these being addressed?

MELINA A lot of the barriers relate to budget. And in the Canadian space, there's always this challenge where your ad
NATHANIAL: revenue is coming in in Canadian dollars, but your content, a lot of your content, a large portion of your content is being purchased in American dollars. And so the budget is always very much at the forefront of a barrier to broadcast accessibility.

And going beyond the regulatory obligations that exist, technology is another big issue. I'll give you an example in the live captioning space. We frequently have disconnects when we're delivering live captions to broadcasters.

And it could be-- we use a varying degree of old technology. Some of the technology that we use is over 30 years old. And we're using in some cases the regular old telephone line to deliver captions to a broadcaster.

There may be a problem with the phone line. Or it could be on the captioner end. Or it could be on the broadcaster end. There's multiple pieces of equipment that can cause sort of adverse results.

Most broadcasters are moving to a delivery of captions by IP, much more stable. So technology advancements have definitely improved the stability of broadcast captioning. But technology is obviously a barrier and a limitation.

The other barrier is again balancing viewer needs. Like in the marketplace, broadcasters have to sort of balance the needs of the larger audience versus the smaller audience that might have accessibility requirements. And where they allocate and make decisions is a balancing of viewer needs, too. So I think those are the main ones, I would say.

JENA WALLACE: Yeah, that's really interesting about technology sort of being that barrier but also how you're using a mix of some really old technology and some really new technology. So kind of on those same lines, how do you think technology can be used to improve broadcast accessibility in Canada? And in your opinion, what should AI's role be in broadcast accessibility?

MELINA I think there are definite benefits to using technology. It can support an expanded rollout of existing accessibility
NATHANIAL: offerings. We can use artificial intelligence, for instance, to expand the breadth of, say, captioning that is provided in a non-regulated environment. So again, there are regulatory obligations that may restrict the use of AI in some areas but not in others. And so if you use it in other areas that are less regulated, you can actually expand the breadth of captioning usage.

I don't think that we're at the point where technology or AI is necessarily a replacement for human-produced live or offline captions or for describe video. But I do think technology can be leveraged to create efficiencies and improve costs and make the service that's provided better. But the road to leveraging technology has to be really thoughtful. And you have to find partners who will support you in allowing you to achieve your goals in a way that's compliant with regulatory obligations.

So currently there's no obligation to provide closed captioning for streaming except when it's airing on conventional broadcasts. But I think AI could be used to broaden accessibility in the streaming side at a marginal cost to what currently has to be spent in the conventional broadcast sphere. So I think it's a tool, like many other tools, to improve service and broaden accessibility if it's used in the right way.

JENA WALLACE: Cool, really interesting stuff with AI and captioning happening right now and a lot of constant developments. I'm going to kind of pivot a little bit. But do you want to discuss a bit about the importance of collaboration between broadcasters, accessibility organizations, and providers, and the disability community in promoting and improving accessibility?

MELINA Yeah, this is really the model that the CRTC tries to foster in any of the initiatives that it works toward in
NATHANIAL: improving accessibility. So any of those working groups that have been created, both on the describe video side and in the closed captioning sphere, have always required that the broadcast provider, the broadcasters, the caption service providers, the accessibility groups, members of the deaf and hard of hearing community are all involved in improving the standards.

And in fact, I briefly mentioned the Accessibility Canada Act. Within that legislation there's an obligation that all federally-regulated companies and federal departments and crown corporations have to provide an accessibility plan. So this includes all the broadcasters who are similarly tasked with providing an accessibility plan.

And as a condition of producing that plan is the requirement to consult and work with accessibility groups and the deaf and hard of hearing community to make sure that what is in the plan is responsive to the actual needs of that viewer group. So it's pretty critical. I think it's also-- it makes good business sense to do that, too, because you're again servicing a market in a way that it wants to be serviced. So to me, it's sort of a bit of a no-brainer.

JENA WALLACE: Yeah, I think one of my favorite quotes-- and I'm not exactly sure who said it, but it's sort of become a standard in the disability community-- of "nothing with us, without us." I think that's so crucial for everyone involved in accessibility right now.

Do you want to discuss a little bit about some of the things that you're involved with? You're involved with some really interesting captioning research and standards groups. Do you want to tell us a little bit about that and some of the research that's taking place?

MELINA Sure. I'm pretty passionate about the committees that I'm involved in. As I said, I come by that interest honestly.
NATHANIAL: It's something that I've been interested in since I was a university student. And I've been lucky to get involved in a lot of these working groups. I think with interest comes the opportunity to volunteer and participate. And I appreciate and am thankful for the fact that I've had those opportunities.

But some of them again, the working groups that the CRTC has tasked people-- or the standard of the NER, I was on that working group. But there's a couple of other working groups. And for those that are interested, I'd encourage you to go to a website. It's called-- and there's no space between these three words-- livecaptioningcanada.ca.

And it talks about some of the research studies that are currently going on and that have gone on in the past that try and inform how to provide a better captioning product to users, to viewers. The first one that is referenced on that website that I was involved in, it was called the user preference study. And it was a survey that both sort of looked at it from the perspective of the captioner but also looked at it from the perspective of the viewer to see what the priorities were when somebody is watching, somebody who's deaf or hard of hearing is watching captions, and what is more important to them.

Is it more important that the captions flow at a steady speed? Is it more important that captions not block graphics or key elements? Are speaker IDs important? Is emotive captioning important? So if somebody says something emphatically, should it end with an exclamation mark? Is verbatim captioning important versus not important? Is paraphrasing OK?

All those things were sort of assessed in a survey that was conducted. And that informed then the working group on the NER study. So that was sort of one of the groups.

The other two that are currently going on are called-- it's called "Tradeoffs in Live Captioning." And sort of "Play-by-play Captioning" is a subset of that. And the "Tradeoffs in Live Captioning" again, is sort of a study that is focused on the fact that you can't necessarily have it all. A captioner can't caption at 250 words a minute and be 100% verbatim accurate. And as well, a viewer might not be able to read at 250 words a minute either.

How do you provide high quality, meaningful captions? And what challenges exist in delivering that? And what's prioritized in terms of delivering those captions?

So some of these studies actually have-- there's a laboratory at the Toronto Metropolitan University where people will go to this lab and put on eye trackers and caption. Different samples of captioning will be displayed where people's eyes are tracked at a high speed. Do they ever deviate from the caption line? If they're at a slower speed, can you take in the entire visual?

So that's sort of the nature of that study that's going on. And then there's another sort of again subset study. Sorry if I'm rambling. This is very interesting to me, hope it's interesting to you, too. But it's about sports.

So within the Canadian captioning sort of sphere on the sports side, probably in the United States as well, you know-- I'll give hockey as an example. Basketball is another example.

There's an awful lot of play by play, what we call play by play, speaking the action that takes place, and then there's commentary that takes place. So with the play by play, and we all know that there's caption lag in live captioning, when you're saying, "Smith passes to Jones" while six seconds later you see the captions of "Smith passing to Jones," and it's just kind of irrelevant at that point.

So the study is trying to assess the importance of having full captioning versus the importance of just having commentary for captioning, which then allows a viewer to be able to take in the action without being distracted by the captions. I mean, I've spoken to deaf viewers who will say, I just turn off the captions during a hockey game. It's too distracting to me. But then you're losing out on the commentary. There are other people that say, no, I want everything. Equal access means complete access.

So this is a pretty fascinating study. And the results-- both these studies sort of are nearing the end of their research life. And so the decisions or the analysis and the conclusions are coming out pretty shortly. But again, that website, livecaptioningcanada.ca, you'll be able to sort of track what the progress is there.

JENA WALLACE: That's really, really fascinating stuff. To me personally I find that really, really interesting. And I don't know that we've had really anything like that on the US side that I know of. So this could be some really, really useful research for everyone who is working with captioning and media accessibility in general.

MELINA Yeah, it definitely has. In the academic sphere, both in the United States and internationally in Europe, that's got
NATHANIAL: a lot of eyes on it and interest.

JENA WALLACE: Yeah, I love that. So kind of a follow up to this, are there any organizations or individuals that you would recommend that our viewers today follow to stay up to date on these sort of changes and best practices in the industry, any groups they can get involved with or reach out to?

MELINA There are some industry, like digital magazines that are out there that can reference these things. I would
NATHANIAL: encourage for sure-- the CRTC always is issuing publications. They often have public hearings where they invite the public to participate. So if there's an interest from a viewer perspective to participate and have impact on any changes that are forthcoming, then there's an opportunity there. There's a digital magazine called *Broadcast Dialogue* that might post some of that content about the direction things are going in. The regular news often has that kind of information that gets posted.

So generally I would say CRTC is a good source, *Broadcast Dialogue*. Obviously from deaf and hard of hearing perspective there are organizations that provide support and advocacy, Canadian Hard of Hearing Association, the Canadian Association for the Deaf, Canadian National Institute for the Blind. All those organizations do provide advocacy as well and have educational aspects to them in addition to that.

JENA WALLACE: Cool, yeah, another good example that we have of that is the CBC/Radio-Canada. They're developing the first national accessibility plan. They partnered with public libraries across the country to open up the dialogue with that. Not sure how involved you've been with that or how you've been watching that, but--

MELINA There's also-- yeah, that reminded me. Yes, the CBC is really great about pushing the envelope in accessibility.
NATHANIAL: They feel like that's part of their mandate as a public broadcaster.

There's also-- it's called the Canadian Media Fund. And broadcasters contribute money and funds into that. And then that also supports initiatives often in the accessibility sphere. And again, I haven't looked at that website in a while.

But it's always interesting to go to that website and see what sort of projects have gotten grant approval and which ones relate to media accessibility, because often that's-- one of these committees that I was on was funded by the Canadian Media Fund. So those-- and the Broadcast Accessibility Fund is another one as well where you can sort of see what kind of research projects are being undertaken.

JENA WALLACE: Yeah, that's really great. So just sort of going back to broadcast professionals and things to know, is there anything you think in particular they need to consider when it comes to accessibility, especially with so many developing laws and so much research coming out? What would your suggestions be to them?

MELINA From my perspective, I think-- you know, you can look at accessibility as an obligation or an opportunity. And I
NATHANIAL: think it expands your marketability if you've got content to make it fully accessible. And I think that-- there's more ease around providing accessibility within your content than there ever has been.

There are so many ways to produce audio description or captioning in a very cost effective way that didn't exist five years ago, 10 years ago. And so I would say embrace it and see it as a market opportunity and do it at the beginning, not at the end or after somebody says you need to put it in your content, because that, in my mind, makes the content more marketable.

JENA WALLACE: Yeah, definitely. There's the whole idea of baking accessibility into the production process. A lot of times things will just be sort of tacked on to the end, because they're a requirement. But it really looks like we're moving towards just trying to make it part of the production process from the start, which I hope is a trend that continues.

MELINA Yeah, I think you're seeing that more and more with even the larger broadcasters who are purchasing content. It
NATHANIAL: won't be accepted without all the-- without DV and without captioning.

JENA WALLACE: Exactly. Well, we've had some attendee questions come in. So one of them is, "I'm curious to hear a bit more about any of the needs for bilingual captions for French viewers. And what can we do to make spoken English presentations as accessible as possible for them?"

MELINA Yeah, I think this is a really great question, because even from our perspective, we're seeing a greater request, a
NATHANIAL: greater need for bilingual captioning. The obligations are not clear. The CRTC doesn't have clear obligations around everything that airs on English television must be bilingual.

That said, I mean again, it's all about expanding your market and making your content more marketable. I think that there's definitely a business case for expanding. And I know broadcasters are looking at it as well.

And it's not just French. It's all languages that may be prevalent. Obviously French is the most important one. We are getting a lot of requests for adding Cree to content. And so I think that it's important.

And I think a lot of what has been a barrier, if I can use that term, is resourcing. There's limited French resources that can provide captioning services. And that often will put limitations on what can be produced as well. But definitely we're working on that, in terms of the resourcing, so that that is not going to be a challenge. I think everybody is looking at it from that perspective.

JENA WALLACE: Yeah, great. Our next question, "Can you explain how describe video works for broadcast? I generally think of audio description for recorded video. But it's clearly important for live content, too. What's the preparation process like? And how can broadcasters ensure content is accessible for blind or low vision viewers?"

MELINA
NATHANIAL: Yeah, the live one is so challenging. I think, again, you can see some live audio description with some programming. There's not a lot. CBC does a lot. And it's often in the sports context. But it's live sports, so you don't know what's about to happen. So you can only talk about retrospectively what's happened.

But prep-- and this applies in captioning, too. Preparation is just so critical in providing really good content, good accessibility. And so live audio description is so critical that you know what the subject matter is about, if it's relating to sports that you've got all the players, that you know what they look like and who they are. You've got all the terminology around, say, hockey that you can use in describing things.

And obviously the challenge with audio description and describe video, you don't know how much time you have in a gap to be able to describe something. And that is exponentially more challenging when it's live. So I think that the starting step is-- and we often will sort of say to our customers, we need as much preparatory material as we possibly can, because that will make the content that much better.

So I guess preparation, and maybe there is some technology tools that are coming down that will support providing a better audio description experience. I think that we're in sort of the infancy of that development though.

JENA WALLACE: Yeah, I've heard that a lot around live captioning that prep materials are really key. Do you want to just kind of review some of the prep materials, like generally for broadcast that are just great to always provide to your captioning vendor?

MELINA
NATHANIAL: For sure. I mean, when it comes to news programming, a lot of what is being covered in the news-- like, that there's teleprompter content so you know who the people are. Proper names are critical. Proper nouns are critical, so cities, individuals, street names.

When it comes to, again, sort of specialized content, words that are specific to that kind of area-- like we often have done things in the university sphere. And if you're doing an astrophysics conference, it would be helpful to have all those science terms, because otherwise you're not able to-- you don't necessarily know how they're spelled. And it just makes things much more complicated. So advance understanding of what the content is allows us even, if you can't give us the full prep, to do our own research, so that we can anticipate the kinds of words and the kinds of things that will come up and be ready for them.

JENA WALLACE: Yeah, so on the similar vein, you've probably heard about recent issues with captioning at the Grammys in the US with a descriptor being used that people found a lot of issues with. Do you want to speak to that situation a little bit from your perspective as someone with a lot of experience with live captioning?

MELINA
NATHANIAL: Yeah, I mean, I can talk about it in the context of live-- in the description a little bit less so. What our own guidelines are around live captioning are, listen, if a hearing person can hear it, a deaf person or a hard of hearing person should be able to read it.

Now, there are some situations where it's unanticipated. Somebody photo bombs and swears. And again, that might be a situation where you should be captioning exactly what is spoken. That said, there may be some sensitivities from the broadcaster perspective where we have to maybe just put a bleep in instead of the actual word. Again, our goal is to provide an equivalent experience to a deaf and hard of hearing viewer or a blind viewer as somebody who is sighted or can hear.

And so in the moment it's so challenging for a person to make that judgment call. Obviously they shouldn't be taking editorial license and inserting their own view of what the right word is. It's more of a paraphrase or deletion that might occur on the fly. But again, it's such a challenging situation to be in when you're in the moment to make those right decisions. And sometimes the wrong decisions are made.

JENA WALLACE: Yeah, I've heard a lot of discourse around it. And I think there's-- and I used to work in the recorded captioning space. So it's a little different than live.

But there's definitely a lot more nuance than I think viewers realize and judgment calls, like you mentioned, that are going on behind the scenes. Captioning is just constant judgment calls. And they're being made by people. And people are not perfect.

MELINA
NATHANIAL: I know, exactly. And then there's the bloopers. Like sometimes something, whether you're captioning by a steno machine or by voice recognition, if the software recognizes something incorrectly or you've shaded your steno key the wrong way and the wrong word comes out, it's a mistake that wasn't deliberate. So there are the bloopers in addition to sort of the judgment calls that happen.

JENA WALLACE: Yeah, I think that's a great term, bloopers. I never really thought of it that way. But that is kind of how it is when there's a typo or mistranscription or something that you're just sort of doing in the moment.

So our next question, "You mentioned earlier how certain accuracy standards are required. How can broadcasters help ensure that they're achieving these standards? And who is monitoring the accuracy to ensure that these standards are being met? Who do they have to answer to?"

MELINA
NATHANIAL: Right, I mean, there's no-- so there's no continuous surveillance system that exists that will set off an alarm that shows that captioning on this particular program fell below 98 NER. The obligation that currently exists is that broadcasters have to select two programs per month, 10 minute segments of each program, and put it through an NER assessment.

But the CRTC is very much a complaint-driven process and organization. So if a viewer has a concern, then what will sort of cause the next step of actions to occur is typically a viewer complaint, which will then require the broadcaster to contact the captioning company or to look within their logs to see if there were technical issues to inform whether or not it was a quality issue or whether it was a technical issue.

So a lot of it is-- we do our own internal auditing and quality assurance. And broadcasters do theirs as well. But sometimes-- but there's a multitude of programming out there that doesn't get monitored. And it's the viewers that really have to drive the process to express concerns about the quality. And then an assessment can take place afterwards to determine whether or not it met the regulatory standard.

JENA WALLACE: Yeah, I think there's some definite alignment with how the US is with FCC standards as well. It's very complaint-driven at this point in time, although I think that's evolving, especially with social media and call outs as things happen, just like we mentioned with the Grammys.

MELINA And it's not to say that obviously like-- I mean, the fact that there is a regulatory standard in Canada that is set
NATHANIAL: at 98% for English and 85% verbatim for French, it means the broadcasters know what standard that they have to comply with. And they do comply with it. There are going to be times when maybe compliance is problematic. And that's what will drive the complaint process.

JENA WALLACE: All right, well, we are on our last question. It's kind of a multipart question. So I'll repeat it if you need me to. "How does accessibility of local and regional broadcasts compare to the national broadcasts? Are there more or different regulations?" And then-- yeah, I'll stop with that and kind of end on the final part after you've answered.

MELINA Yeah. There isn't a different standard. It's the same standard. Whether or not there is compliance on that
NATHANIAL: standard, again, I can't speak to that. I don't know if there's reference to anything in particular.

But there may be a more concerted effort on national programming to ensure that the quality standard is far above the basic minimum. I mean, broadcasters care about their brand. And I think many broadcasters consider the quality of captions as a reflection of their brand. And so if captions are poor, then it's a poor reflection on their brand. And I think that's the right way to approach it and look at things.

So I don't know. I mean, I think logically you might sort of come to a conclusion that local programming might have a different level of quality than national, just because the visibility might be that much more on the national side. But the standard is not different. The standard is the same. And the standard is that which is imposed by the CRTC, so that's 98%.

JENA WALLACE: Interesting. So the final part of the question-- it's sort of its own thing. But we've been speaking a lot about Canadian broadcasting. So how do you find Canadian broadcasting to-- and the accessibility of Canadian broadcasting-- to compare to other countries?

MELINA I can really only speak to Canada. My impression is that it's among the top, that it is better than many other
NATHANIAL: countries, that the regulatory environment is much more stringent than a lot of other countries. I don't know if it's the highest. But it most certainly is near the top quartile.

And certainly there's a lot of effort around accessibility. And I think that's driven by the law and legislation and also, again, a growing awareness of how important it is to provide accessibility from a corporate social responsibility perspective, from a brand perspective, from even a business perspective. So I do think--

And I think a lot of-- it's very market-driven in the States. But you see how much attention is being paid to accessibility that's not even necessarily driven by regulation. It's driven by business sense. And I think that in Canada it's always been sort of regulation first, business second. And I think that maybe the playing field might be evening out where there's some business decisions that are being made, because it just makes good business sense to expand accessibility.

JENA WALLACE: Yeah, definitely. One thing that I've just observed with Canada, there's definitely a huge focus on accessibility. You guys even have your own chief accessibility officer, Stephanie Cadieux, which is not something-- I'm in the States. That's not something we really have at this point yet. But hopefully we'll be kind of moving towards that in the future.

Well, that is it for our questions today. Thank you, Melina, for a fantastic discussion. Thank you to our ASL interpreter, Isabella, and to our very own 3Play Captioner for making this session accessible today. Thank you to everyone for joining us and asking some great questions. And I hope everyone has a great rest of their day. Thank you so much.

MELINA Bye, everybody.

NATHANIAL: