

SENATE STANDING COMMITTEE ON LEGAL AND CONSTITUTIONAL AFFAIRS
HUMAN RIGHTS AND EQUAL OPPORTUNITY COMMISSION

Question No. 42

Senator Stott Despoja asked the following question at the hearing on 18 February 2008:

In a media release issued on 12 September 2007, former Minister for Communications, Information Technology and the Arts, Senator Helen Coonan, launched an investigation into access to electronic media for the hearing impaired "to stocktake developments in captioning and other essential access technologies that assist hearing impaired Australians, and consider options for their extension beyond the current requirements".

The media release stated that "The investigation into access to electronic media and films by the hearing impaired is to be completed by 30 April 2008, with the full report of that investigation to be tabled by the Minister in Parliament" and that a "discussion paper for public comment will be released over coming weeks."

The release also referred to "captioning target(s) with the Human Rights and Equal Opportunity Commission (HREOC)".

1. Has HREOC been advised whether or not the inquiry will still be conducted following the change of Government?
2. Is HREOC aware of the status of the inquiry and/or whether the reporting date remains 30 April 2008?
3. What role, if any, has HREOC played in relation to this inquiry so far?
4. Has HREOC been consulted in relation to the discussion paper?
5. From HREOC's perspective, what would be the impact (on the deaf and hard of hearing; captioning levels; other issues) if the inquiry does not proceed?
6. Will any consultations completed by HREOC in relation to the inquiry be effected by any delay in the reporting date? If so, how?

The answer to the honourable senator's question is as follows:

1. HREOC has been advised by the Department that the investigation is to proceed.
2. HREOC has been advised that a Discussion Paper is due to be released in early March 2008. HREOC has no information at this point concerning the proposed completion date for the investigation.
3. HREOC has been working for a number of years on improving media access in the areas of TV, Cinema and DVD. Further information on this work can be found on HREOC's website at http://www.humanrights.gov.au/disability_rights/captioning.htm . HREOC has provided the Department with information on the application of the Disability Discrimination Act to media access issues and briefed them on work undertaken in this area.

4. HREOC has provided information to the Department on its work in the area of media access and has provided comments on the accuracy of that material as presented in a draft Discussion Paper.
5. HREOC considers that the proposed investigation will be a valuable focus for discussion across a range of media access issues and will provide an important opportunity for industry participants, community representatives including Deaf and hearing impaired Australians, blind and vision impaired Australians, government and regulatory bodies to consider possible future actions to expand access and opportunity in this area. On the basis of advice that the investigation is proceeding, HREOC has not undertaken an assessment of impacts of the investigation not proceeding.
6. There was some delay in November –December 2007 in completing discussions on possible future developments in media access, particularly in the area of TV captioning, pending clarification of the status and future course of the departmental investigation. While it is disappointing the investigation did not proceed earlier, it is not anticipated that a delay in the reporting date beyond the 30 April 2008 date originally projected would necessarily affect future discussions by HREOC. The release of and opportunity to respond to the Department's Discussion Paper is in itself anticipated to provide valuable consultative opportunities.