September 2022

To the Economic Development, Science and Innovation Committee.

Please find below DPA’s submission on the Aotearoa New Zealand Public Media Bill.

## Disabled Persons Assembly NZ

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# Introducing Disabled Persons Assembly NZ

The Disabled Persons Assembly NZ (DPA) is a pan-impairment disabled person’s organisation that works to realise an equitable society, where all disabled people (of all impairment types and including women, Māori, Pasifika, young people) are able to direct their own lives. DPA works to improve social indicators for disabled people and for disabled people to be recognised as valued members of society. DPA and its members work with the wider disability community, other disabled people’s organisations (DPOs), government agencies, service providers, international disability organisations, and the public by:

* telling our stories and identifying systemic barriers
* developing and advocating for solutions
* celebrating innovation and good practice

# United Nations Convention on the Rights of Persons with Disabilities (UNCRPD)

## **Government obligations:**

The UNCRPD[[1]](#endnote-1) places an obligation on Government to ensure and promote the full realisation of all human rights and fundamental freedoms for all disabled people without discrimination of any kind on the basis of disability.

## **UNCRPD is the minimum standard:**

DPA upholds the UNCRPD as the minimum standard for our participation in society.

## **Partnership with DPOs (Article 4.3):**

The implementation of the UNCRPD depends on a partnership between DPOs and the Government. This is highlighted in Article 4.3 which says governments shall consult closely with and actively involve disabled people, including disabled children, through their representative organisations. This partnership goes beyond just consulting with disabled people. It mandates governments to actively involve disabled people and our organisations in everything that affects us.

Other key Articles of the UNCRPD relevant to this submission are:

## **Article 8 - Awareness-raising**

**2.c** **- Encouraging all organs of the media to portray persons with disabilities in a manner consistent with the purpose of the present Convention.**

## **Article 9 - Accessibility**

## **Article 21 - Freedom of expression and opinion, and access to information**

## **Article 30 - Participation in cultural life, recreation, leisure and sport**

# The Submission

DPA supports the stated intent of the Aotearoa New Zealand Public Media Bill to:

***“ ..ensure that all New Zealanders can access relevant and trusted public media content across the platforms they use by—***

* ***better aligning Government investment across platforms, increasing flexibility to respond to future demographic and technological changes, and reducing inefficiencies:***
* ***ensuring a more sustainable long-term funding model:***
* ***enabling a greater focus on currently under-served and under-represented audiences, while continuing to provide for existing audiences.[[2]](#endnote-2)***

Disabled people are well recognised as an underserved and underrepresented audience. As part of ensuring that public media content better serves and represents disabled people DPA recommends that disabled people be specifically named as an underserved and underrepresented audience and that clear and explicit measures to better serve and represent us be included. In particular their needs to be an explicit and specific commitment to accessibility, inclusion and representation of disabled people across all media platforms (radio, online and broadcast).

## **(In) Accessibility of Public Media**

Many disabled people face significant accessibility related barriers accessing reliable information, news, current affairs and debates. These have been the focus of previous inquiries and petitions such as the 2017 select committee Inquiry into Captioning[[3]](#footnote-1), and the more recent select committee Inquiry into the Review of the Radio New Zealand Charter [[4]](#footnote-2).

DPA believes that any public media entity has a responsibility to ensure full access for disabled people to their material. A commitment to accessibility across all media platforms must be stated explicitly in the charter to have a meaningful impact.

**Inquiry into the Review of the Radio New Zealand Charter**

In our submission[[5]](#footnote-3) to the recent select committee Inquiry into the Review of the Radio New Zealand Charter [[6]](#footnote-4), we pointed out that many of RNZ’s news stories, interviews and articles are uploaded to its website where they should be made accessible to Deaf and hard of hearing people by way of written transcripts.

While some items have a written summary uploaded to the website, RNZ does not as a rule provide full transcripts of their broadcast material, which denies Deaf and hard of hearing people access to important information and topical discussions.

RNZ frequently covers issues that are of specific interest to the disabled community such as inclusive education and the health and disability system review as well as interviews with experts across a range of subject areas of public interest including health, climate change, and other core topics. The lack of transcripts denies Deaf and hard of hearing people access to stories and interviews that are of specific interest and value to them. When DPA shares these stories via our social media channels we frequently have people comment, “Is there a transcript?”

DPA was pleased to see the report from the inquiry[[7]](#footnote-5) support our points and that the report recommended that the Government introduce legislation to amend the charter to require RNZ to consider the needs of disabled audiences.

DPA seeks for this recommendation from the inquiry to be extended to the new Aotearoa Public Media Entity.

**On Demand Platforms Must be Accessible**

A huge number of media items and programmes are watched or listened to on demand, rather than when it is first broadcast and the trend is for this to increase.

Whilst captioning is available for some on demand programmes, audio description is not. This means that people who are blind or have low vision have to watch the few broadcasts with audio description as they are aired on television with no ability to watch them at a later time.

Similarly, TVNZ frequently puts up its news videos and items without captions on its OnDemand platform. Again, as with RNZ items, this means when DPA wants to share videos of news items of specific interest to the disabled community we have people asking, “where are the captions".

To address the issues that have been raised above, DPA believes that the Charter of the Aotearoa New Zealand Public Media must:

* require the new Crown Entity to consider the needs of disabled audiences, as recommended by the Enquiry into the Radio New Zealand Charter.
* be mandated to have a planned programme to progressively increase audio description, captioning and NZSL content over time for both broadcast and on demand platforms.

# DPA’s Recommendations

## That disabled people be specifically named as an underserved and underrepresented audience and that Aotearoa New Zealand Public Media be required to consider the needs of disabled audiences.

## That Aotearoa New Zealand Public Media be mandated to have a planned programme to progressively increase audio description, captioning and NZSL content over time for both broadcast and on demand platforms.

1. <https://www.un.org/development/desa/disabilities/convention-on-the-rights-of-persons-with-disabilities.html> [↑](#endnote-ref-1)
2. <https://www.legislation.govt.nz/bill/government/2022/0146/latest/d610079e2.html#LMS647919> [↑](#endnote-ref-2)
3. <https://www.parliament.nz/en/pb/sc/business-before-committees/document/00DBSCH_INQ_69222_1/inquiry-into-captioning-in-new-zealand> [↑](#footnote-ref-1)
4. [Inquiry into the Review of the Radio New Zealand Charter - New Zealand Parliament (www.parliament.nz)](https://www.parliament.nz/en/pb/sc/business-before-committees/document/INQ_109806/inquiry-into-the-review-of-the-radio-new-zealand-charter) [↑](#footnote-ref-2)
5. <https://www.dpa.org.nz/store/doc/DPA-Submission---Inquiry-into-the-Radio-NZ-Charter-August-2021.docx> [↑](#footnote-ref-3)
6. [Inquiry into the Review of the Radio New Zealand Charter - New Zealand Parliament (www.parliament.nz)](https://www.parliament.nz/en/pb/sc/business-before-committees/document/INQ_109806/inquiry-into-the-review-of-the-radio-new-zealand-charter) [↑](#footnote-ref-4)
7. [Inquiry into the Review of the Radio New Zealand Charter - New Zealand Parliament (www.parliament.nz)](https://www.parliament.nz/en/pb/sc/reports/document/SCR_125248/inquiry-into-the-review-of-the-radio-new-zealand-charter) [↑](#footnote-ref-5)