

Investigation report no. BI-620

Summary	
Licensee	Channel Seven Melbourne Pty Limited (Licensee)
Relevant legislation/standard	<i>Broadcasting Services Act 1992</i> (the BSA) <i>Broadcasting Services (Television Captioning) Standard 2013</i> (the Standard)
Finding	Breach of subsection 130ZZA(4) of Part 9D of the BSA [compliance with captioning standard by a commercial licensee] Breach of paragraph 7(1)(o) of Schedule 2 of the BSA [licence condition to comply with Part 9D]
Program [type]	<i>7NEWS Breaking News</i> [News]
Date of broadcast	12 June 2021
Type of service	Commercial—television
Attachments	A – relevant provisions of the BSA and the Standard B – table of distinct program segments in the broadcast of 12 June 2021 with summary of findings C – extracts from the Licensee’s submissions to the ACMA

Background

At 12:15 pm on 12 June 2021, Channel Seven Melbourne Pty Limited (the **Licensee**) broadcast a news update on *7NEWS Breaking News* (the **Program**), comprising a live press conference by the Victorian Government relating to COVID-19 and wild weather events in Victoria.

On 15 June 2021, the Australian Communications and Media Authority (the **ACMA**) received a complaint alleging that the captioning provided on the Program was inaccurate.

On 22 October 2021, the ACMA commenced an investigation under the BSA into the Program.

The ACMA has investigated the Licensee's compliance with:

- > subsection 130ZZA(4) of the BSA, relating to quality under the Standard
- > the licence condition at paragraph 7(1)(o) of Schedule 2 to the BSA

The Program

The Program was broadcast live, in the form of a news bulletin, and included a Victorian Government press conference on COVID-19 and wild weather in the State. The Program was approximately 27 minutes in duration.

The press conference was divided into 2 parts and featured 2 speakers: the Hon. Martin Foley (Victoria's Health Minister) and Mr. Jeroen Weimar (Victoria's COVID-19 Response Commander), and included questions from reporters at the end of the broadcast.

Legislative framework

Subsection 130ZZA(4) of the BSA imposes an obligation on licensees to comply with the Standard determined by the ACMA under subsection 130ZZA(1) of the BSA.

The Standard establishes minimum requirements relating to the quality of captioning services, to ensure that captions are meaningful to deaf and hearing-impaired viewers¹. Specifically, the Standard requires captions to be readable,² accurate³ and comprehensible.⁴

A 'captioning service' is defined in section 4 of the Standard as 'a service in which the captions are provided for programs that enable the viewer to follow the speakers, dialogue, action, sound effects and music of a program'.

'Captions' is defined in section 4 of the Standard as 'the visual translation of the soundtrack of a program in English, in word form'.

The Standard stipulates that the quality of a captioning service for a program must be considered in the context of the program as a whole.⁵ When determining the quality of a captioning service for a program, the cumulative effect of the readability, accuracy and comprehensibility of the captions must be considered.⁶

Compliance with the Standard by a commercial television broadcasting licensee is required under subsection 130ZZA(4). Subsection 130ZZA(4) is in Part 9D of the BSA and therefore compliance with the Standard is a licence condition for commercial television broadcasting licensees under paragraph 7(1)(o) of Schedule 2 to the BSA.

Subsection 130ZZA(7A) specifies circumstances in which a breach of subsection 130ZZA(4) (captioning standards) can be disregarded.

Relevant provisions of the BSA and the Standard are provided at **Attachment A**.

¹ Section 3 of the Standard.

² Paragraph 7(a) of the Standard.

³ Paragraph 8(a) of the Standard.

⁴ Paragraph 9(a) of the Standard.

⁵ Paragraph 6(a) of the Standard.

⁶ Paragraph 6(c) of the Standard.

Assessment of distinct program segments

The definition of ‘program’ in section 4 of the Standard includes a television program and a distinct program segment within a television program.

Paragraph 6(b) of the Standard states the following:

When determining the quality of a captioning service for a program that is a distinct program segment within a television program, the captioning service must be considered in the context of that distinct program segment on its own.

The Explanatory Statement to the Standard states the following:⁷

Paragraph (b) of section 6, and the definition of “program” in section 4, together have the effect that the quality of a captioning service for a program that is a distinct program segment within a television program will be considered in the context of that distinct program segment on its own, provided that the segment is unrelated to other program segments. So, for example, a current affairs program may consist of several segments which are each distinct from and unrelated to other segments in that program.

Read together, the definition of program in the Standard and paragraph 6(b) of the Standard requires that, in the case of a program with distinct program segments, the quality of the captioning service must be considered in the context of each distinct program segment.

Similar to a current affairs program, a news program generally consists of segments, which may be distinct and unrelated to other segments.

Assessment of live captioning

The Explanatory Statement to the Standard states the following:⁸

The ACMA recognises that broadcasters and narrowcasters may use different methods of captioning, such as live captioning and pre-prepared captioning. The ACMA takes the view that it is important to consider whether the captioning service provided with a program is what would be expected in the context of the program as a whole.

Factors to consider include the circumstances of the broadcast and the nature of the program being broadcast. For example, it is reasonable to expect that during the live broadcast of a fast-paced sporting match, there would be a time lag between the captions and the soundtrack and the caption lines may not end at natural linguistic breaks.

In determining the quality of captioning, the ACMA takes into account, among other factors, the circumstances of the broadcast, including the nature of live captioning and the fact that delays may occur. The ACMA had regard to this in the present investigation, but also notes that, regardless of the method of captioning, the captioning provided for a program must be meaningful to deaf and hearing-impaired viewers.

Assessment of broadcast of the Program

The ACMA has assessed whether the captioning service for the Program, broadcast on 12 June 2021, complied with the requirements relating to quality set out in the Standard. The outcome of this assessment determines whether the Licensee has complied with the Standard and, therefore, the licence condition.

As part of its assessment, the ACMA reviewed a copy of the broadcast of the Program provided by the Licensee, which contained 2 distinct program segments, as follows:

- Flood and storm damages update (approximately 3 minutes) (**Segment 1**).
- COVID-19 update (approximately 24 minutes) (**Segment 2**).

⁷ Explanatory Statement for the *Broadcasting Services (Television Captioning) Standard 2013*.

⁸ Explanatory Statement for the *Broadcasting Services (Television Captioning) Standard 2013*.

The quality of the captioning service has been assessed in the context of each distinct program segment. The table at **Attachment B** lists the relevant captioning issues in relation to the distinct program segments.

Issue 1: Did the licensee comply with the Standard and, accordingly, comply with subsection 130ZZA(4) of the BSA?

Finding

The captioning service for the Program did not meet the requirements relating to quality imposed by the Standard and, accordingly, the Licensee failed to comply with subsection 130ZZA(4) of the BSA.

Reasons

The ACMA's assessment showed that there were issues with the captioning service in the 2 distinct program segments of the Program. These issues are set out in the table at **Attachment B**.

The ACMA considers the cumulative effect of the issues relating to the readability, accuracy and comprehensibility of the captions in the 2 distinct program segments were significant enough, such that the Program was not meaningful to deaf and hearing-impaired viewers to the Program.

Segment 1

Examples include, but are not limited to the following:

- > **Comprehensibility**
 - o Captions included a list of suburbs that were spelt incorrectly (subparagraph 9(b)(v) of the Standard); for example, at timestamp 00:52 to 01:29, the suburbs of Trentham, Kinglake, Dandenong Ranges, South Gippsland, Woori Yallock, Gembrook, Glenburn, Pyalong, Don Valley, Lancefield and Healesville were captioned as 'Transom, Kinglake, Dandenong ranges, South Coupland, you yak, Jim Brooke, Glenburn, pylon, Don Valley, Lancefield, and he'll feel'.

These spelling errors were material because they made it difficult for deaf and hearing-impaired viewers to understand the specific communities that would be affected by the outage of Telstra services, including the '000' emergency service. As a result, the distinct program segment was not meaningful to deaf and hearing-impaired viewers.

Segment 2

Examples include, but are not limited to, the following:

- > **Accuracy**
 - o Captions for spoken words were omitted, for example: 'Pfizer' at timestamp 06:37 (subparagraph 8(b)(i) of the Standard).
 - o At timestamp 6:40 – 7:01, key information about the type of vaccine being referred to was omitted i.e. 'Pfizer'.
 - o Captions were not verbatim and, if it was not possible for the captions to be verbatim, they did not reflect the actual meaning of the words spoken (subparagraphs 8(b)(ii) and 8(b)(iii) of the Standard), for example:
 - at timestamp 03:16 to 03:35, 'bringing to the total number of active cases, in both the community and in hotel quarantine, to 74'was captioned as

'bringing the total of active cases, in both the community and hotel quarantine, 274'

- at timestamp 08:14 to 08:42, 'over 350,000 first doses are Pfizer, over 91,000 second doses of Pfizer, over 320,000 doses of AstraZeneca and almost 10,000 second doses of AstraZeneca'

was captioned as

'over 350,001st doses are Pfizer, over 91,002nd doses of Pfizer, over 320,000 doses of AstraZeneca and almost 10,000 of second doses of second – – ashes and anger'.

- Captions were not comprehensible because key words were not captioned verbatim and spoken content was omitted, and as a result the captions did not reflect the actual meaning of the spoken content (subparagraphs 8(b)(ii) and (iii) of the Standard), for example:

- At timestamp 6:40 to 7:01 'Under the Australian Technical Advisory Group on Immunisation – ATAGI's guidelines, people who get their first dose of Pfizer need to return within three to six weeks following that first dose for their second dose'

was captioned as

'Under the Australian technical advisory group of emulation, people who get their first jab need to return within three to six weeks following that first dose for the second dose'

- At timestamp 12:56 'Kappa outbreak' was spoken but not captioned and later captioned as 'outbreak'.
- At timestamp 15:59 to 16:12 the spoken content 'And it's so important to identify any other branches of this Kappa outbreak that may be out there'

was captioned as

'And it's important we identify any other branches of this outbreak that may be out there'.

- At timestamp 16:05, 'the Delta outbreak' was captioned as 'the Delta Abra'.
- At timestamp 16:15 to 16:35 '764 primary close contacts' was captioned as '164 primary close contacts'.
- At timestamp 18:01:

It is so important anybody who is remotely symptomatic comes forward and get tested. Cause if you get tested and if you have symptoms, if you have been to an exposure site, that's what we need you to go and do, you need to protect yourself because we've seen all around us how serious Covid can be to some of our community, get tested to protect your loved ones and those people that you live with, because we know that coronavirus spread so easily inside the home

was captioned as

It is important that anyone who is rightly sent medic am's and gets tested for supper if you get tested and you have symptoms, if you have been to a exposure site, thus we need you to do full stop we need to protect yourself because we have seen how serious COVID have – – COVID has been, get tested, your loved ones, people you live with, we know that coronavirus spread so easily throughout the home.

- At timestamp 22:36, 'the wider Kappa outbreak' was captioned as 'the white outbreak'.

> Comprehensibility

- At several points during the Program, captions did not coincide with the onset of speech, to the extent that the captions were not comprehensible (subparagraph 9(b)(iii) of the Standard). Latency of captions ranged from approximately 10 seconds to 15 seconds

between the commencement of speech and captions appearing. For example, at the commencement of the segment and at timestamp 02:40, there was latency of approximately 13 seconds; the latency at timestamp 03:16 was approximately 14 seconds; and the latency at timestamp 07:10 was approximately 15 seconds.

- Captions appeared and disappeared too quickly for the viewer to read them (subparagraph 9(b)(ii) of the Standard). For example:
 - At timestamp 13:35, 'My thanks again to the over 4000 people who have completed their isolation in support of running these branches, this outbreak to ground. My thanks of course to the 2300 who are still doing their remaining days in isolation, and I know that I can appreciate that as we ease restriction across the rest of Melbourne and Victoria, it is even more frustrating to be caught up in isolation'.
 - At timestamp 22:24 to 22:34, 'More work to be done, just to be very clear, he is not a primary close contact full stop he is a new case'.
 - At timestamp 23:09 and 23:40, 'we have a standalone case, early indications, again we are seeing some overlaps with other parts of the existing outbreak. While that is reassuring, bringing able to connect this case up and we are dealing with'.
- Captions were not comprehensible because some words were not spelt correctly (subparagraph 9(b)(v) of the Standard). For example:
 - at timestamp 3:42 to 3:53 the spoken content 'The new case today lives in the City of Melbourne' was captioned as 'The new case today lives in the city of Melville' (subparagraph 9(b)(v) of the Standard)
 - at timestamp 25:46 to 26:34, 'I'm not living in an exposure site, I don't work at Our Care, I don't, I don't shop at Craigieburn Centre, therefore I am probably okay, and he went and got tested. That is what we all have to do. We cannot assume that we know what these connections are, umm and, and, every single day, pretty much, in the last 2 weeks we have been identifying new exposure sites as new information comes to light',

was captioned as

'I am not living in ACE exposure site, I don't shop at Cragieburn, I am probably OK. And he went got tested. - - Living in an exposure site. We have to assume that we don't know what these connections are and every single day and up last two weeks, we are identifying new exposure sites as new information has come to light.'

Conclusion

The ACMA finds that the cumulative effect of the issues relating to the readability, accuracy and comprehensibility of the captions in the 2 distinct program segments resulted in the captioning service for the Program not meeting the requirements relating to quality imposed by the Standard.

In response to the preliminary breach finding, the Licensee submitted on 9 September 2022 that:

[...] latency did not impact the entire captioning service to the extent that it should be considered to be materially incomprehensible. Whilst latency issues may have potentially caused some confusion to a viewer who is both listening to the spoken words and reading the captions, that issue does not arise for deaf or hearing-impaired viewers who are relying more heavily, or entirely, on the captioned words.

[...]

The ACMA identifies several instances where it says that captions were displayed for insufficient time such that it affected the viewer's ability to follow the 'action of the program'. Seven submits the format of the Broadcast – which contained static images of a single speaker in each segment – substantially mitigated risks of incomprehensibility in instances of

short display times by virtue of the fact that any notion of the ‘action of the program’ was entirely absent from each of the segments. [...]

The ACMA accepts that the latency of captions alone may not necessarily lead to an issue with comprehensibility of captions, however, in this case, the cumulative effect of captions that are not closely synchronised with speech, combined with captions speeding up and spoken content not being captioned at all, and inaccurate captions, impacted on the quality of the captioning service such that the ACMA is of the view that it could cause confusion for a deaf and hearing-impaired audience, making the captioning service less meaningful to deaf and hearing-impaired viewers.

In its submission on 9 September 2022, the Licensee highlighted some of the accuracy issues identified by the ACMA in the preliminary report and submitted that:

[...] these are examples of relatively minor errors and where the errors are more substantial, the context of the segment could be relied upon by the viewer to inform meaning.

The ACMA considers that while an error may be minor, the fact that it conveys an inaccurate meaning would cause a deaf and hearing-impaired audience to take away the wrong message as a result of that error. The ACMA is of the view that it cannot be assumed that the context of the segments is enough to assist the viewer to comprehend the message being conveyed when errors in captioning are made, and that a licensee cannot rely on the context of a segment to overcome instances where errors in captioning, or other inaccuracies, cause a captioning service to be less meaningful to deaf and hearing impaired viewers.

In those instances in the Program, the ACMA is of the view that the accuracy issues affected the quality of the captioning service to the extent that they would have made the captioning service less meaningful to deaf and hearing-impaired viewers.

In response to the preliminary breach finding, the Licensee also submitted on 9 September 2022 that:

[...] the ACMA should have regard to the fact that the Broadcast was a live broadcast and delays in live captioning may occur. Seven respectfully requests that the ACMA consider the context that surrounded the Broadcast segments as outlined in these submissions, i.e., that the segments constitute emergency, breaking news programs whereby some degree of latency and inaccuracy is practically an inevitability.

The ACMA accepts that there may be challenges to licensees in responding to breaking news and/or emergency broadcasts. The ACMA notes, however, that the COVID-19 daily press conferences had been in existence for more than a year at the time of the broadcast of the Program in June 2021. In light of this, the daily press conferences were a known factor, and it is reasonable to expect that the Licensee would have made the necessary captioning arrangements to be prepared for the programming changes to accommodate them.

The Licensee submitted on 30 August 2021 that:

[...] there were no live captioners available during that particular press conference. Despite this, in order to provide captioning, the caption coordinator actually performed the re-speaking themselves to generate the captions. There was also an issue where the captions were cleared from the screen, but the new line of captions did not load correctly and then sped through to catch up.

In response to the preliminary breach finding, the Licensee elaborated on the issue of staff shortages, submitting on 9 September 2022 that:

For the purposes of further illustrating context, ‘re-speaking’ involves attentively listening to what is said, ‘re-speaking’ the spoken words into voice recognition software, adding in punctuation, and attempting, as best as one can, to correct any errors generated by the software; all of which must be performed under considerable time pressures. Coordination duties include liaising with clients via a remote talkback, sourcing coverage for breaking news (as was the case with the Broadcast), as well as monitoring audio and video feeds of multiple

channels to check for and resolve outages. The performance of each of these duties at the one-time presented extraordinarily onerous technological challenges for the captioner on duty.

Seven respectfully submits that the circumstances outlined above fall well within the time constraints that the ACMA should hold as significant in their assessment of captioning standards as per their responsibilities under paragraph 6 of the Standard.

The ACMA notes the Licensee's explanation of the context in which captioning re-speakers operate, including that the ACMA should consider the time constraints presented by such circumstances. These are not valid considerations for the ACMA when assessing whether licensees have complied with the quality requirements imposed by the Standard – the characteristics for each factor of readability, accuracy and comprehensibility are set out in the Standard (see **Attachment A**).

In addition, in its response to the preliminary finding, the Licensee provided information about the NER model to assess the quality of captioning of the Program, submitting that:

[...] the ACMA should consider these objective results when considering whether the Broadcast was in breach of the Act and the Standard. Seven would be happy to provide further detail about the NER model and discuss the use of the model by the ACMA in future.

The NER model is not relevant in this instance, as it is not used to assess licensees' compliance with the quality requirements imposed by the Standard. As mentioned above, when assessing whether licensees have complied with the quality requirements imposed by the Standard, the ACMA has regard to the characteristics for each factor of readability, accuracy and comprehensibility that are set out in the Standard (see **Attachment A**).

The ACMA has considered the reasons given by the Licensee for disagreeing with the ACMA's preliminary finding, such as the breaking news nature of the press conference, staff shortages, deaf and hearing-impaired viewer could have construed meaning from the context of the minor nature of the errors. However, the ACMA is not persuaded by those reasons and the preliminary finding stands.

In addition, the ACMA is of the view that subsection 130ZZA(7A) of the BSA does not apply to the breach finding in this case. The ACMA cannot disregard the breach as the failure was not attributable to significant difficulties of a technical or engineering nature and which the Licensee could not reasonably have foreseen.

Issue 2: Did the licensee comply with paragraph 7(1)(o) of Schedule 2 to the BSA?

Relevant provision of the BSA

Schedule 2—Standard conditions

Subclause 7(1) Conditions of commercial television broadcasting licences

- (o) if a provision of Part 9D (which deals with captioning of television programs for the deaf and hearing impaired) applies to the licensee—the licensee will comply with that provision.

Finding

The Licensee did not comply with the licence condition at paragraph 7(1)(o) of Schedule 2 to the BSA.

Reasons

By failing to comply with the requirements relating to quality imposed by the Standard under subsection 130ZZA(4) of the BSA, the Licensee has failed to comply with the licence condition under paragraph 7(1)(o) of Schedule 2 to the BSA.

Relevant provisions

Broadcasting Services Act 1992

Section 130ZR of Part 9D of the BSA Captioning obligations--basic rule

Basic rule

- (1) Each commercial television broadcasting licensee, and each national broadcaster, must provide a captioning service for:
 - (a) television programs transmitted during designated viewing hours; and
 - (b) television news or current affairs programs transmitted outside designated viewing hours.

Section 130ZZA of Part 9D of the BSA

Captioning standards

- (1) The ACMA may, by legislative instrument, determine standards that relate to:
 - (a) the quality of captioning services provided by commercial television broadcasting licensees for television programs; [...]
- [...]
- (4) A commercial television broadcasting licensee must comply with a standard determined under subsection (1).
- [...]
- (7A) A failure by a licensee or broadcaster to comply with a standard determined under subsection (1) is to be disregarded to the extent to which the failure is attributable to significant difficulties of a technical or engineering nature for the licensee or broadcaster, which it could not reasonably have foreseen.

Schedule 2 to the BSA

7 Conditions of commercial television broadcasting licences

- (1) Each commercial television broadcasting licence is subject to the following conditions:
 - [...]
 - (o) if a provision of Part 9D (which deals with captioning of television programs for the deaf and hearing impaired) applies to the licensee--the licensee will comply with that provision.

Broadcasting Services (Television Captioning) Standard 2013

3 Object of Standard

The object of this Standard is to specify mandatory requirements for broadcasters and narrowcasters that relate to the quality of captioning services, to ensure that captioning services are meaningful to deaf and hearing-impaired viewers.

4 Definitions

In this Standard:

Terms that are defined in the *Broadcasting Services Act 1992* have the same meaning as in that Act, unless the contrary intention appears.

[...]

captioning obligations means the legislative obligations under Part 9D of the Act that require:

- (a) commercial television broadcasting licensees and national broadcasters to provide a captioning service for programs transmitted under subsection 130ZR(1) of the Act;

[...]

captioning service means a service in which captions are provided for programs that enable the viewer to follow the speakers, dialogue, action, sound effects and music of a program.

captions means the visual translation of the soundtrack of a program in English, in word form.

distinct program segment within a television program means a distinct segment that is unrelated to other program segments within the same television program.

[...]

program includes:

- (a) a television program; and
- (b) a distinct program segment within a television program.

5 Quality of captioning services

Broadcasters and narrowcasters must, when providing a captioning service in accordance with their captioning obligations, comply with the requirements relating to quality in this Standard.

Note: In exercising its enforcement powers under the Act, the ACMA takes the position that a program that does not meet the requirements of section 5 of this Standard will not be eligible to be used by a broadcaster or narrowcaster to comply with its captioning obligations.

6 Determining the quality of captioning services

- (a) Subject to paragraph (b), when determining the quality of a captioning service for a program, the captioning service must be considered in the context of the program as a whole.
- (b) When determining the quality of a captioning service for a program that is a distinct program segment within a television program, the captioning service must be considered in the context of that distinct program segment on its own.
- (c) When determining the quality of a captioning service, the cumulative effect of the

following factors must be considered:

- (i) the readability of the captions;
- (ii) the accuracy of the captions; and
- (iii) the comprehensibility of the captions.

[...]

7 Readability of captions

- (a) When providing a captioning service for a program, broadcasters and narrowcasters must use captions that are readable.
- (b) When determining whether captions are readable, the following factors must be considered in the context of the program as a whole:
 - (i) whether colour and font are used in the captions in a way that makes them legible;
 - (ii) whether the caption lines end at natural linguistic breaks and reflect the natural flow and punctuation of a sentence, so each caption forms an understandable segment;
 - (iii) whether standard punctuation of printed English has been used in the captions to convey the way speech is delivered;
 - (iv) whether the captions are positioned so as to avoid obscuring other on- screen text, any part of a speaker's face including the mouth and any other important visuals where possible; and
 - (v) whether the captions are no more than three lines in length.

8 Accuracy of captions

- (a) When providing a captioning service for a program, broadcasters and narrowcasters must use captions that accurately recreate the soundtrack of a program.
- (b) When determining whether captions accurately recreate the soundtrack of a program, the following factors must be considered in the context of the program as a whole:
 - (i) whether spoken content has been captioned;
 - (ii) whether the captions of spoken content are verbatim;
 - (iii) where it is not possible for the captions of spoken content to be verbatim, whether the captions reflect the actual meaning of the spoken content;
 - (iv) where the intended target audience of a program is children and the captions are not verbatim, whether the captions reflect the actual meaning of the spoken content;
 - (v) whether the manner and tone of voice of speakers has been conveyed, where practical and material; and
 - (vi) whether sound effects and/or music, material to understanding the program and not observable from the visual action, have been accurately described.

9 Comprehensibility of captions

- (a) When providing a captioning service for a program, broadcasters and narrowcasters must use captions that are comprehensible.

- (b) When determining whether captions are comprehensible, the following factors must be considered in the context of the program as a whole:
- (i) whether the captions clearly identify and distinguish individual speakers, including off-screen and off-camera voices;
 - (ii) whether the captions are displayed for a sufficient length of time to allow the viewer to simultaneously read them and follow the action of the program;
 - (iii) the extent to which the appearance of the caption coincides with the onset of speech of the corresponding speaker, sound effect or music;
 - (iv) the extent to which the disappearance of the caption coincides with the end of the speech of the corresponding speaker, sound effect or music;
 - (v) whether the words used in the captions have been spelt correctly;
 - (vi) where a word is not spelt correctly, whether the spelling provided nevertheless conveys the meaning of the actual word;
 - (vii) whether explanatory captions are provided for long speechless pauses in the program;
 - (viii) the extent to which a caption over-runs a shot or scene change; and
 - (ix) the extent to which the appearance or disappearance of the caption, as the case may be, coincides with the relevant shot or scene change.

Attachment B

TABLE OF DISTINCT PROGRAM SEGMENTS, APPROXIMATE DURATION AND ASSOCIATED KEY ISSUES

Bold and shaded – Breach due to captioning issues identified. The captioning issues affected the accuracy, comprehensibility or readability of the segment in question, to the extent that it would have made it difficult for a person relying on the captions to comprehend the segment. As such, the captioning was not meaningful to viewers relying on captions.

Normal and unshaded – No breach despite captioning issues identified. The captioning issues did not affect the accuracy, comprehensibility or readability of the segment in question to the extent that the errors would have made it difficult for a person relying on the captions to comprehend the segment. As such, the captioning remained meaningful to viewers relying on captions.

Broadcast of 7NEWS Breaking News on 12 June 2021

Segment	Timestamp	Key issues	Relevant provision of the Standard / Issue / Description of content
1 Flood update	Commences at 00:06 seconds	Comprehensibility	<p>Subparagraph 9(b)(iii)</p> <p>Latency within the segment of approx. 13 seconds.</p> <p>Captions from a previous segment appear when broadcasting of press conference started.</p> <p>This makes the captions incomprehensible.</p>
	00:52 to 1:29	Comprehensibility	<p>Subparagraph 9(b)(v)</p> <p>Several key words are spelt incorrectly. This makes the captions incomprehensible.</p> <p>The locations identified as ‘Trentham, Kinglake, Dandenong Ranges, South Gippsland, Woori Yallock, Gembrook, Glenburn, Pyalong, Don Valley, Lancefield and Healesville, are captioned as:</p> <p>‘Transom, Kinglake, Dandenong ranges, South Coupland, you yak, Jim Brooke, Glenburn, pylon, Don Valley, Lancefield, and he’ll feel’.</p>
	01.56 to 02:05	Comprehensibility	<p>Subparagraph 9(b)(v)</p> <p>A word is spelt incorrectly. However, the captions are comprehensible.</p> <p>The phrase ‘Residents need to be careful when moving, or driving near trees’, is captioned as:</p> <p>‘Residents need to be careful when moving, or driving new trees’.</p>

Segment	Timestamp	Key issues	Relevant provision of the Standard / Issue / Description of content
	02:22 to 02:35	Comprehensibility	<p>Subparagraph 9(b)(v).</p> <p>Some words are spelt incorrectly. However, the captions are comprehensible.</p> <p>The phrase 'Police will prepare reports for the coroners on these cases', is captioned as:</p> <p>'Police will report to the report coroners for these cases'.</p>
	02:40 to 02:56	Comprehensibility	<p>Subparagraph 9(b)(iii)</p> <p>Latency within the segment of approx. 13 seconds.</p> <p>[...]</p> <p>Subparagraph 9(b)(v)</p> <p>A key word is spelt incorrectly. This makes the captions incomprehensible.</p> <p>The phrase 'Motorists were advised to avoid the Yarra ranges and the Dandenong ranges', is captioned as:</p> <p>'Motorists are advised to avoid the error ranges, and the Dandenong ranges'.</p>
	03:03 to 03:13	Accuracy	<p>Subparagraph 8(b)(ii) and (iii)</p> <p>The captions of spoken content are not verbatim. However, the captions convey the intended meaning.</p> <p>The phrase 'Please everyone follows the advice of Vic Pol, and the SES and other first responders, to stay safe' is captioned as:</p> <p>'Please if one follow the advice of Vic Pohl and other first responders to stay safe'.</p>
2 Covid update by Victorian Minister for Health	03:13 to 03:20	Accuracy	<p>Subparagraph 8(b)(ii) and (iii)</p> <p>The captions of spoken content are not verbatim. However, the captions convey the intended meaning.</p> <p>The phrase 'So now onto the Covid updates', is captioned as:</p> <p>'Turn out onto covert updates'.</p>

Segment	Timestamp	Key issues	Relevant provision of the Standard / Issue / Description of content
	03:16 to 03:30	Comprehensibility	<p>Subparagraph 9(b)(iii)</p> <p>Latency within the segment of approx. 14 seconds.</p> <p>This makes the captions incomprehensible.</p>
	3.16 to 03:35	Accuracy	<p>Subparagraph 8(b)(ii) and (iii)</p> <p>Some spoken words are not captioned verbatim. The captions do not reflect the actual meaning of the spoken content.</p> <p>The phrase 'There is one new locally acquired case of coronavirus in today's numbers, bringing to the total number of active cases, in both the community and in hotel quarantine, to 74' is captioned as:</p> <p>'There is one new locally acquired case of coronavirus in today's numbers, bringing the total of active cases, in both the community and hotel quarantine, 274'.</p>
	03:30 to 3.42	Comprehensibility	<p>Subparagraph 9(b)(iii)</p> <p>Latency within the segment of approx. 12 seconds.</p> <p>This makes the captions incomprehensible.</p>
	03:42 to 03:53	Comprehensibility	<p>Subparagraph 9(b)(v)</p> <p>A word is spelt incorrectly. This makes the captions incomprehensible.</p> <p>The phrase 'The new case today lives in the City of Melbourne', is captioned as:</p> <p>'The new case today lives in the City of Melville'.</p>
	03:45 to 04:02	Accuracy	<p>Subparagraph 8(b)(ii) and (iii)</p> <p>The captions of spoken content are not verbatim. However, the captions convey the intended meaning.</p> <p>The phrase 'and our team will continue their investigations today as to the</p>

Segment	Timestamp	Key issues	Relevant provision of the Standard / Issue / Description of content
			<p>acquisition source of that case, which came in very late last night', is captioned as:</p> <p>'Our team will continue their investigations – investigations today as did acquisition source of that case, which came in late last night'.</p>
	04:03 to 04:20	Comprehensibility	<p>Subparagraph 9(b)(iii)</p> <p>Latency within the segment of approx. 10 seconds.</p> <p>This makes the captions incomprehensible.</p>
	04:17 to 04:37	Comprehensibility	<p>Subparagraph 9(b)(iii)</p> <p>Latency within the segment of approx. 10 seconds.</p> <p>This makes the captions incomprehensible.</p>
	05:17 to 05:25	Comprehensibility	<p>Subparagraph 9(b)(v)</p> <p>A word is spelt incorrectly. However, the captions are comprehensible.</p> <p>The phrase 'Give our public health team the chance', is captioned as:</p> <p>'Give a public health team the change'.</p>
	05:23 to 05:34	Comprehensibility	<p>Subparagraph 9(b)(v)</p> <p>A word is spelt incorrectly. However, the captions are comprehensible.</p> <p>'Lilydale, Yarra Junction and Emerald testing stations are closed today due to power outages'</p> <p>The location 'Yarra Junction' is captioned as 'Your Junction'</p>
	06:37 to 06:47	Accuracy	<p>Subparagraph 8(b)(ii)</p> <p>The word 'Pfizer' is omitted.</p> <p>The captions do not reflect the actual meaning of the spoken content.</p>
	06:40 to 07:00	Accuracy	<p>Subparagraph 8(b)(ii)</p> <p>The phrase 'ATAGI's guidelines' is omitted.</p> <p>However, the captions convey the intended meaning.</p>

Segment	Timestamp	Key issues	Relevant provision of the Standard / Issue / Description of content
	06:40 to 07:00	Comprehensibility and Accuracy	<p>Some spoken words are not captioned verbatim. The captions do not reflect the actual meaning of the spoken content.</p> <p>'Under the Australian Technical Advisory Group on Immunisation – ATAGI's guidelines, people who get their first dose of Pfizer need to return within three to six weeks following that first dose for their second dose' was captioned as</p> <p>'Under the Australian technical advisory group of emulation, people who get their first jab need to return within three to six weeks following that first dose for the second dose'</p> <p>Subparagraph 9(b)(v)</p> <p>Some words are spelt incorrectly. This makes the captions incomprehensible.</p> <p>The word 'immunisation' is captioned as 'emulation'.</p> <p>[...]</p> <p>Subparagraph 8(b)(i), (ii) and (iii)</p> <p>The phrase 'first dose of Pfizer' is captioned as 'jab'.</p>
	07:10 to 07:25	Comprehensibility	<p>Subparagraph 9(b)(iii)</p> <p>Latency within the segment of approx. 15 seconds.</p> <p>This makes the captions incomprehensible.</p>
	07:22 to 07:33	Comprehensibility	<p>Subparagraph 9(b)(v)</p> <p>A word is spelt incorrectly. However, the captions are comprehensible.</p> <p>The word 'fall due' is captioned as 'follow-up'</p>
	07:53 to 07:57	Comprehensibility	<p>Subparagraph 9(b)(v)</p> <p>A word is spelt incorrectly.</p> <p>However, the captions are comprehensible.</p> <p>The phrase 'And when more doses are delivered' is captioned as:</p> <p>'You. When more doses are delivered'.</p>

Segment	Timestamp	Key issues	Relevant provision of the Standard / Issue / Description of content
	08:14 to 08:42	Accuracy	<p>Subparagraph 8(b)(ii) and (iii)</p> <p>Some spoken words are not captioned verbatim. The captions do not reflect the actual meaning of the spoken content.</p> <p>The phrase ‘Of those, over 350,000 first doses are Pfizer, over 91,000 second doses of Pfizer, over 320,000 doses of AstraZeneca and almost 10,000 second doses of AstraZeneca’, is captioned as:</p> <p>‘Of those, over 350,001st doses are Pfizer, over 91,002nd doses of Pfizer, over 320,000 doses of AstraZeneca and almost 10,000 of second doses of second – – ashes and anger’.</p>
	08:42 to 08:59	Accuracy	<p>Subparagraph 8(b)(ii)</p> <p>The captions of spoken content are not verbatim. However, the captions convey the intended meaning.</p> <p>The phrase ‘That puts us ahead of the next comparable state jurisdiction’ is captioned as:</p> <p>‘That put us ahead of the next state comparable’.</p>
	09:06 to 09:28	Accuracy	<p>Subparagraph 8(b)(ii) and (iii)</p> <p>The captions of spoken content are not verbatim. However, the captions convey the intended meaning.</p> <p>The phrase ‘Restaurants, cafes and pubs open again, with a well-deserved meal and drinks with friends and patrons, and we know that restaurants, cafes, pubs and retail stores are back open again’, is captioned as:</p> <p>‘Restaurants and cafe’s open, with a well-deserved meal and drinks with friends and patrons, and we know that restaurants, cafe’s, pubs and retail stores are back open again’.</p>
	09:36 to 09:43	Comprehensibility	<p>Subparagraph 9(b)(v)</p> <p>A word is spelt incorrectly. However, the captions are comprehensible.</p> <p>The term ‘elective surgery’ is captioned as ‘electric surgery’.</p>

Segment	Timestamp	Key issues	Relevant provision of the Standard / Issue / Description of content
	09:46	Accuracy	<p>Subparagraph 8(b)(ii)</p> <p>The captions of spoken content are not verbatim. However, the captions convey the intended meaning.</p> <p>The word 'full stop' appears during a pause in dialogue.</p>
	09:45-09:56	Comprehensibility	<p>Subparagraph 9(b)(v)</p> <p>A word is spelt incorrectly. However, the captions are comprehensible.</p> <p>The phrase 'staying covid safe' appears twice and captioned on both occasions as 'staying covert say'.</p>
	10:23-10:32	Comprehensibility	<p>Subparagraph 9(b)(ii)</p> <p>The length of time the captions are displayed makes it difficult for the viewer to read them. However, the captions are comprehensible.</p> <p>Subparagraph 9(b)(iii)</p> <p>Latency within the segment of approx. 8 seconds.</p> <p>However, the captions are comprehensible.</p>
	10:39 to 10:45	Comprehensibility	<p>Subparagraph 9(b)(v)</p> <p>A word is spelt incorrectly. However, the captions are comprehensible.</p> <p>The phrase 'Please, wear a face mask' is captioned as 'Please, where a face mask.'</p>
	10:52	Accuracy	<p>Subparagraph 8(b)(ii)</p> <p>'dramatically reduces the risk of the virus spreading' was captioned as 'radically reduces the risk of the virus spread in'.</p>
	11:11 to 11:15	Comprehensibility	<p>Subparagraph 9(b)(ii)</p> <p>The length of time the captions are displayed makes it difficult for the viewer to read them.</p>

Segment	Timestamp	Key issues	Relevant provision of the Standard / Issue / Description of content
	11:35 to 11:41	Accuracy	<p>Subparagraph 8(b)(ii) and (iii)</p> <p>The captions of spoken content are not verbatim. However, the captions convey the intended meaning.</p> <p>The phrase 'drive this current outbreak down' is captioned as 'drive this current our breakdown'</p>
	12:42 to 12:44	Comprehensibility	<p>Subparagraph 9(b)(v)</p> <p>A word is spelt incorrectly. However, the captions are comprehensible.</p> <p>The name of the COVID-19 Commander 'Jeroen Weimar' is captioned as 'Jeroen Weimer'.</p>
2 Covid update by Victorian Covid Response Commander	12:45 – 12:55	Accuracy	<p>Subparagraph 8(b)(i)</p> <p>Spoken content is omitted. However, the captions convey the intended meaning.</p> <p>The phrase 'There are 74 active cases of coronavirus in Victoria at the moment and 3 people are still in hospital, but they are doing well' is captioned as:</p> <p>'There are 74 active coronavirus is in Victoria at this weekend'.</p>
	12.56 – 13.08	Accuracy	<p>Subparagraph 8(b)(i)</p> <p>Spoken content is omitted. The captions do not reflect the actual meaning of the spoken content.</p> <p>'Kappa outbreak' is not captioned.</p>
	13.09	Accuracy	<p>Subparagraph 8(b)(i)</p> <p>Spoken content is omitted. However, the captions convey the intended meaning.</p> <p>'2 Victorians from Queensland' is captioned as 'our Victorians in Queensland.'</p>
	13:11-13:14	Accuracy	<p>Subparagraph 8(b)(i)</p> <p>Spoken content is omitted. However, the captions convey the intended meaning.</p> <p>The phrase 'These are all branches of the same fundamental outbreak' is omitted.</p>

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	13:15-13:32	Accuracy	<p>Subparagraph 8(b)(i)</p> <p>Spoken content is omitted. However, the captions convey the intended meaning.</p> <p>The phrase ‘Originally, of course, transitioned through a Victorian coming out of a South Australia quarantine system and back into Victoria and we’ve seen it developed over the last few weeks’, is captioned as:</p> <p>‘Originally, transitioning through Victoria. Back in Victoria we have seen it developed over the last few weeks.’</p>
	13:25-13:45	Accuracy	<p>Subparagraph 8(b)(ii)</p> <p>Captions of spoken content are not verbatim. However, the captions convey the intended meaning.</p> <p>The phrase ‘Collectively over that outbreak, over those different branches, we still have 2300 primary close contacts who are isolating. But over 4000 primary close contacts have now been cleared.’, is captioned as:</p> <p>‘Collectively over those outbreak, we still have 2300 primary close contacts you are isolation. The 4000 close contacts have been cleared’.</p>

Segment	Timestamp	Key issues	Relevant provision of the Standard / Issue / Description of content
	13.35-14.06	Accuracy and Comprehensibility	<p>Subparagraph 8(b)(i)</p> <p>Spoken content is omitted. The captions do not reflect the actual meaning of the spoken content.</p> <p>‘2300 who are still doing their remaining days in isolation’ is not captioned.</p> <p>[...]</p> <p>Subparagraph 9(b)(ii)</p> <p>The length of time the captions are displayed makes it difficult for the viewer to read them.</p> <p>The phrase ‘My thanks again to the over 4000 people who have completed their isolation in support of running these branches, this outbreak to ground. My thanks of course to the 2300 who are still doing their remaining days in isolation, and I know that I can appreciate that as we ease restriction across the rest of Melbourne and Victoria, it is even more frustrating to be caught up in isolation.’, is captioned as:</p> <p>‘My thanks again to the other 4000 people who have completed their isolation in support of running this outbreak to ground. Thank you to the others who are still in isolation. I appreciate that as we ease restriction across Melbourne and Victoria, it is frustrating to be caught up in isolation’.</p>

Segment	Timestamp	Key issues	Relevant provision of the Standard / Issue / Description of content
	13:59 – 14:19	Accuracy and Comprehensibility	<p>Subparagraph 8(b)(i)</p> <p>Spoken content is omitted. The captions do not reflect the actual meaning of the spoken content.</p> <p>The following caption is omitted:</p> <p>‘And that you’re released by our Public Health team, who continue to work around the clock to ensure that we support everybody who is in isolation quarantine and detecting any other cases we may have out there.’</p> <p>[...]</p> <p>Subparagraph 9(b)(iii)</p> <p>Latency within the segment of approx. 12 seconds.</p> <p>This makes the captions incomprehensible.</p> <p>The phrase: ‘We’ve seen, in this outbreak, a number of people turn positive on day 13, so we really have to make sure we finish those isolation periods with negative tests.’, is captioned as:</p> <p>‘We have seen a number of people turn positive on day 13, so we need to make sure we finish these isolation. With negative tests’.</p>
	14:20 – 14:40	Accuracy	<p>Subparagraph 8(b)(i) Spoken content is omitted.</p> <p>‘Kappa outbreak’ not captioned. The captions do not reflect the actual meaning of the spoken content.</p> <p>The phrase ‘But with this Kappa outbreak across all those different branches, we can start to see all those connections, genomically they are all connected, and we have strong, obviously some very strong linkages, and some other more tenuous linkages, that we are continuing to explore’, is captioned as:</p> <p>‘With this Outbreak across all those different branches, we can start to see those connections. We have linkages we are continuing to explore’.</p>

Segment	Timestamp	Key issues	Relevant provision of the Standard / Issue / Description of content
	14:31-14:50	Accuracy	<p>Subparagraph 8(b)(i), (ii) and (iii)</p> <p>Some spoken words are not captioned verbatim. The captions do not reflect the actual meaning of the spoken content.</p> <p>‘Kappa outbreak’ is not captioned. The captions do not reflect the actual meaning of the spoken content.</p> <p>The phrase ‘But what’s important is that the case the Minister just referred to, a new case emerging late last night, again we have strong reasons to believe they will be connected into this wider Kappa outbreak’, is captioned as:</p> <p>‘We refer to the new case emerging late last night, again, we have strong reasons to believe they will be connected to this wider outbreak’.</p>
	14:43-15:05	Comprehensibility	<p>Subparagraph 9(b)(iii)</p> <p>Latency within the segment is approx. 10 seconds. However, the captions are comprehensible.</p>
	14:57 – 15:30	Comprehensibility	<p>Subparagraph 9(b)(ii)</p> <p>The length of time the captions are displayed makes it difficult for the viewer to read them.</p> <p>[...]</p> <p>Subparagraph 9(b)(iii)</p> <p>Latency within the segment is approx. 13 seconds.</p> <p>This makes the captions incomprehensible.</p>
	15:24 – 15:42	Accuracy	<p>Subparagraph 8(b)(ii)</p> <p>Captions of spoken content are not verbatim. However, the captions convey the intended meaning.</p> <p>The phrase ‘And we’ve shown collectively over the last 2 or 3 weeks, across Victoria, how effectively we can when we work together to run those individual outbreaks to ground.’, is captioned as:</p> <p>‘We have shown over the last two or three weeks own – in Victoria, we have shown how effectively can be at running those to ground’.</p>

Segment	Timestamp	Key issues	Relevant provision of the Standard / Issue / Description of content
	15:44 – 16:05	Accuracy	<p>Subparagraph 8(b)(i)</p> <p>Spoken content is omitted. The captions do not reflect the actual meaning of the spoken content.</p> <p>The phrase ‘Please do what our case did yesterday, he was symptomatic yesterday morning, he got tested yesterday morning, he had his result yesterday afternoon evening, and we were able to work with him and talk to him last night’, is captioned as:</p> <p>‘Please did - - do what our case did you say, he was intimate - - he was symptomatic yesterday morning, he got his result yesterday evening and we were able to talk to him last night’.</p>
	15:59 – 16:12	Accuracy	<p>Subparagraph 8(b)(i)</p> <p>Spoken content is omitted. The captions do not reflect the actual meaning of the spoken content.</p> <p>The phrase ‘And It’s so important to identify any other branches of this Kappa outbreak that may be out there’, is captioned as:</p> <p>‘And it’s important we identify any other branches of this outbreak that may be out there’.</p>
	16:05 – 16:25	Accuracy	<p>Subparagraph 8(b)(ii) and (iii)</p> <p>Some spoken words are not captioned verbatim. The captions do not reflect the actual meaning of the spoken content.</p> <p>The phrase ‘In terms of the West Melbourne outbreak, the Delta outbreak, we now have 761 primary close contacts primarily associated with the school children who have now been released from their isolation’, is captioned as:</p> <p>‘In terms of the West Melbourne outbreak, the Delta Abra, we have 761 primary close contacts, primarily associated with schoolchildren who have been released from isolation’.</p>

Segment	Timestamp	Key issues	Relevant provision of the Standard / Issue / Description of content
	16:15 – 16:35	Accuracy	<p>Subparagraph 8(b)(ii) and (iii)</p> <p>Some spoken words are not captioned verbatim. The captions do not reflect the actual meaning of the spoken content.</p> <p>The phrase ‘There are still 764 primary close contacts that are still in isolation’, is captioned as:</p> <p>‘There are still 164 primary close contacts in isolation’.</p>
	17:34 -18:10	Accuracy	<p>Subparagraph 8(b)(ii)</p> <p>Captions of spoken content are not verbatim. However, the captions convey the intended meaning.</p> <p>The phrase ‘In terms of our Queensland, our Victorians who moved to Queensland, there are a number of Tier 2 sites we’ve identified that now go back a number of weeks, right back to the 18th of May, so this looks increasingly like an older set of cases who have come to the end of their infectious period. There are a number of those Tier 2 exposure sites, again I’d ask people to check those exposure sites, and it goes back to the conversation from earlier’, is captioned as:</p> <p>‘In terms of our Victorians who moved to Queensland, we have a number of tier 2 sites we have identified that now go back a number of weeks, right back to May 18. This looks increasingly like a normal set of cases that have come to the end of the infectious spirit. There are a number of those tier 2 expose sites, again I urge people to check those sites, and it goes back to the conversation earlier’.</p>

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	18:01-18:34	Accuracy	<p>Subparagraph 8(b)(ii)</p> <p>Some captions of spoken words are not verbatim. The captions do not reflect the actual meaning of the spoken content.</p> <p>The phrase ‘It is so important anybody who is remotely symptomatic comes forward and get tested. Cause if you get tested and if you have symptoms, if you have been to an exposure site, that’s what we need you to go and do, you need to protect yourself because we’ve seen all around us how serious Covid can be to some of our community, get tested to protect your loved ones and those people that you live with, because we know that coronavirus spread so easily inside the home’, is captioned as:</p> <p>‘It is important that anyone who is rightly sent medic am’s and gets tested for supper if you get tested and you have symptoms, if you have been to a exposure site, thus we need you to do full stop we need to protect yourself because we have seen how serious COVID have – – COVID has been, get tested, your loved ones, people you live with, we know that coronavirus spread so easily throughout the home’.</p>
	18:25 – 18:45	Accuracy	<p>Subparagraph 8(b)(ii) and (iii)</p> <p>The captions of spoken content are not verbatim. However, the captions convey the intended meaning.</p> <p>The phrase ‘Every time you get a coffee, your exposing others to the risk if you have COVID’, is captioned as:</p> <p>‘Every time you go out and get a copy, go to shops, you are exposing others if you have COVID’.</p>
	18:53 - 19:04	Comprehensibility	<p>Subparagraph 9(b)(v)</p> <p>A word is spelt incorrectly. However, the captions are comprehensible.</p> <p>The phrase ‘next to you’ is captioned as ‘next year’.</p>

Segment	Timestamp	Key issues	Relevant provision of the Standard / Issue / Description of content
	18:54 – 19:10	Accuracy	<p>Subparagraph 8(b)(ii) and (iii)</p> <p>The captions of spoken content are not verbatim. However, the captions convey the intended meaning.</p> <p>The phrase ‘If you’ve got a colleague who’s got a sniffle or is complaining about a sore throat, make sure they get tested, and they are isolating and staying at home.’, is captioned as:</p> <p>‘If you have a colleague who has levels or has a sore throat, make sure they get tested in isolating and staying home’.</p>
	19.01 – 19:23	Accuracy	<p>Subparagraph 8(b)(ii) and (iii)</p> <p>Some spoken words are not captioned verbatim. The captions do not reflect the actual meaning of the spoken content.</p> <p>The phrase ‘If your being treated by somebody who looks like they’ve got the sniffles, you should ask them, have you been tested? Because we need make sure we run this to ground now. We do not want to be here again dealing with lingering cases of COVID in our community as we start to open up.’, is captioned as:</p> <p>‘If you are treating - - being treated by somebody who has got the sniffer is - - sniffles, ask them if they’ve been tested because we want to run this down now. We don’t want to be dealing with lingering cases of COVID in a committee as we start to open up’.</p>
	19.15 – 19:46	Accuracy	<p>Subparagraph 8(b)(ii) and (iii)</p> <p>The captions of spoken content are not verbatim. However, the captions convey the intended meaning.</p> <p>The phrase ‘Finally, on vaccinations, just to back in what the Minister said, we have a busy program ahead of us now, it is fantastic to see that over the next 3 weeks in particular, all those 300,000 or so Pfizer vaccinations we’ve done in the last 3 or 4 weeks, over the coming 3 or 4 weeks will be coming up for their second doses. It will be great to get them to the end of their vaccination journey.’, is captioned as:</p> <p>‘Finally on vaccinations, just to back on what the minister said, we have a busy</p>

Segment	Timestamp	Key issues	Relevant provision of the Standard / Issue / Description of content
			program out of us now for some it is fantastic to see oven in the next three weeks in particular, those 300,000 or so Pfizer vaccinations we have done in the last three to four weeks over the coming three or four weeks will be coming up for their second dose is full stop we will be great to get them to the end of the vaccination journey’.
	19:37 – 19:49	Accuracy	<p>Subparagraph 8(b)(ii) and (iii)</p> <p>The captions of spoken content are not verbatim. However, the captions convey the intended meaning.</p> <p>The phrase ‘We will absolutely prioritise all second doses to come forward and get done in time.’, is captioned as:</p> <p>‘We will absolutely prioritise all second doses to come putting get done in time’.</p>
	20:10-20:24	Comprehensibility	<p>Subparagraph 9(b)(iii)</p> <p>Latency within the segment of approx. 14 seconds.</p> <p>This makes the captions incomprehensible.</p>
	20:17 – 20:38	Accuracy	<p>Subparagraph 8(b)(ii) and (iii)</p> <p>The captions of spoken content are not verbatim. However, the captions convey the intended meaning.</p> <p>The phrase ‘Again, we will be running at least, ... you know, we are running the largest scale vaccination program anywhere in Australia, we will continue to run Australia’s largest vaccination program for at least over the next 3 weeks’, is captioned as:</p> <p>‘Again, we will be running our lives, we are running a larger scale vaccination than anywhere in a stroke but will continue to run Australia’s largest vaccination in the coming weeks’.</p>
	20.28 – 20:40	Accuracy	<p>Subparagraph 8(b)(ii)</p> <p>Captions of spoken content are not verbatim. However, the captions convey the intended meaning.</p>

Segment	Timestamp	Key issues	Relevant provision of the Standard / Issue / Description of content
			<p>The phrase 'We will go as fast as the doses that we have allow us to', is captioned as:</p> <p>'We will go as fast through those cases as we can possibly'.</p>
	20:31 – 20:46	Accuracy	<p>Subparagraph 8(b)(ii)</p> <p>Captions of spoken content are not verbatim. However, the captions convey the intended meaning.</p> <p>The phrase 'We thank everybody for their support in coming forward to get vaccinated, um, with that, the Minister and I will take any questions', is captioned as:</p> <p>'We thank you Ron coming forward to get vaccination - - everyone coming forward to get vaccinated. We will take questions'.</p>
2 Covid update Q&A	21:51 – 22:02	Accuracy	<p>Subparagraph 8(b)(ii)</p> <p>Captions of spoken content are not verbatim. However, the captions convey the intended meaning</p> <p>The phrase '...we spoke to him late last night to get an initial sense of movements', is captioned as:</p> <p>'...we spoke to last night to get a sense of relaxed sense of movements'</p>
	22:00 – 22:11	Accuracy	<p>Subparagraph 8(b)(ii)</p> <p>Captions of spoken content are not verbatim. However, the captions convey the intended meaning</p> <p>The question by a reporter '[..] why you think there is a connection, in vague terms what is the connection?', is captioned as:</p> <p>'What you think there is a connection? What is the connection?'</p>
	22:04 – 22:24	Accuracy	<p>Subparagraph 8(b)(ii) and (iii)</p> <p>Some spoken words are not captioned verbatim. The captions do not reflect the actual meaning of the spoken content.</p> <p>The phrase 'There are some, both in terms of the, uh proximity of residence, there are some, there are some, very close adjacencies in terms of where he</p>

Segment	Timestamp	Key issues	Relevant provision of the Standard / Issue / Description of content
			<p>lives and where some other cases live, and uh there are some early indications of overlapping in social places', is captioned as:</p> <p>'There is connection in the proximity of residence, closer and proximity of residence, closer and sees - - adjacent seas, and early indications of overlap in some social places'.</p>
	22:24 – 22:32	Comprehensibility	<p>Subparagraph 9(b)(ii)</p> <p>The length of time the captions are displayed makes it difficult for the viewer to read them.</p> <p>'More work to be done, just to be very clear, he is not a primary close contact full stop he is a new case'.</p>
	22:27 – 22:36	Accuracy	<p>Subparagraph 8(b)(ii) and (iii)</p> <p>Some spoken words are not captioned verbatim. The captions do not reflect the actual meaning of the spoken content.</p> <p>The phrase 'The lead line of our investigation is that it will be connected to the wider Kappa outbreak', is captioned as:</p> <p>'hourly line of investigation is that it will be connected to the white outbreak'.</p>
	22:40 – 22:50	Accuracy	<p>Subparagraph 8(b)(ii)</p> <p>Captions of spoken content are not verbatim. However, the captions convey the intended meaning</p> <p>The question by a reporter: 'Why is it that you're, you feel like there are other branches out there?', is captioned as:</p> <p>'What if you like there are other branches out there?'</p>
	22:56-23:05	Comprehensibility	<p>Subparagraph 9(b)(v)</p> <p>A word is spelt incorrectly. However, the captions are comprehensible.</p> <p>The word 'adjacencies' is captioned as 'adjacent seas'.</p>

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	23.07 – 23:21	Accuracy	<p>Subparagraph 8(b)(i)</p> <p>A spoken word is not captioned. The captions do not reflect the actual meaning of the spoken content.</p> <p>The term ‘confirmed Kappa strain’, is captioned as:</p> <p>‘confirmed strain’.</p>
	23.09 – 23:40	Comprehensibility	<p>Subparagraph 9(b)(ii)</p> <p>The length of time the captions are displayed makes it difficult for the viewer to read them.</p> <p>‘We have a standalone case, early indications, again we are seeing some overlaps with other parts of the existing outbreak. While that is reassuring, bringing able to connect these case up and we are dealing with’.</p>
	23.32 – 23:52	Accuracy	<p>Subparagraph 8(b)(ii)</p> <p>Some spoken words are not captioned verbatim. The captions do not reflect the actual meaning of the spoken content.</p> <p>The phrase, ‘were almost, what, 2 and a half almost 3 weeks into this outbreak, that we are still finding new branches, is a little bit of concern, and it goes to our testing numbers that are starting to drop, day after day after day’, is captioned as:</p> <p>‘We are almost too .5, three weeks into this outbreak, we are still finding new branches, that is a little bit of concern, and it goes to our testing numbers that are starting to drop day after day after day’.</p>
	24:04	Readability	<p>Subparagraph 7(b)(iii)</p> <p>The word ‘full stop’ is used in captions. However, the captions are comprehensible.</p>
	25.46 – 26:34	Accuracy	<p>Subparagraph 8(b)(ii) and (iii)</p> <p>Some spoken words are not captioned verbatim. The captions do not reflect the actual meaning of the spoken content.</p>

Segment	Timestamp	Key issues	Relevant provision of the Standard / Issue / Description of content
			<p>‘[REPORTER:] What would you say to people who think, well I haven’t been to an exposure site, you know, I should be right?’</p> <p>I would say get tested, I mean, you know, the very fact that, um, none, none of these people, the, the, the gentleman yesterday I suspect would of, would of said, I didn’t have this conversation with him, but I suspect he would have said, well look I’m not living in an exposure site, I don’t work at Our Care, I don’t, I don’t shop at Craigieburn Centre, therefore I am probably okay, and he went and got tested. That is what we all have to do. We cannot assume that we know what these connections are, umm and, and, every single day, pretty much, in the last 2 weeks we have been identifying new exposure sites as new information comes to light’, is captioned as:</p> <p>‘I have not been to a exposure site, I should be right, what would you say those people?’</p> <p>Get tested. None of these people, the gentleman yesterday, I suspect would have said, I haven’t had this common session with him, but I suspect he would have said, “I am not living in ACE exposure site, I don’t shop at Cragieburn, I am probably OK .” And he went got tested. - - Living in an exposure site. We have to assume that we don’t know what these connections are and every single day and up last two weeks, we are identifying new exposure sites as new information has come to light’.</p>
	26.58	Readability	<p>Subparagraph 7(b)(iii)</p> <p>The word ‘full stop’ is used in captions. However, the captions are comprehensible.</p>
	27.07- 27.20	Accuracy	<p>Subparagraph 8(b)(ii)</p> <p>Captions of spoken content are not verbatim. However, the captions convey the intended meaning</p> <p>The phrase ‘And look, I’m always concerned when you see new cases coming up, the conversation we were</p>

Segment	Timestamp	Key issues	Relevant provision of the Standard / Issue / Description of content
			<p>having five, six days ago was around', is captioned as:</p> <p>'And look, I am always concerned when I see you cases coming up as top the conversation we were having five or six days ago'.</p>

Licensee's submissions

Extract from Licensee submission to the ACMA dated 30 August 2021:

[...] there were no live captioners available during that particular press conference. Despite this, in order to provide captioning, the caption coordinator actually performed the re-speaking themselves to generate the captions. There was also an issue where the captions were cleared from the screen, but the new line of captions did not load correctly and then sped through to catch up.

Extract from Licensee submission to the ACMA dated 9 September 2022:

[...] latency did not impact the entire captioning service to the extent that it should be considered to be materially incomprehensible. Whilst latency issues may have potentially caused some confusion to a viewer who is both listening to the spoken words and reading the captions, that issue does not arise for deaf or hearing-impaired viewers who are relying more heavily, or entirely, on the captioned words.

[...]

The ACMA identifies several instances where it says that captions were displayed for insufficient time such that it affected the viewer's ability to follow the "action of the program". Seven submits the format of the Broadcast – which contained static images of a single speaker in each segment – substantially mitigated risks of incomprehensibility in instances of short display times by virtue of the fact that any notion of the 'action of the program' was entirely absent from each of the segments. [...]

[...]

[...] these are examples of relatively minor errors and where the errors are more substantial, the context of the segment could be relied upon by the viewer to inform meaning.

[...]

[...] the ACMA should have regard to the fact that the Broadcast was a live broadcast and delays in live captioning may occur. Seven respectfully requests that the ACMA consider the context that surrounded the Broadcast segments as outlined in these submissions, i.e., that the segments constitute emergency, breaking news programs whereby some degree of latency and inaccuracy is practically an inevitability.

[...]

[...] there were no live captioners available during that particular press conference. Despite this, in order to provide captioning, the caption coordinator actually performed the re-speaking themselves to generate the captions. There was also an issue where the captions were cleared from the screen, but the new line of captions did not load correctly and then sped through to catch up.

[...]

For the purposes of further illustrating context, 'respeaking' involves attentively listening to what is said, 're-speaking' the spoken words into voice recognition software, adding in punctuation, and attempting, as best as one can, to correct any errors generated by the software; all of which must be performed under considerable time pressures. Coordination duties include liaising with clients via a remote talkback, sourcing coverage for breaking news (as was the case with the Broadcast), as well as monitoring audio and video feeds of multiple channels to check for and resolve outages. The performance of each of these duties at the one-time presented extraordinarily onerous technological challenges for the captioner on duty.

Seven respectfully submits that the circumstances outlined above fall well within the time constraints that the ACMA should hold as significant in their assessment of captioning standards as per their responsibilities under paragraph 6 of the Standard.

[...]

[...] the ACMA should consider these objective results when considering whether the Broadcast was in breach of the Act and the Standard. Seven would be happy to provide further detail about the NER model and discuss the use of the model by the ACMA in future.