



Introduction: Hello readers! Welcome to our newsletter. This newsletter has a 'deaf' topic and we have included a few articles that have been published recently about several points of view on the topic and in particular, the request by Hoyts, Village, Greater Union and Reading chains who have asked the Australian Human Rights Commission for a 2½-year exemption from complaints about providing captioning for the deaf and audio description for the blind. The deadline to place submissions to the Australian Human Rights Commission has lapsed but the issue is still under review. I note that some of the PC language by contributors could be improved in some of the articles but the essence of the message is articulated loud and clear.

Soapbox: For those of you who have known me for a while, you would be aware that I have been a long time campaigner for captioned movies to be readily available in ALL cinemas – especially rurally based theatres. I have supported the local Deaf Access worker, deaf social clubs and other interested parties for many years in their lobbying and have been an advocate on 2 occasions through the process of formal discrimination complaints against our local cinema – all to no avail. It has been a 'David and Goliath' contest every step of the way with expensive litigation being the only option to create change and out of financial reach of small support groups or individuals. I will be paying close attention to the outcomes of this latest push against cinema chains and keep you posted.

Our news: On another topic entirely and in respect of 'inclusive practices' we are 'putting our money where our mouth is' and are very proud to announce that we are sponsoring the inaugural 'Athletes with a Disability (AWD), 120m Ballarat Gift'. Supporting a race such as this fits in very comfortably with our strong philosophy about inclusion of people with a disability in mainstream activities or events.

As a long term committee member of the Ballarat Athletic Club, Greg Whitecross, Director of the company, has advocated strongly to have this race included on the Victorian Athletic League, professional foot race calendar. Through his connections, he has sourced elite athletes with a disability to participate in this significant race.

The AWD Ballarat Gift will be held on Sunday April 11th at Eureka Stadium (formerly the Northern Oval) in Creswick Road, Ballarat. Heats of this event begin at 10.45am and the final will be run at 3 pm. The day's program of events commences at 10am and concludes at 4 pm.

Cinemas raise ire of deaf and blind - an article in the Age recently by Carolyn Webb. FILMMAKER Adam Elliot has joined disabled and advocacy groups who have denounced cinema companies for applying for an exemption from the Disability Discrimination Act.

The Hoyts, Village, Greater Union and Reading chains have asked the Australian Human Rights Commission for a 2½-year exemption from complaints about providing captioning for the deaf and audio description for the blind. In return, the cinemas say they will install the equipment to run the technology for three screenings a week in 35 cinemas in Australia.

Veronica Pardo, Executive Director of disability organisation Arts Access Victoria, calculated that there were more than 40,000 movie screenings a week in Australia and, of these, only 105 would be captioned and audio described.

"This is equal to less than 0.3 per cent of all movies screened per week," Ms Pardo said.

Elliot, creator of animations *Mary and Max* and *Harvie Krumpet* and patron of The Other Film Festival, said it seemed a "pretty poor deal". "We all expect the choice to be able to go and enjoy any film, at any session, at any cinema. Offering anything less than this to people just because they have a disability is simply unfair and unacceptable," he said.

Ms Pardo said the exemption would mean that for 2½ years "Australians who are deaf, hard of hearing, legally blind and vision impaired ... stand to lose their right to complain to the Human Rights Commission

about the lack of provision of captioning and audio description services at any of the 125 cinemas [1182 screens] owned by these exhibitors".

In a letter to Disability Discrimination Commissioner Graeme Innes seen by *The Age*, Hoyts executive Frank Perikleous said the offer would greatly expand on the 12 Australian cinemas now offering three sessions a week of current films with captioning and was being done "in good faith" to help the disabled enjoy films. He said the proposal involved "a significant investment of capital outlay" and was made "in good faith to support, encourage and make available to the Australian community of people with a vision and a hearing impairment an increased opportunity to enjoy feature films".

But Joanne Beckwith, a mother of two disabled children - one of whom is profoundly deaf - said the offer was a joke. She said cinemas provided ramps and toilets for the disabled, but continued to discriminate by offering a severely limited range of films and session times.

"It flies in the face of any legislation on equal access and equal opportunity," she said. In a submission to the commission, she writes: "My daughter who is now 11 and profoundly deaf has never been able to watch a movie suitably rated for her age group during the school holidays in Melbourne."

Michael Simpson of Vision Australia said vision impaired people's access to films was "very poor". He estimated that fewer than two in every 100 films imported to Australia were audio described. "There is no point having the equipment there if they then don't screen audio-described material," he said.

Victorian Deaf Society's Chief Executive, Graeme Kelly, said that 35 cinemas with captioning was "inadequate and inconsistent with the expected growth in numbers of people with some form of hearing loss from one in six now, to one in four by 2050".

Mr Perikleous could not be contacted for a response.

Action on Cinema Access have released the following statement:

"ACTION ON CINEMA ACCESS is a newly-formed community group of concerned citizens who are working together to improve access to cinema for people with a disability. ACTION ON CINEMA ACCESS is supported by a number of community organizations.

Millions of Australians are being denied the opportunity to go to the cinema because more than 99% of screenings are inaccessible. These sessions are inaccessible because the cinemas do not provide captioning or audio description. Less than 0.3% of all screenings at public cinemas are accessible to people who are deaf, hard of hearing, blind or vision impaired.

Recently, Village, Greater Union, Hoyts and Reading cinemas applied for exemption from the Disability Discrimination Act for two and a half years. If the exemption is granted, cinemas will get away with providing a minimal amount of captioning and audio description in only 105 out of 41,370 screenings per week.

This is not good enough!

Federal legislation requires cinemas not to discriminate against people with a disability. The Disability Discrimination Act 1992 (DDA) has been law for 18 years. Why has the cinema industry done so little in 18 years? Why has the cinema industry not complied with requirements of the DDA, the law?

People with sensory disabilities are being excluded from enjoying films that everyone else in the community can enjoy. Young people miss out on sharing popular and current cinema culture with their friends and families.

Older Australians who are losing their sight and hearing cannot continue to enjoy the cinema. Everyone else expects to be able to go to a film of their choice, cinema of their choice, at a session of their choice.

People with a disability do not wish to be marginalised by being offered screenings at times when nobody else wants to go to the cinema. Everyone wants to go to the cinema with friends or family at convenient times. We all expect freedom of choice, spontaneity, convenience and flexibility when we go to the cinema.

All films, all cinemas, all sessions.

We expect that people with sensory impairments are offered the same entertainment opportunities as everyone else. A fair go for everybody when it comes to enjoying going to the cinema!

The community fully expects that businesses, particularly successful businesses, do not discriminate on the basis of a person's disability when selling a product.

The Federal Government last year ratified the UN Declaration of the Human Rights of Persons with Disabilities but what does this mean in practice?

450 people and community organisations responded in opposition to the application by the cinema chains for an exemption from the DDA 1992 demanding the following:

- Full compliance with the legislation
- Ensuring that people with sensory impairments have the same level of choice as the rest of the community
- Ensuring that all sessions of all films at all cinemas are accessible to Everyone

With 2009 Box Office takings of \$1.09 billion, a 15% increase from the previous year, cost should not be a reason for failing to provide access."

For more information you can contact spokesperson Dean Barton-Smith at dbartonsmith@optusnet.com.au, Paul Madden on 0419 313 518 or call Arts Access Victoria on (03) 9699 8299.

Further information can be found on the Action on Cinema Access Facebook page.

Now for something positive!

YouTube introduces automatic captions for deaf viewers

YouTube's parent company Google has announced on its blog that automatic captions are to begin to roll out across the site. The machine-generated captions will initially be generated in English. At first they will only be found on 13 channels including National Geographic, Columbia, as well as most Google and YouTube channels. The software engineer behind the technology, Ken Harrenstien, is deaf.

"The majority of user-generated video content online is still inaccessible to people like me," Mr Harrenstien wrote in the Google blog. His solution combines automatic speech recognition with the current caption system.

The translation is not always perfect but the technology "will continue to improve with time". Vint Cerf, vice president at Google, is widely recognised as a founding father of the internet. He is also hard of hearing and has worn a hearing aid since the age of 13.

The rise of Deaf Pride by Frank O'Shea September 18, 2009

Recently, the ABC aired an interview with the CEO of a successful company promoting the cochlear implant, the pride of Australian technical and business achievement which, implanted in a deaf person, can enable that person to hear perfectly.

Perhaps he did not use the word 'perfect', but that was certainly the sense of the interview. The company's website is more circumspect, promising merely that the device is 'designed to provide useful hearing sensations'.

That interview grated on me. There was in it an implied hubris, veiled as sincerity, that technology could make deaf people 'normal'. It wasn't the sappy interviewer or the cheerful, can-do attitude of the man being interviewed — he has shareholders to keep happy, after all — so much as the unwarranted interference in the personal lives of people who may not want his expensive gadgetry.

Those of us who have normal hearing feel good if we think technology can provide a way of helping deaf people to hear, to be the same as us. In contrast, according to Deaf Australia, the national peak

organisation for the Deaf in this country, 'Deaf people generally have little interest in 'cures' for deafness. They value their identity as Deaf people and see no value in becoming a different person.'

Deaf Australia's policy on implants, while acknowledging that the leading product in the area is an Australian invention, gives the impression that as a group, they are not easy about its use, particularly with children. One sentence in their document is particularly striking. They urge implant specialists to 'ensure that parents considering an implant understand that their child will always be a deaf child even with an implant'.

The group is also uneasy about the cost of implant programs and implies that the expense of inserting and tuning the device and training the recipient to interpret the sounds being heard — a process that may go on for years — takes money from mainstream services for the Deaf.

There is in this country and in others a thriving Deaf pride movement. It may lack the flamboyance of gay pride or the testiness of ethnic pride, but Deaf people do not see themselves or want to be seen as having a disability. Some have learned to lip read and speak, but all of them have an alternative language, Auslan in Australia, with which they communicate.

It is useful to distinguish between language and speech. For the Deaf, speech is replaced by sign, but those signs form their language; the words they read on a page of written English constitute their second language. Characteristic to the Deaf community is the identification of Auslan as their primary language, though they will also read and write English in their daily lives.

Not many people realise that Auslan is a language, not just a set of mimes or esoteric hand gestures. It has its own grammar and syntax, its own vocabulary, its way of forming sentences, of expressing emotion, its own humour. It is not the same as finger spelling which is used within Auslan for unusual words that do not have a sign or for proper nouns like names of countries or people.

Research has shown that children of signing parents, whether those children are hearing or deaf, go through the same stages of language acquisition as children who learn spoken language from speaking parents. They make 'nonsense signs' at about the same time that speaking children are 'babbling'; first words and then combinations of words are formed at about the same age. There is even a signing stage corresponding with the lisps or syllabic mix ups that we find endearing in children — fwend, hopsital, aksed.

Sign language is not universal but evolves naturally in the same way that spoken languages do. An interesting point here is the connection between Auslan and British and Irish sign languages, particularly evident in religious and specifically Catholic signs, a residue of the role of nuns in earlier work with the Deaf in this country.

The Deaf will tell you that just because billions of Chinese do not know what you are saying when you speak, we do not regard them as having a disability. The Chinese have their own language, you have yours, we have Auslan, they will tell you.

I wonder how the Chinese might react if someone invented an implant that would automatically translate English into Mandarin.



Frank O'Shea is a retired teacher. His book Keeping Faith: 40 Years of Marist College Canberra was published in 2008.

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