



Tip Sheet

Video on demand subscription services: accessibility and your consumer rights

What is a video on demand subscription service?

A video on demand subscription service provides consumers with the ability to watch videos online for a regular subscription fee, usually monthly. The term 'videos' can include TV shows and movies.

What accessibility features are common to playing videos online?

There are two main features that support the playback of online videos in an accessible way:

- **Captions:** this is the text version of speech and other sound that can be provided on videos. Captions can be either open (which means the captions are always on) or closed (which allows the consumer to turn the captions on or off).
- **Audio description:** this is when spoken narration is used to describe visual content. Narration is usually included between bits of dialogue and can be used to describe visual elements such as scenes, settings, actions and costumes.

In addition, the World Wide Web Consortium (W3C) has produced the Web Content Accessibility Guidelines (WCAG) 2.0 to make sure that creators of web and app content can include accessibility features such as captions, audio description and an accessible interface for assistive technology users. A [simplified version of this standard](#) is also available.

How do different subscription services compare?

According to research conducted by Curtin University in Perth, the following table highlights the five most popular subscription services in Australia and their accessibility as of mid-2016. More detail on these services are highlighted in other Tip Sheets.

Provider	Captions?	Audio description?	WCAG 2.0 compliant?
Netflix Australia	Yes (most titles)	Yes (limited titles)	No
Stan	Yes (some titles)	No	No
Quickflix	Yes (few titles, difficult to identify)	No	No
Presto	No	No	No
Foxtel Play	No	No	No

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The video I want to play is not accessible. What are my consumer rights?

Currently there is no specific law in Australia that applies to the accessibility of subscription video on demand services. There are, however, some important facts to be aware of which may help support your viewing choices and can potentially provide an opportunity to raise concerns about this issue.

- Policies and legislation in the United States require high levels of accessibility in video on demand services. As such, USA-based services such as Netflix feature more accessibility and are likely to continue increasing their accessible content.
- Broadcast ('free-to-air') television in Australia is required to provide captioning under specific circumstances. As such, several cases have been lodged with the Australian Human Rights Commission arguing that online video should also be made accessible. This may result in improvements in the future for Australian-based services.
- While there is no specific Australian law that relates to the inclusion of accessibility in content delivered online, Section 24 of the *Disability Discrimination Act 1992* does require that information should be provided to people with disabilities, and this is what has formed the basis for legal challenges.
- Some video on demand subscription providers such as Presto and Foxtel Play have community boards which can provide a mechanism to complain directly to the provider if there is a lack of access.
- Audio described content has been trialled in Australia on the ABC broadcast service and ABC iview free streaming service, suggesting that there is some progress being made in increasing the awareness of online audio described content in Australia.

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