

From: Arts Access Australia [mailto:ed@artsaccessaustralia.org]
Sent: Friday, 4 December 2009 2:43 PM
Subject: Act now to improve Cinema Access - deadline Monday 7 December

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Preserve your right to protection under the Disability Discrimination Act !

Arts Access Australia, the national organisation for arts and disability, urges you to voice your objection to the current application made by Village Roadshow, Greater Union, Hoyts and Reading Cinemas requesting exemption from the Disability Discrimination Act for a period of two and a half years.

If accepted by the Australian Human Rights Commission the exemption means that Australians who are deaf, hard of hearing, blind and vision impaired will lose their right to complain about the lack of provision of captioning and audio description at any of the 125 cinemas (1182 screens) owned by these four exhibitors.

If the exemption is granted cinemas will provide captioning and audio description for a minimum of three screenings a week in 35 cinemas. That equates to .3 % of the estimated 40,000 films these four exhibitors screen each week.

The proposed exemption is out of touch with the demographic reality of an ageing population reflected in the Department of Health and Ageing's 2009 decision to fund audio description access equipment and promotional support for 12 independent cinemas around the country.

The proposed exemption is also out of step with International comparisons and the wishes of people with a disability, their families, friends and carers expressed through recent consultation, the success of The Other Film Festival and current government policies.

Arts Access Australia urges the Australian Government and Cinemas to listen and support the right of people with disabilities to enjoy visiting their local cinema.

"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. I hope you will also voice your concerns regarding this application."

Adam Elliot Academy and AFI Award winning Filmmaker and Patron of The Other Film Festival

Over 100 responses have so far been made and there is a gap between the views expressed by individual people with disabilities and the peak bodies representing them. If you don't think the proposed exemption is acceptable then send an email or letter to disabdis@humanrights.gov.au by Monday 7 December 2009.

For further information about the request for exemption, and to see the other responses, visit the Australian Human Rights Commission website at:

http://www.humanrights.gov.au/disability_rights/exemptions/cinema/notice.htm

Background

The National People With Disabilities and Carer Council believes the strategic priorities of the Rudd Government's National Disability Strategy should include "increasing the social, economic and cultural participation of people with disabilities and their families, friends and carers". See:

http://www.fahcsia.gov.au/sa/disability/pubs/policy/community_consult/Pages/executive_summary.aspx

The Cultural Ministers Council National Arts and Disability Strategy priority projects include "Film, television and broadcast industry: Explore opportunities to enhance accessibility and inclusive practices in the film, television and broadcast industry. This may include programs in Auslan and efforts to increase captioning and audio-description services....". See:

http://www.cmc.gov.au/working_groups/national_arts_and_disability_strategy

The Federal government's Media Access Discussion Report is currently inviting submissions on potential improvements to audio description and captioning levels in Australia for free-to-air and subscription

television, DVDs, films in cinemas and audio-visual content on the internet. See:

http://www.dbcde.gov.au/television/television_captioning/television_captioning_discussion_paper/media_access_discussion_report

In mid-2007 the USA had over 830 accessible cinemas, representing about 15% of locations and an accessible cinema for every 357,000 people. The UK had over 250 cinemas, representing nearly 38% of locations and an accessible cinema for every 243,000 people. See:

<http://www.yourlocalcinema.com.au/about-accessible-cinema/background-and-international-comparisons>

Since 2004 Australia has demonstrated best practice in providing access to films through The Other Film Festival. Held in Melbourne the next Festival is in 2010 and has confirmed funding from the leading state and federal government screen agencies. The support indicates the level of interest in ensuring that the enjoyment of film culture becomes increasingly accessible for all Australians, regardless of disability or impairment. See: <http://www.otherfilmfestival.com>

The Australian Bureau of Statistics have found that in a twelve-month period 43% of people with disabilities, and 34% of older people (aged over 60), reported attending the cinema compared with 65% of all Australians aged 15 years and over. See:

http://www.culturaldata.gov.au/publications/statistics_working_group/cultural_participation/cultural_participation_by_persons_with_a_disability_and_older_persons_2003

The Victorian Deaf Society estimates that 1 in 6 Australians is affected by hearing loss.

<http://www.vicdeaf.com.au/statistics-on-deafness-amp-hearing-loss>

Radio for the Print Handicapped (RPH) Australia estimate that over 300,000 Australians suffer partial to total loss of sight.

http://www.rph.org.au/html/vision_impairment.html

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