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## Private television accessibility for people with disabilities in Spain. The cases of Antena 3 and Telecinco

**Abstract**

The fundamental right to freedom of expression is inextricably linked to the right of all people to equal access to information. This right is enshrined in documents, such as the Universal Declaration of Human Rights and the Spanish Constitution itself, which are basic pillars of a democratic society. With regard to television, accessibility is a particularly important issue due to its public service nature and its relevance as a factor of social inclusion. At present, however, the public service remit is the exclusive reserve of state television, while at the private channels economic interests prevail. It is precisely because of this factor that the focus here is placed on private television, with the aim of plotting a path that explains, in a contextualized manner, the origin, evolution, and current situation of accessibility of Spanish private television for people with disabilities. To this end, an analysis has been performed on the introduction of subtitles, audio descriptions, and sign language by the two private channels with the highest audience ratings and the longest track record in Spain, namely, Antena 3 and Telecinco. Thus, this study shows that the Audiovisual Communication Act (7/2010) has marked a turning point in the evolution of accessibility. Following the enactment of this legislation, there has been a genuine increase in accessible content, but the current state of affairs is still far from the universal access demanded by people with disabilities and the basic principles of democracy.

**Keywords**

**Subtitling, audio description, sign language, functional diversity, audiovisual communication act**

### 1. Introduction

#### 1.1. The right to universal access to information

The fundamental right to freedom of expression is inextricably linked to the right of all people to equal access to information without any type of

discrimination. This is a basic right, enshrined in international documents such as the Universal Declaration of Human Rights and the European Convention on Human Rights, and in the national legislation, from the Spanish Constitution itself to the General Act 7/2010 of 31 March, on Audiovisual Communication (hereinafter, Audiovisual Communication Act), governing TV broadcasting. In addition to the principle of equality and non-discrimination set out in Article 14, Article 20 of the Magna Carta establishes the fundamental right to communicate and receive factual information via any broadcast medium. Thus, the right to equal access to information is essential for the constitution of a free, plural, and democratic society (Storch de Gracia y Asensio, 2007: 117).

Comprehensive legislation has also been adopted in the field of disability which has not overlooked the need to guarantee the right to freedom of expression and to equal access to information as a mandatory requirement in democracy. Furthermore, this issue is justified by the importance of the right to receive information as a factor of social inclusion, particularly in the case of TV broadcasting. This is provided for in the UN Convention on the Rights of Persons with Disabilities adopted in 2006 and ratified by Spain in 2008.

In Spain, by the same token, the existing General Act on the Rights of Persons with Disabilities and their social inclusion, passed in 2013, recognizes the right to equal access to information and culture, in accordance with the provisions of Article 22.1:

The public authorities shall adopt the pertinent measures to ensure universal equal access to environments, processes, goods, products, and services, transport, information, and communications, including information and communication systems and technologies, as well as social media.

This right to universal access becomes all the more important in the context of TV broadcasting, being grounded as it is on the public service remit that has defined this medium in Europe since its advent (Blumler, 1993; Goodwin & Whannel, 1990). Moreover, its public service nature not only initially involves state television, but also private channels, as laid down in the first Private Television Act of 1988. Thus, all TV broadcasting is defined as an essential public service, this being understood as a facet without which certain fundamental rights cannot be exercised in democratic societies (Storch de Gracia y Asensio, 2007: 129).

The public service remit is based, in turn, on the idea that this medium fulfils a social function not only in the creation of public opinion, but also as a factor of social inclusion. Hence, the public service remit of television comprises two essential values for universal access, to wit, pluralism and diversity. Among the many issues to which these two concepts have referred is that of broadcasting content for all citizens, including minorities, the elderly, children, etc. (Blumler, 1993: 52). And, likewise, universal access becomes a key requirement for quality television. Along these lines, several authors have highlighted that quality television is that which regards viewers as citizens, rather than mere consumers, and guarantees a wide range of accessible content for all people, without discrimination (Camacho Ordóñez, 2005; Bustamante & Aranguren Gallego, 2005).

In order to settle this matter and improve the accessibility of television, a legal framework has been created in Europe and Spain, alike. As regards the former, for instance, the following is established in Article 46 of the Audiovisual Media Services Directive (AVMSD):

The right of persons with a disability and of the elderly to participate and be integrated in the social and cultural life of the Union is inextricably linked to the provision of accessible audiovisual media services. The means to achieve accessibility should include, but need not be limited to, sign language, subtitling, audio-description and easily understandable menu navigation.

In Spain, this aspect is governed by the 2010 Audiovisual Communication Act. Firstly, it is necessary to note that this legislation implied a retrograde step in terms of acknowledging television as an essential public service, since it now defines it as “an essential service of economic interest”. This introduction of the commercial factor has been seen by authors such as Bustamante and Corredor (2012: 302) as a “neoliberal derivation” of the rule. In other words, the public service remit now only concerns state television, while economic interests prevail at private channels. In parallel, Zallo (2015: 325) also underscores how the Act widens the scope of ownership and, notwithstanding the fact that the number of channels has multiplied over the years, enables media concentration, thus leading to the current TV duopoly formed by Atresmedia and Mediaset. These two groups represent 90% of commercial TV advertising revenue and 60% of viewers, all of which entails a noticeable decline in pluralism.

Nonetheless, this Act represents a definite improvement on access. In Article 8, it defends the right of people with functional diversity of universal access to broadcasting services. In this manner, it makes it mandatory to offer accessible content by means of subtitles, audio descriptions, and sign language. To this end, it establishes a period of transition, from the end of 2010 to the end of 2013, during which the channels were expected to increase the number of accessible programmes to the target levels laid down in its provisions. Subtitles are regulated as a percentage of programming, while sign language and audio descriptions are measured in hours per week.

**Table 1.** Minimum levels of accessibility for private television

	2010	2011	2012	2013
Subtitling	25%	45%	65%	75%
No. hours sign language	0.5	1	1.5	2
No. hours audio descripción	0.5	1	1.5	2

After the period of transition, i.e. from 2014 onwards, the Act contemplates a permanent regime in which the channels ought to at least maintain the target levels established for the end of 2013. However, it neither elaborates on the type of programmes that should be broadcast with the aforementioned access services, nor when they ought to be scheduled, whereby leaving these two issues to the discretion of the channels themselves.

Thus, the objective of this legislation is to offer all people access to the television medium, as could not be otherwise in a democracy. On the contrary, to refuse people with disabilities access to television would be to deny them the fundamental right to communicate and receive information. However, the advancement of economic interests has meant that private television is no longer an essential public service. It is precisely this issue that was behind the decision here to research two private channels – Antena 3 and Telecinco – which were chosen for the following reasons:

- They were the first private TV channels in Spain and currently those with the highest audience ratings.
- They were launched following the passing of the Private Television Act (10/1988) that defined television in general as a public service.
- They are both general-interest channels that offer live and original content; unlike their thematic counterparts, or those channels keyed to specific audiences, which constantly broadcast repeats.
- They are both the flagship channels of the two media groups comprising the TV duopoly in Spain: Atresmedia and Mediaset.

All the above arguments justify the research into media access and make it a necessary piece of the puzzle of the essential right to freedom of expression and to access to information in democratic societies.

## **1.2. Hypothesis and objectives**

The initial hypothesis of this work is that Antena 3 and Telecinco, the two private TV channels under study, have indeed increased their levels of accessibility for people with sensory – visual or hearing – disabilities. Even so, after no longer being considered an essential public service, in favour of economic interests, improvements in access were made in order to meet the requirements of the Audiovisual Communication Act, without really ever offering a programming that complied with the prerequisite of universal access through the integration of all of the access services.

For its part, the main objective of this paper is to describe in detail the origin, evolution, and current situation of private television in Spain, represented by Antena 3 and Telecinco. This has been achieved by studying the implementation of access services: subtitles, audio descriptions, and sign language.

## **2. Materials and methods**

First of all, an analysis of the available literature – be it in the form of books, scientific papers, documents pertaining to organizations associated with people with disabilities, or the TV channels' own reports – was performed to identify the origin and evolution of media access services in Spain until 2014. This literature covers specific aspects or periods, but taken as a whole it is possible to trace, in a contextualized fashion, the history of the evolution of these services.

Nevertheless, this work pursues the aim of also explaining the current state of affairs as regards the accessibility of television. To this end, the corporate responsibility reports of the media groups Atresmedia and Mediaset for 2015 were analysed. Lastly, on the basis of the methodology employed in studies such as those of Gil Sabroso and Utray (2016), and bearing in mind that the requirements of the Audiovisual Communication Act with respect to access are stipulated as a percentage or hours per week, an analysis of the weekly programming schedules of Antena 3 and Telecinco was also conducted. Specifically, the week running from 11-17 April 2016, without bank holidays and with uninterrupted broadcasting, was chosen. The programming schedule of Telecinco was obtained directly from its official website, which indicates all the content provided with access services. For its part, the schedule of Antena 3 was provided by the Department of Accessibility Services of Atresmedia.

**Table 2.** Accessibility time of Telecinco

Day of the week	Subtitling	Audio description	Sign language
Monday	21.25 hours (05:00-02:15)		
Tuesday	21.25 hours (05:00-02:15)		
Wednesday	20 hours (05:00-01:00)		
Thursday	21 hours (05:00-02:00)		
Friday	21.25 hours (05:00-02:15)		
Saturday	18.75 hours (05:00-08:45 and 11:00-02:00)	1 hour (06:15-07:15)	1 hour (06:15-07:15)
Sunday	21.50 hours (05:00-02:30)	1 hour (06:15-07:15)	1 hour (06:15-07:15)

**Table 3.** Accessibility time of Antena 3

Day of the week	Subtitling	Audio description	Sign language
Monday	19.75 hours (06:15-22:00 and 22:30-02:30)	0.75 hours (14:15-15:00)	2 hours (06:15-08:15)
Tuesday	17.75 hours (06:15-20:00 and 22:30-02:30)	0.75 hours (14:15-15:00)	
Wednesday	18.75 hours (06:15-22:00 and 22:30-01:30)	0.75 hours (14:15-15:00)	
Thursday	19.75 hours (06:15-22:00 and 22:30-02:30)	1 hour (14:00-15:00)	
Friday	19.75 hours (06:15-22:00 and 22:30-02:30)	0.75 hours (14:15-15:00)	
Saturday	16.25 hours (07:15-08:30 and 11:30-02:30)	2 hours (07:15-08:30 and 14:15-15:00)	
Sunday	16 hours (07:15-08:30 and 11:45-02:30)	2 hours (07:15-08:30 and 14:15-15:00)	

All the data collected from the aforementioned documentation, together with those obtained from the analysis performed here, will now be presented below in the results section. It has thus been possible to trace the history of the accessibility of private television in Spain – through the use of subtitles, audio descriptions, and sign language – from its beginnings to the present day.

### 3. Results

#### 3.1. Subtitles

In 1990, the Catalan Media Corporation (CCMA in its Catalan abbreviation) was the first channel in Spain to introduce subtitles for deaf people in its programming, followed a few months later by Spanish state television (TVE in its Spanish abbreviation). The rest of the channels gradually followed suit, Telecinco doing so in 1997 and Antena 3 in the year 2000 (Orero, Pereira & Utray, 2007: 35-36).

This paper covers the 18 years elapsing between 1998, when data on the number of hours of subtitling on Telecinco were first made available, and 2015. The evolution of this access service for both Telecinco and Antena 3 is shown in the following table, based on data pertaining to research works (Orero, Pereira & Utray, 2007; Utray, 2009), reports issued by various institutions (CMT, 2009; CESyA, 2014), and the corporate responsibility reports for 2008 and the period spanning 2010-2015, prepared by the corporations Atresmedia and Mediaset. Graph 1 shows the data that appears in Table 4 in a more visual way.

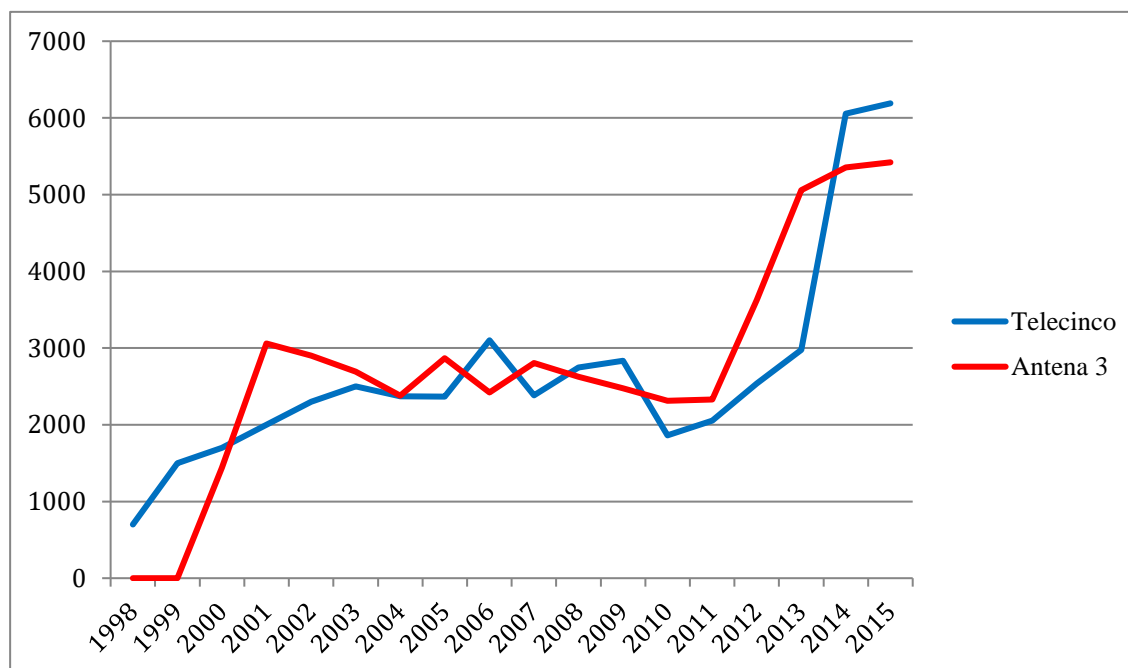
**Table 4.** Accessible programming hours (1998-2015)

	1998	1999	2000	2001	2002	2003	2004	2005	2006
<b>Antena 3</b>			1441	3058	2900	2691	2380	2868	2423
<b>Telecinco</b>	700	1500	1700	2000	2300	2500	2370	2367	3103

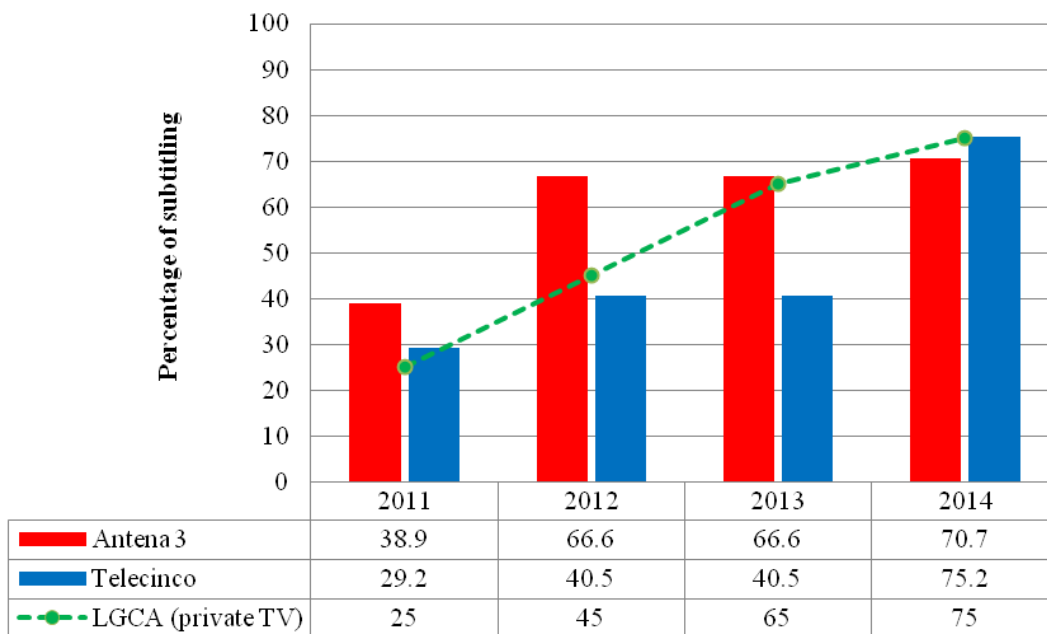
	2007	2008	2009	2010	2011	2012	2013	2014	2015
<b>Antena 3</b>	2804	2627	2474	2313	2331	3627	5060	5353	5421
<b>Telecinco</b>	2382	2746	2835	1861	2056	2538	2976	6056	6190

**Graph 1.** Evolution of accessible programming (1998-2015)



As can be seen, this access service suffered constant ups and downs up until 2010, when the Audiovisual Communication Act was passed. Henceforth, the number of hours of subtitling began to increase gradually. However, as has already been noted in the introduction, the Act measures subtitling as a percentage of programming and not in hours, for which reason it has also been necessary to take into consideration this measurement since 2010. The following chart, based on data pertaining to the report drafted by the Spanish Centre of Subtitling and Audio Description (CESyA, 2014), compares the percentages of subtitling achieved during the period of transition with those established by law.

**Graph 2.** Subtitling levels compared to those marked by law



Following the period of highs and lows and that of continual increase during the period of transition, what is truly of interest here is to verify whether, under the permanent regime, the minimum legal level of subtitling has been maintained or enhanced. As shown in the first table, the number of hours of subtitling on Antena 3 and Telecinco had indeed increased by 2015. These findings coincide with those published by the CESyA<sup>1</sup> at the beginning of 2016, which spoke of an average increase in subtitled programming of between 67.2% and 71.2%, more than 6400 hours of audio descriptions among all the channels, and an increase of nearly 1000 hours in sign language interpretation, from 1332 hours in 2014 to 2327 hours in 2015. With respect to the percentage of subtitled programming on the channels analysed, Mediaset's Corporate Responsibility Report for 2015 omits this figure for Telecinco. Nevertheless, that of Atresmedia does indeed mention that 86.9% of Antena 3's programming is subtitled, a level way above the legal minimum.

As to the analysis performed for the week running from 11-17 April 2016, in the case of Telecinco there were 145 hours of subtitled programming. Thus, in view of the fact that during that week there was uninterrupted broadcasting, this would represent 86.31% of the

<sup>1</sup> Available at: [http://www.cesya.es/es/actualidad/noticias/noticias\\_enero16/02/](http://www.cesya.es/es/actualidad/noticias/noticias_enero16/02/)

weekly programming. In that of Antena 3, there were 128 hours of subtitled programming, equivalent to 76.19% of the weekly schedule.

After having presented the quantitative data pertaining to the number of hours and percentages of subtitling, it is also necessary to take a look at other aspects, such as the type of subtitled programming and when it is broadcast. Since these issues are not legally regulated, it is up to the channels themselves to decide on which content should be subtitled and which should not. The data provided by the CESyA, corresponding to 2014, shows that, on the whole, children's programmes were subtitled most often (86.1%), followed by films and series (76%). As regards news and entertainment programmes, 64.9% and 52.7% were subtitled, respectively. Furthermore, it must be borne in mind that some television genres can be subtitled more easily than others. This explains why, in 2014, only 7% of music programmes were provided with this access service.

Concerning the broadcast schedule, on the other hand, 52.31% of breakfast television (7:00–9:00) was subtitled in 2014. This percentage increased to around 68% between 9.00am and 3.00pm. From the beginning of afternoon television to the end of prime time, to wit, from 3.00–12.00pm, near on 73% of programming was subtitled. Judging by these figures, it can be claimed that the level of subtitling during the day remained steady at around 70%. Nonetheless, this dropped significantly (to 30%) in the early morning hours. According to the CESyA, this is “adequate” when taking into consideration that the time slots with the greatest number of subtitled programmes are, in turn, those which the largest number of viewers. Notwithstanding this, the CESyA recognizes that “ideally, the percentage of subtitled programming should remain stable 24 hours a day, inasmuch as the possibility of using subtitles in general would not be restricted to any time slot” (CESyA, 2014: 75).

By comparing the data of the 2014 report with those of the analysis performed here, it can be seen how the same pattern persists. On Telecinco, subtitled programmes included all of the genres broadcast from 5.00am–2.00am. For its part, Antena 3 started to subtitle content from 6.15am–2.30am, with a half-hour pause between 10.00–10.30pm. These time slots were maintained on a daily bases on both channels, albeit with slight variations during the weekend, for instance.

### 3.2. Audio description

Canal Sur, Andalusia's public TV channel, was the first to introduce audio descriptions in its programming in 1995. It started using this access service in films, broadcasting the audio descriptions on the radio. Two years on, the channel launched the project *Cine para todos*, which introduced subtitling and audio description for films. By 1999, the Catalan channel TV3 began to broadcast a series called *Plats Brut* with audio descriptions. The national public broadcaster RTVE would introduce this service later on in 2002 (Orero, Pereira & Utray, 2007: 34–35). Thus, only some public television channels employed audio description before the advent of the 2010 Audiovisual Communication Act. Specifically, the year before being enacted, only RTVE and TV3 had offered this service (CMT, 2009: 10).

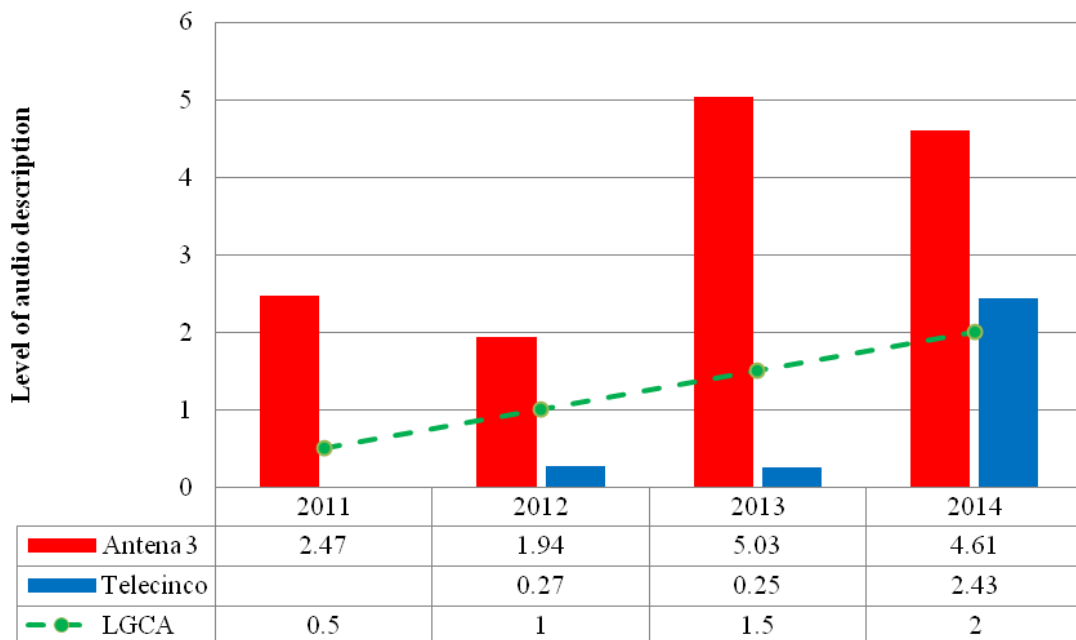
Moving on to private television, not one channel broadcast programmes with audio description before the Act entered into force, which would establish the obligation of introducing audio description in TV programming as a service geared to making the medium more accessible to blind and partially sighted people. Nonetheless, the minimum level of audio description established by law is way below that of subtitling. Strictly speaking, after the period of transition described in the introduction, it has remained at two hours per week. There are two reasons why the legally required minimum level of audio description is much lower than that of subtitling. Firstly, not all programmes can incorporate audio descriptions, since, among other issues, this service requires periods of



silence in which they can be inserted. Secondly, not all programmes need to be audio described in order that blind and partially sighted people may have equal access to them.

The quantitative data gathered by the CESyA show that, in 2014, 121.9 hours of content was broadcast with this access service. Although this figure has increased considerably since the implementation of the Audiovisual Communication Act, people with visual disabilities still view this as insufficient. To this must be added that the channels broadcasting the largest number of audio described programmes in 2014 were FDF, with nearly 30 hours per week; Neox and Disney, with nine hours; and also the now defunct Xplora and Nitro. As can be appreciated, all are thematic channels, or keyed to a specific audience, on which repeats are frequent. This reveals that the numerical data pertaining to the number of hours of audio description do not really imply a real variety of programming. On the contrary, as can be seen in the following chart – based on data provided by the CESyA – the main general-interest channels, with live and original content, had lower audio description levels.

**Graph 3.** Audio description levels compared to those marked by law



These data highlight two aspects. The first, which has to do with Antena 3, is that, after having made considerable progress, the channel reduced the number of hours of audio described programmes in 2012 and 2014, alike. And in the case of Telecinco, generally speaking what is striking is the low level of audio description, inasmuch as it was, as a matter of fact, the channel with the lowest number of audio described programmes of all those that offered this access service in 2012 (CMT, 2013: 12). More recent data shows that, after the ups and downs marking the period of transition, Telecinco has continued to offer the mandatory two-hour minimum, whereas Antena 3 has increased this service to eight hours per week. These data have been drawn from the analysis conducted in 2016.

Moreover, as with subtitling, it is also necessary to address the type of audio described programmes broadcast and the time slot that they occupy. The 2014 report shows that this access service was more readily available as regards films and series (3.66%), children's programmes (3.36%), and documentaries (3.04%). At the time, only 0.23% of news

programmes were audio described and, as before, music programmes came in last place (0.10%).

An analysis of the programme schedules made it possible to establish that Telecinco only audio described one programme of the zapping TV show genre called *I Love TV*, broadcast on Saturdays and Sundays between the graveyard and early breakfast time slots, thus accounting for the two hours of audio description per week. For its part, Antena 3 audio described *The Simpsons* series, broadcast daily on weekdays before the news at 3.00pm, in addition to the programme *Pelopicopata*, broadcast early in the morning on Saturdays and Sundays.

Furthermore, the reports used in this study also reflect a difference with respect to subtitling in the time slots, since the distribution of audio descriptions is more erratic. The majority of programmes were broadcast late at night (11.5%) and during the morning (10%). What is also noteworthy is the low number of audio described programmes in the afternoon (3.7%), in the early evening (2.1%) and during prime time (6.4%). Although this distribution may be due to the broadcasting of repeats in these time slots, the fact is that it is far from ideal. On the one hand, this inconsistency diminishes the possibility of accessing audio described content at any time of the day, and, on the other, the impact of this access service “is greatly reduced insofar as peak viewing time coincides with lower accessibility, and vice versa” (CESyA, 2014: 82-83).

### 3.3. Sign language

To the legal and regulatory context surrounding television accessibility must be added an additional piece of legislation specifically addressing sign language, namely, Act 27/2007, by virtue of which the Spanish sign languages are recognized and oral communication support resources for deaf, hard of hearing and deafblind people are regulated. This recognition entails granting the Spanish and Catalan sign languages official status. Likewise, Article 14 of the Act clearly establishes the need to guarantee the access of deaf people to the mass media by means of the incorporation of sign language.

Nevertheless, as had occurred in the case of audio description, none of the private TV channels broadcast signed content before the advent of the Audiovisual Communication Act. In 2010, seven channels introduced sign language, this number doubling by 2011, before reaching 15 in 2012 and 18 in 2014. The difficulties posed by the introduction of this access service also affected state television, in view of the fact that TVE only offered signed content on two of its channels – La 2 and Canal 24 Horas – between 2010 and 2012. Though, far from providing sign language across the board, in 2014 TVE reduced this access service, henceforth limiting it to the programming of La 2 (Gil Sabroso & Utray, 2016: 24). Finally, Canal 24 Horas re-introduced signed content in December 2015, interpreting the news at 3.00pm<sup>2</sup>.

Returning to private television, the Audiovisual Communication Act establishes the same minimum level for both sign language and audio description. Taking this into account, the report published in 2015 by the Centre for Linguistic Normalization of Spanish Sign Language (CNLSE in its Spanish abbreviation) reveals that, during 2011 and 2012, those channels that introduced sign language complied with the minimum legal requirements. Some, such as Antena 3, Neox, Nova, and La Sexta – all belonging to Atresmedia – did so in accordance with the law, while others, like Telecinco or La Siete – both belonging to Mediaset – greatly exceeded the minimum legal level.

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<sup>2</sup> Available at: <http://www.elperiodico.com/es/noticias/gente-y-tv/tve-emitira-telediario-con-interpretes-lengua-signos-canal-4743229>

In particular, Telecinco broadcast 16 hours of signed content in 2010, representing a weekly average of 0.31 hours or 18.41 minutes. The following year, the channel broadcast 1.16 hours per week and, in 2012, three hours per week, thus tripling the legal minimum. However, in 2014, Telecinco reduced its signed programming to one and a half hours per week, when it was legally required to broadcast a minimum of two (Gil Sabroso & Utray, 2016: 24). For its part, the report published by the CNLSE reveals how Antena 3 fulfilled the minimum legal requirement of 30 minutes of signed content per week in 2010. In 2011, the channel continued to broadcast 0.53 hours (32 minutes), reaching one hour per week in 2012, as before exactly the minimum established by the Audiovisual Communication Act at the end of the previous year. After performing their analysis, Gil Sabroso and Utray ascertained that, in 2014, Antena 3 broadcast one hour and 55 minutes of signed content per week, also below the minimum requirement.

The analysis performed here, corresponding to the week running from 11-17 April 2016, shows that both channels currently maintain the minimum legal level. This implies that both offer two hours of signed content per week.

With regard to the type of content, the programmes that most frequently offered this access service were of the entertainment genre (62.5%), followed by newscasts, children's programmes, and films, though the proportion fell to 12.5% in each case (Gil Sabroso & Utray, 2016: 26-27). At the time of this study, Antena 3 provided sign language interpreting for its morning news programme on Mondays, starting at 6.15pm, after which this access service was maintained for a further two hours. For its part, Telecinco broadcast the same programme, *I Love TV*, with audio descriptions and sign language.

Emphasis should be placed on an interesting fact about signed programmes on the rest of the channels belonging to Atresmedia and Mediaset. Although this study focuses on the flagship channels of these two media companies, the signed programmes on Antena 3 and Telecinco coincided with, or were repeated on, their other channels. Thus, in 2014 the signed news programme on Antena 3 was broadcast simultaneously on the channels Nova and Nitro. This total of six hours of sign language was actually only two, broadcast on three different channels. And as to Telecinco, the signed programme it broadcast was repeated on La Siete up to five times during the same week (Gil Sabroso & Utray, 2016). This explains why these types of thematic channels have been omitted from this study, since the quantitative data pertaining to the number of hours of signed programming do not reflect original content in sign language, but continuous repeats of the same content.

As regards time slots, in 2014 57.6% of all signed programmes were broadcast in the graveyard slot (from 2.30-7.00am), 36.4% in the breakfast time slot (from 7.00-9.00am), and only 6% in the late morning slot (from 9.00am-1.00pm). Data for 2016 shows that Antena 3 and Telecinco have continued to maintain this trend, inasmuch as both channels only broadcast signed programmes in the early hours of the morning.

#### 4. Conclusions

Six years after the enactment of the Audiovisual Communication Act, it is apparent that this piece of legislation has meant a significant improvement in terms of accessibility. Hitherto, the levels of subtitling had fluctuated constantly, and it was only after 2010 that they drastically increased. Regarding audio description and sign language, before the Act was passed none of the private TV channels offered these access services, which were introduced thanks to its enactment.

Nevertheless, despite having increased year after year, subtitled programming is still inexistent in the early hours of the morning. Although this is commensurate with audience behaviour, it does not respond to the ideal situation defended by the CESyA, which would be a uniform distribution so as to avoid accessibility being confined to a specific time slot.

Audio description and sign language are still further from the ideal distribution. With regard to Telecinco, these access services are offered in a single programme, both maintain the minimum legal level, and are broadcast in slots with low audience numbers. In the case of Antena 3, sign language is also maintained at the minimum level and signed programmes are broadcast in the graveyard slot. However, Telecinco broadcasts an audio described and signed zapping TV show, and Antena 3, a signed news programme, which favours access to general-interest content. As to audio description, Antena 3 has increased the number of hours during which it offers this access service, though only for entertainment programmes and series.

Furthermore, there are a number of thematic channels that have been omitted from this study because, although the quantitative data reflects a large number of accessible programmes, previous studies have demonstrated that what is actually involved are repeats.

Before concluding it is necessary to address, however briefly, access service quality in order to discern whether they were introduced for compliance purposes, or whether they do indeed meet the standards that people with functional diversity actually demand. Concerning subtitling and audio description, the report published by the CESyA in 2014 confirms that people with disabilities believe that there is still room for improvement as regards the quality and hourly distribution of subtitling and audio descriptions in order to adapt to the demands of citizens. For its part, the study by Gil Sabroso and Utray, published in 2016, shows that the current state of affairs of sign language on television is far from the ideal situation vindicated by deaf or hard of hearing people, for both its paucity and the time when signed programmes are broadcast, as well as for the introduction format of the interpreter on screen. For future studies, therefore, the possibility of analysing the ongoing evolution of access service quality criteria, in addition to the perception of the viewers themselves, remains open.

In conclusion, I consider that the hypothesis put forward in this study has been demonstrated. On the one hand, the Audiovisual Communication Act has led to more accessible television, since the channels have increased their levels of accessibility in accordance with the law. In the case of subtitling, this has even surpassed the minimum level, albeit there are time slots from which it is still absent. However, the implementation of audio description and sign language has been very patchy to date, on occasion meeting the legal minimum and restricted to slots with lower audiences. All of this hinders the access of people with functional diversity to audiovisual information and is far from the ideal scenario vindicated by them. Therefore, in a democratic society it is necessary to continue to make further progress in terms of accessibility in order to guarantee the fundamental right to equal access to information and thus achieve real social inclusion.

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