

Implementation of communicative accessibility policy: the televisive segment in open state vehicle channels

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Abstract

There are currently more than 12.5 million people in Brazil who have some type of disability – visual, hearing, motor, mental or intellectual. This figure, presented by the IBGE in 2018, indicates that at least about 3.4% of Brazilians do not have full access to broadcast television programming. Having access to all kinds of communication means that all persons with disabilities can not only be included in society, but also guarantee one of the rights provided for in the Federal Constitution, which is the right to information. As such, TV stations should be prepared to cater for this slice of the audience. Given this reality, the objective of this research was to know the current situation regarding the implementation of public accessibility policy in the private broadcasters of the state of Rio Grande do Sul.

Keywords: Communicative Accessibility. Public policy. Inclusion. Television. Person with disabilities.

Introduction

As with public policies in general, the accessibility policy is intended to correct a problem identified as public and guarantee the rights of a certain portion of the population. In view of this, in Brazil, it was established, through specific legislation, that all information must be accessible to people who suffer from any form of physical, sensory or mental limitation (BRASIL, 2009). For this, television and other means of communication must adapt, providing the contents so that they are available to everyone. This means that information and entertainment must be made available in Brazilian Sign Language (LIBRAS), with subtitles, with audio description or other forms that guarantee that the contents are accessible to a larger portion of the population.

According to the 2010 Census, television is present in 95.1% of Brazilian households, often representing the only source of information. The media plays an important role in

society and is indispensable for democracy. Therefore, access to information must be made available to everyone, regardless of their limitations.

Thus, in this research, we sought to understand the current public policies of communicative accessibility and how the action of the actors involved in its implementation takes place. The study focused on the television segment, specifically on state-run open channels, in Rio Grande do Sul.

During this research, we sought to characterize the situation in which public policies of communicative accessibility for people with disabilities are found. In addition, to check with the civil society control bodies the actions carried out with the broadcasters, to meet the needs of people with visual and hearing disabilities, and also to understand how the State, through the Ministries linked to the communicative accessibility policy, has carried out its role of control, regulation and inspection of public policies.

Public accessibility policies and people with disabilities

Public policies are a response of the State to the needs of the collective that, through the development of actions and programs, aim at the common good and the reduction of social inequality. Many authors seek to form a definition for this concept. Mead (1995), for example, defines public policies as a field within the study of politics that analyzes the government in the light of major public issues. Lynn (1980), in turn, understands it as a set of government actions that will produce specific effects.

It is then possible to summarize public policy as the field of knowledge that seeks, at the same time, to “put the government into action” and / or analyze this action (independent variable) and, when necessary, propose changes in the direction or course of these actions (dependent variable). The formulation of public policies constitutes the stage at which democratic governments translate their purposes and electoral platforms into programs and actions that will produce results or changes in the real world (SOUZA, 2003, p. 26).

It was in the midst of the process of forming social movements in favor of new rights, intensified after the Second World War, that people with disabilities started to be recognized, also, as subjects of rights. According to the UN Program of Global Action for the Disabled (1982),

[...] experience has shown that, to a large extent, it is the means that determines the effect of a disability or a disability on the person’s daily life. The person is relegated to disability when they are denied the opportunities that the community has in general, and that are necessary for the fundamental aspects of life, including family life, education, work, housing, security economic

and personal, participation in social and political groups, religious activities, affective and sexual relationships, access to public facilities, freedom of movement and the general style of daily life.

With this, the UN claims to have the perspective that people with disabilities are considered citizens, possessing rights and obligations, participating and building society.

In Brazil, according to Pinheiro (1997), social movements organized in favor of the rights of people with disabilities refer back less than five decades. During this period, there were significant advances that constitute a minimum level of social visibility. However, obstacles still remain that keep the exclusion of people with disabilities in terms of an independent, self-sustaining and full life.

Until the 1980s, Brazilian legislation had a basically substantialist and paternalistic character, ratifying the vision and practice with which issues involving people with disabilities were generally treated. At that time, the legalist stance and national policy adopted aimed at the integration of people with disabilities, following the initiatives carried out at the international level, organized by the Human Rights Movements, by the UN, among others. In this way, inclusion is understood in the broad sense, involving cultural, socioeconomic and political spheres.

Knowing how to respect differences is perhaps the most difficult task in contemporary society, since the same society is the one that homogenizes from the construction of pre-established models. There are differences between groups on the diversity theme. Among the different groups called “socially excluded” there are different needs to be met. Although they are often seen as synonyms, the inclusion processes are much more complex than the integration processes. For integration to take place, it is necessary for people with disabilities to adapt, mold themselves to be able to cope with the demands of society. There is enforcement through laws and regulations. Sassaki (2003) believes that social inclusion is “the way in which society adapts to be able to include, in its general social systems, people with disabilities and, simultaneously, they are also organized to assume their roles in society”. Inclusion is, therefore, known as the transformation of society as a basic condition for the same individuals to seek their own development to exercise citizenship.

Accessibility as a right of communication

The most basic function of communication, as shown by Días (1991), is to be a personality-forming element. Without communication, in fact, the individual cannot exist as a human person. The author also lists some communication functions, such as: expressive, informative or worldly knowledge.

With regard to accessibility on television, it is known that since 2008, TV broadcasters have been obliged to broadcast at least part of the programming with the caption hidden, following a schedule that provides more and more time with the resource. Ordinance No.

188, of March 24, 2010, establishes gradual deadlines for the broadcast of audio description on television programming from July 1, 2010, reaching 20 hours per week within 120 months. In 2017, the Ministry of Communications anticipated the implementation schedule for this resource, establishing 112 weekly hours of subtitled programs (BRASIL, 2015).

The National Council for the Rights of Persons with Disabilities (Conade) is a higher body for collegiate deliberation, created to monitor and evaluate the development of a national policy for the inclusion of people with disabilities. This extends to the sectorial policies of education, health, work, social assistance, transportation, culture, tourism, sports, leisure and urban politics directed to this social group (CONADE, 2017). Conade was created so that this population can take part in the process of defining, planning and evaluating policies aimed at them, through articulation and dialogue with other instances of social control and with public administration managers directly and indirectly. Thus, it seeks to enable people with disabilities to live independently and participate fully in all aspects of life.

The Accessibility Adaptations Manual (BRASIL, 2016), of the Special Secretariat for the Rights of Persons with Disabilities, of the Ministry of Justice and Citizenship, is in accordance with ABNT and was prepared in the Brazilian Accessibility Committee, by the Accessibility Study Commission in Communication. It aims to establish general guidelines to be observed for accessibility in television communication, considering the different conditions of perception and cognition, with or without the help of an assistive system, or another that complements individual needs.

According to this manual (BRASIL, 2016), to be considered accessible, television programming must comply with the provisions of the standard. Its guidelines are applicable to all broadcasters and programmers, whether public or private, in transmissions on UHF, VHF, cable, satellite frequencies, through IP protocol, as well as through specific protocols and frequencies of digital TV. They also apply to content distributed on DVD and VHS tapes. In addition to technical standards, this manual contains a number of important definitions for the discussion here.

To reduce barriers, there are a number of possibilities. The manual includes, for example, CC (closed captioning), a type of caption that was designed to allow deaf or hard of hearing people to access programming. It can be live or pre-recorded. The first deals with subtitles in real time, being used in auditorium, journalistic, sports programs, etc. The second is done in advance and is used in films, soap operas, cartoons, commercials, among others (BRASIL, 2016).

In addition to these, to reduce communicative barriers, the written translation of the foreign language spoken in the program is also used, aimed at the audience that needs the translation. When available, it appears on the TV screen, without the need for a decoder. Also, for this audience, there is the possibility of using SAP (secondary audio program). This is a second audio channel for programming, available only on televisions that have a decoder (BRASIL, 2016).

For people with disabilities, there are still other alternatives. The possibility of LIBRAS translation and the description are especially interesting.

The window for translation into LIBRAS is the space reserved, preferably, in the left corner of the screen for translation, made by a LIBRAS translator and interpreter.

The audio description of images and sounds, on the other hand, consists of a descriptive voice narration of sounds and key visual elements - movements, clothing, gestures, facial expressions, scene changes, texts and images that appear on the screen, sounds or non-literal noises - unnoticed or incomprehensible without the use of vision.

The implementation of the public policy of communicative accessibility on open television channels at the state level

The theoretical framework of this investigation is referenced in dialectical materialism. In the Marxist conception, dialectics is a tool used to understand history. Marxist dialectics considers the natural movement of history, and does not admit its static and definitive way:

Historical materialism focuses its interpretive lens of reality on the explanation of transformations and presents itself as an intellectual challenge, as it defends the importance of investigating the root of that reality that is placed on the researcher and the need to contextualize it in the macro scope of society, because only then does the constructed knowledge acquire scientific relevance (MARCONDES; TOLEDO, 2012, p. 74).

In order to understand the reality under study and achieve the established objectives, it was necessary to identify the actors involved in the implementation of public policies. As seen, public policies are established by actors. They are responsible for raising public awareness of issues of collective relevance. There is a categorization of the actors: individual or collective; politicians, bureaucrats, civil society; governmental, non-governmental. In this research, actors in the sphere of civil society were identified, such as the Foundation for Articulation and Development of Public Policies for People with Disabilities (Faders); in the inspection bodies, such as Conade, the Ministry of Science, Technology, Innovations and Communications and the Ministry of Women, Family and Human Rights, as well as in the selected private television stations.

As a research technique, the collective case study was used. Documentary research technique was also used, which, according to Gil (2008), uses materials that have not yet received analytical treatment, or that can be reworked according to the research objectives in question.

Thus, we worked with public archives, such as the legislation in force, mainly Ordinance No. 310, of June 27, 2006, which approves Complementary Standard No. 01/2006,

as it deals with accessibility resources for people with disabilities in the broadcasting program. in the broadcasting of sounds and images and television retransmission services. For the collection of the data presented, consultations were made to public archives and statistical sources, such as IBGE data.

The identification of the selected affiliated broadcasters and some basic information were fundamental to the beginning of this research. Thus, Table 1 is presented, with some information about the private broadcasters in the state of Rio Grande do Sul.

Table 1 – Data on the stations present in RS

TELEVISION CHANNEL	ANALOGUE CHANNEL	HEADQUARTER	AFFILIATION
Band RS	10	Porto Alegre	Rede Bandeirantes
RBS Bagé	6	Bagé	Rede Globo
RBS Caxias	8	Caxias do Sul	Rede Globo
RBS Cruz Alta	3	Cruz Alta	Rede Globo
RBS Erechim	2	Erechim	Rede Globo
RBS Passo Fundo	7	Passo Fundo	Rede Globo
RBS Pelotas	4	Pelotas	Rede Globo
RBS Rio Grande	9	Rio Grande	Rede Globo
RBS Santa Cruz do Sul	6	Santa Cruz do Sul	Rede Globo
RBS Santa Maria	12	Santa Maria	Rede Globo
RBS Santa Rosa	6	Santa Rosa	Rede Globo
RBS Uruguaiana	13	Uruguaiana	Rede Globo
RBS Porto Alegre	12	Porto Alegre	Rede Globo
Record TV RS	2	Porto Alegre	Record TV
SBT RS	5	Porto Alegre	SBT
TV Pampa Centro	4	Santa Maria	Rede TV!
TV Pampa Norte	9	Carazinho	Rede TV!
TV Pampa Porto Alegre	4	Porto Alegre	Rede TV!
TV Pampa Sul	13	Pelotas	Rede TV!

Elaboration: Goerck (2019).

The process of monitoring the schedules was carried out during the months of March, April and May 2018. A broad analysis was sought, which is why this monitoring took place at different times. Newscasts, auditorium programs, series, films and soap operas are examples of programs that stood out the most during the study.

Of the four accessibility features that the government makes mandatory on TV (closed captioning / closed captioning; dubbing; LIBRAS and audio description), two tools were most noticeable during the monitoring of broadcasters: one is closed captioning and the other is the window with an interpreter of LIBRAS. Closed captioning is a closed captioning

feature that reproduces the speeches of the presenters and characters from soap operas, films, cartoons, among others, on the TV screen. In addition, the resource provides written information about the scene's environment when describing sound indications such as doors opening, applause, thunder and even soundtracks. The user simply presses a specific key on the remote control to access this type of information.

The resource, which was developed in the United States in the 1970s, only started to be used in Brazil in 1997. With the edition of Decree nº 5.296, of 2004, which regulated Law nº 10.098 / 2000 (Accessibility Law), the television stations started to provide closed captioning to their viewers. However, despite being offered for more than 10 years, the closed caption is still not of satisfactory quality.

During the monitoring of the program, it was noticed that, often, the audio capture is not correct and there is a distortion of the spoken message, resulting in an error in the spelling of the word on the TV screen. This failure occurred several times in the auditorium and sports programs, with foreign words, in addition to proper names. Another problem is the fast speed of the subtitles and the lack of compatibility and synchrony with the original voiceover and the images presented. In addition, not all broadcasters have offered this feature to their viewers. In addition to not promoting access to information for the deaf, the lack of this tool hinders access to television for the elderly with hearing loss and hearing loss in the most different situations.

The second alternative used by TV broadcasters to communicate with the deaf, especially those who do not understand Portuguese, is the LIBRAS window. Its format corresponds to a space delimited in the video where the information is interpreted in the Brazilian Sign Language. However, few television programs have this feature and, when available, do not do so in an appropriate format. In order to understand LIBRAS, visualization of hand gestures and facial expression is necessary, but, normally, the image is transmitted in small windows in the corner of the screen, running away from the ideal model.

According to Ordinance No. 310, of June 27, 2006, of the Ministry of Communications, which provides for accessibility for people with disabilities to radio and TV programming, radio and television broadcasting stations and television broadcasters are responsible for the production and placement of accessibility features in all programs for which they own the copyright.

RBS TV is a broadcaster based in Porto Alegre, RS and belongs to the RBS Group. Relays Rede Globo's programming and generates local programs. It is the state central, as it has headquarters in eleven more municipalities (which also produce content). It was founded on December 29, 1962, under the name TV Gaúcha. In 1983, TV Gaúcha and the other broadcasters of the group in the interior of the state received the nomenclature of RBS TV (RBS TV, 2019). On its website, RBS TV informs that the broadcaster has some programs with closed captioning, such as the Sessão da Tarde and the program Como Será. But the survey also identified that this feature is still present in the Jornal Nacional and in the Jornal do Almoço. The LIBRAS window and audio description are not present in the program.

Rede Pampa, in turn, started with the founding of TV Pampa Porto Alegre, on July 14, 1980, in Porto Alegre, by Otávio Dumit Gadret, who at the time already owned numerous radio stations in the capital and in the countryside from Rio Grande do Sul. At that time, children's programs, films and cooking programs stood out (PAMPA, 2019).

Today the Pampa Television Network reaches more than 83% of the state's population. With almost eight hours of local programming daily, TV Pampa is the television broadcaster that most shows programs produced in Rio Grande do Sul (PAMPA, 2019). In addition to journalistic programs, their productions with their own distinctive style are aimed at different audiences, with different values and lifestyle habits. It stands out for its programming aimed at evangelical churches, which have a LIBRAS window (PAMPA, 2019). However, during the monitoring of the program, the presence of the window was not identified in any program. In addition, the broadcaster does not have an audio description.

SBT, the Brazilian Television System, was inaugurated in 1981, as a result of the bankruptcy of Rede Tupi in 1980. Today, SBT broadcasts its programming to 95% of the state of Rio Grande do Sul (SBT, 2019). Part of its programming includes the closed captioning service. The Chaves series is also audio-described.

When, however, children do not have the two pillars of television language available/accessible: audio and image, the process of communicational exclusion breeds fragility in the projective, identification and empathy process, which are relevant for the children experience the symbolic, the playful, the game and establish relationships with the world and their peers through this catalytic, aesthetic, creative and symbolic process (SILVA; LIMA; 2011, s.p).

Still on the audio description of the Chaves series, the authors emphasize that

in this sense, it is important to remember that, rooted in myths and attitudinal barriers, many television system operators have denied for decades the right of children with visual impairment to have available resources, such as audio description, which enable communicational accessibility, the equalization of opportunity for fully experience the cultures that are generated behind and in front of the small screen (SILVA; LIME; 2011, s.p).

However, the broadcaster does not have a LIBRAS window.

TV Record, channel 7 in São Paulo, went on air at 8 pm on September 27, 1953, making it the oldest active broadcaster in the country. Record TV RS is also based in Porto Alegre. It arose from the purchase of the old TV Guaíba and other communication vehicles of the Guaíba-Correio do Povo System, by the Central Record of Communication. Some Record soap operas also have audio description (RECORD TV, 2019). However, during the follow-up it was possible to conclude that the broadcaster does not have a LIBRAS window.

Created in 1937, Rede Bandeirantes has more than 70 years of history. It was founded by João Jorge Saad. According to information available on its official website, it has 31 affiliated broadcasters across the country, reaching 100% coverage of the Brazilian territory with Radio and TV signals. Bandeirantes RS, based in Porto Alegre, emerged from the seed of Rádio Difusora and was founded in 1980. Its programming consists of programs of the head of the network (Band) and local programs. Band's programming offers the service of closed captioning or closed caption in two tracks of the program: from 6 am to 2 pm, and from 6 pm to 2 am (BAND, 2017). The service consists of the transmission of subtitles that can only be played by a television that has this function. According to the broadcaster's website, "Both the closed captioning service and the audio description service will have their offer increased year by year as required by law" (BAND, 2017, online). BAND also does not have a LIBRAS window in its programming.

After this presentation, containing mainly information obtained through the monitoring of the program, it was identified that there are few initiatives regarding accessibility. The closed captioning tool is the most widespread and, subsequently, audio description.

Most broadcasters only offer closed captioning as an accessibility tool for the deaf. However, only a minority have a satisfactory vocabulary of the Portuguese language and are able to clearly understand the information being transcribed. In general, deaf people prefer the LIBRAS window as an accessibility resource, since the information is passed on in their own language, thus being able to understand everything more clearly (LIMA *et al.*, 2017, p. 7).

Despite the initiatives being a reality in the accompanied stations, it is noted that the diversity of accessible programs is small. Audio description, for example, is present only in films, cartoons and some soap operas.

The analyzed broadcasters do not comply with the legislation. Although there is Ordinance 958/2014 that has rules for inspection and monitoring of the use of this resource by broadcasters, broadcasters are not punished for not providing the service. The penalties prescribed in the Brazilian Telecommunications Code are applied to legal entities that hold a concession or authorization to operate the sound and image broadcasting service. The penalty is imposed according to the following factors: severity of the offense, history of the offending entity, and specific recidivism.

As it was identified, through observation, many broadcasters joined the closed caption, and that seems to be enough. However, not all deaf people are bilingual. For those who were born deaf or lost their hearing before being literate in Portuguese, reading a text becomes a great difficulty. The mother tongue of many deaf people is therefore not Portuguese, but LIBRAS. In addition, it is important to enable people with disabilities to choose what best suits them.

Through the research carried out, it was observed that TVs do not have a project to present the LIBRAS window. Even though they already exhibit this feature in electoral and political party advertisements, institutional and informational campaigns of public utility.

With the tools presented by the Brazilian Digital Television System, the window with the LIBRAS interpreter could be activated by remote control when the viewer deems it necessary, just as it is now possible with closed captioning.

However, in general, the explanation for the lack of investment in the implementation of the service by the broadcasters, is supported by the fact that, for production in compliance with the pre-established standard, there are significant costs with technologies, professionals, lighting and the environment, as well as there would have to be a concern with the need to rethink shapes and formats in Brazilian television.

With regard to Organs regulatory bodies and the role of the State in the inspection, the Federal Government created in 2002 the Conade (National Council for the Rights of Persons with Disabilities), aiming to facilitate and facilitate the social inclusion of people with disabilities in Brazil,

According to the Federal Government, Conade was created so that this population can take part in the process of defining, planning and evaluating policies for people with disabilities, through articulation and dialogue with other instances of social control and administration managers. direct and indirect public (CONADE, 2009).

Also, according to the Federal Government, Conade's main competence is to monitor and evaluate the development of the National Policy for the Integration of People with Disabilities and sectoral policies on education, health, work, social assistance, transport, culture, tourism, sports, leisure, urban politics, aimed at this social group. Therefore, Conade has the responsibility of supervising the Communication accessibility Policy.

Still at the national level, the Ministry of Science, Technology, Innovations and Communications (MCTIC) was created on May 12, 2016 with Provisional Measure No. 726, converted into Law No. 13,341, of September 29, 2016. The law extinguished the Ministry of Communications and transformed the Ministry of Science, Technology and Innovation into the Ministry of Science, Technology, Innovations and Communications (MCTIC), expanding the organ's range of contributions in the delivery of public services relevant to the country's development.

Through clarification sent by e-mail on April 1, 2019, the MCTIC informed that it is aware of the urgency of promoting public policies that meet the needs of people with special conditions, notably policies that involve the effective implementation and supervision of the resources of accessibility within the scope of broadcasting.

The Ministry of Women, Family and Human Rights is the body that tries to implement, promote and ensure Human Rights in Brazil, including the formulation of policies and promotion of actions aimed at the rights of children and adolescents, the elderly, defense of citizenship rights of people with disabilities, blacks and women, promoting their inclusion in society (BRASIL, 2019). The body was created by President Fernando Henrique Cardoso,

on April 17, 1997, and in some governments was called the Human Rights Secretariat of the Presidency of the Republic and, in others, the Special Secretariat for Human Rights. During that period, although it was a secretariat, it had the status of a ministry.

At the state level, Faders (Foundation for Articulation and Development of Public Policies for People with Disabilities and High Skills in Rio Grande do Sul), was created through Law No. 6,616, of October 23, 1973. Its purpose is to act in research, prophylaxis and assistance to the “exceptional”, in the areas of health, education, work and Social Security. Despite defining itself as a Foundation that “aims to provide assistance in the field of education”, it is possible to see that it continues to have competences both in the area of health, as well as in work and social assistance. This with the justification of assuming a “[...] posture based on a comprehensive idea of education”, which places it in a broad sense as a “process prior to the conception of being and that accompanies it until the end of the life cycle” (FADERS, 2017, online).

As discussed, communication is one of the main factors in the human inclusion process and means participation, coexistence and socialization. Having access to all types of communication means that all people with disabilities can not only be included in society, but guarantee one of the rights provided for in the Federal Constitution, which is the right to information. Therefore, TV broadcasters should be prepared to serve this slice of the audience.

If a person makes his decisions based on his knowledge of reality and his expectations of it, any information that is given to him about reality will have a decisive influence on his decisions. That is why information is power (FERRÉS, 1998, p. 157).

The MCTIC, through its response by e-mail, clarifies that the demands requesting inspection come to the Ministry through communication channels, by public and representative bodies of society, as is the case of Faders, for example. After analyzing the legislation, some reasons may try to justify the current scenario: the lack of disciplinary rules, the failure to inspect, the lack of social awareness on the part of the broadcasting concessionaires, the existence of dominant aesthetic trends and even shyness in the claims presented by people with disabilities.

However, the MCTIC, through the same e-mail, praises that the Secretariat of Radio Broadcasting supervises the fulfillment of Ordinance No. 310, of June 27, 2006, which deals with the provision of accessibility resources in linked programming in the broadcasting services of sounds and images and television retransmission. In addition, it informs that both television and retransmission stations are inspected under the aspect of providing closed captioning, audio description and dubbing resources. It is worth mentioning that, when present in the programming, the accessibility tools deserve greater qualification. Some suggestions are linked to the LIBRAS window: for example, the instructions established by ABNT, regarding the format (size, framing and plan) used by most broadcasters.

The United Nations (UN) emphasizes the right to information and communication as essential to the exercise of citizenship. Information is an important right and must be offered equally to everyone, in a clear, impersonal, precise way, without directing and without hidden interests. As can be seen, there are still few initiatives put in place for people with disabilities to have access to information through TV. There is a lack of both the dissemination of practical knowledge to television stations and positive actions for accessibility in the media. Overt disclosure is critical in this process.

In addition, the slow implementation of accessibility features can be justified by the coincidence with the launch of digital TV, since digitalization required large investments on the part of TVs, such as changing equipment, for example. The government's goal, it is worth remembering, is to reach full accessibility by 2020 and, for this, major and rapid changes are necessary. This is because, according to the data studied, it is clear that effective implementation and enforcement are not taking place. Contradictions are identified, for example, between reality and the discourse presented by the MCTIC, which emphasizes monitoring compliance with the accessibility policy. The analyzed stations also do not escape this reality.

Another aspect that must be taken into account is the view of the disabled person as a consumer

If the deaf have a complete and legitimated language, and with it, the channel for effective communication, it is expected that the interest of television in making the deaf community a consuming public and that this audience exercises its right to information and to leisure becomes a reality (ALMEIDA, 2006, p. 59).

Are people with disabilities managing to play their role as consumers? On the other hand, is your consumption potential being exploited by the media?

If the interest of television is to sell products, even symbolic or advertising, [...] if the interest is to entertain your audience to gain an audience, why not give deaf people the right to participate in this market and, above all, to build a society that respects differences? (ALMEIDA, 2006, p. 61).

There is a need to build a democratic and inclusive society and media. Gradually, through the dissemination of accessibility issues in the media and the consolidation of legislation on the subject, inclusion may be more effective. After all, the right to communicate and have access to information is an indispensable condition for any human being living in society, and basic for the exercise of their citizenship.

Final considerations

Currently, Brazil has more than 12.5 million people who have some type of disability - visual, hearing, motor, mental or intellectual - which represents 6.7% of the total population. All these data presented by IBGE in 2018, translate that, at least, about 3.4% of Brazilians do not have full access to broadcast television programming. Ensuring the accessibility of this portion of the population can have consequences that affect not only their lives, but their surroundings, contributing to Regional Development.

Even though there is a set of laws, among which, it is worth mentioning Complementary Norm No. 01/2006, of the Ministry of Communications, forcing the implementation of technologies that make this consumption feasible, this slice of the audience is being forgotten.

In the course of this research, we sought to understand the action of the actors involved in the implementation of the public policy of communicative accessibility in the television segment, in private, open signal broadcasters, broadcasting in the state of Rio Grande do Sul. The first step was to characterize the situation in which public policies of communicative accessibility for people with disabilities are found. The deadline set for the broadcasters to adapt, started in 2008, being required to transmit at least two hours a day of accessible content.

According to the schedule created by the Ministry of Communications, the goal would be to reach full accessibility in 2020, when all national television stations, in all their programming, should offer accessible content. The objective of this research was to understand what procedures are already being carried out, the challenges, difficulties and intentions of the television stations. And despite the limitations, it was achieved. There were countless attempts to contact companies without obtaining a return. Some hypotheses can be considered: is the subject not interesting for companies? No movement is being made? Are there many difficulties in finding technological resources that make accessibility possible? Are there no qualified professionals who can provide services to broadcasters in Rio Grande do Sul? Is the implementation deadline short?

Are there contact records from Faders, for example? How is the Ministry supervised? Unfortunately, these responses were not answered by those responsible.

The State's control, regulation and inspection role, through the Ministry of Science, Technology, Innovations and Communications, has been fulfilled, as claimed by the MCTIC. However, the monitoring of the programming carried out during this research showed another reality. So, how is the inspection carried out? No effective record was found that shows broadcasters punished for not making their programming available. Is there any kind of monitoring being carried out? With the diffusion of the digital signal, is any new action foreseen? If the broadcasters do not meet the established deadline again, which this year is 2020, what will be the punishments established?

Organized civil society, through Faders, for example, did not manifest itself either. Despite offering information on important issues, such as access to free passes and prostheses, initiatives regarding communicational accessibility are timid. And these initiatives, in addition to contact with people with disabilities, were the objectives of this research, when making contact with Faders. But unfortunately, it was not successful. Does the foundation receive requests from people concerned with accessibility? Is Faders aware of the small workload of programs accessible on television? How will the results of this policy be charged in 2020?

As stated, throughout the research we sought to map the role of the actors involved in the implementation of public policies for communicative accessibility. Actors were identified in the sphere of civil society, in the inspection bodies and in private television stations.

The biggest challenge faced to carry out the research was the resistance of institutions and companies to grant an interview and / or answer the online questionnaire. Many questions have arisen, the discussion is not closed, it is hoped that this topic will be expanded and that communicational accessibility will still be the subject of several other studies.

References

ALMEIDA, W. S. A televisão e a comunidade surda: um olhar sobre as diferenças. **Comunicação e Informação**, v. 9, n. 1, p. 53-61, jan./jun. 2006. Available at: <https://revistas.ufg.br/ci/article/view/22799>. Accessed on: Oct. 30, 2018.

BRASIL. **Constituição da República Federativa do Brasil**. 1998. Brasília, DF: Senado Federal, 1988.

BRASIL. Decreto n. 5.296, de 02 de dezembro de 2004. Regulamenta as Leis nos 10.048, de 8 de novembro de 2000, que dá prioridade de atendimento às pessoas que especifica, e 10.098, de 19 de dezembro de 2000, que estabelece normas gerais e critérios básicos para a promoção da acessibilidade das pessoas portadoras de deficiência ou com mobilidade reduzida, e dá outras providências. **Diário [da] República Federativa do Brasil**, 3 dec. 2004. Available at: http://www.planalto.gov.br/ccivil_03/_ato2004-2006/2004/decreto/d5296.htm. Accessed on: Nov. 23, 2018.

BRASIL. Decreto n. 6.949, de 25 de agosto de 2009. Promulga a Convenção Internacional sobre os Direitos das Pessoas com Deficiência e seu Protocolo Facultativo, assinados em Nova York, em 30 de março de 2007. **Diário [da] República Federativa do Brasil**, 26 aug. 2009. Available at: http://www.planalto.gov.br/ccivil_03/_ato2007-2010/2009/decreto/d6949.htm. Accessed on: Oct. 22, 2018.

BRASIL. Lei n. 10.098, de 19 de dezembro de 2000. Estabelece normas gerais e critérios básicos para a promoção da acessibilidade das pessoas portadoras de deficiência ou com mobilidade reduzida, e dá outras providências. **Diário [da] República Federativa do Brasil**, 20 dec. 2000. Available at: http://www.planalto.gov.br/ccivil_03/leis/L10098. Accessed on: Nov. 2, 2018.

BRASIL. Lei n. 13.146, de 6 de julho de 2015. Institui a Lei Brasileira de Inclusão da Pessoa com Deficiência (Estatuto da Pessoa com Deficiência). **Diário Oficial [da] República Federativa do Brasil**, 7 jul. 2015. Available at: http://www.planalto.gov.br/ccivil_03/_ato2015-2018/2015/lei/113146.htm. Accessed on: Nov. 13, 2018.

BRASIL. Lei n. 13.341, de 29 de setembro de 2016. Altera as Leis nº 10.683, de 28 de maio de 2003, que dispõe sobre a organização da Presidência da República e dos Ministérios, e 11.890, de 24 de dezembro de

2008, e revoga a Medida Provisória nº 717, de 16 de março de 2016. **Diário [da] República Federativa do Brasil**, 30 sep. 2016. Available at: http://www.planalto.gov.br/ccivil_03/_ato2015-2018/2016/lei/L13341.htm. Accessed on: Nov. 20, 2018.

BRASIL. Portaria n. 188, de 24 de março de 2010. Altera a redação da Norma Complementar nº 01/2006 – Recursos de acessibilidade, para pessoas com deficiência, na programação veiculada nos serviços de radiodifusão de sons e imagens e de retransmissão de televisão, aprovada pela Portaria nº 310, de 27 de junho de 2006. **Diário [da] República Federativa do Brasil**, 24 mar. 2010. Available at: <http://www.anatel.gov.br/legislacao/normas-do-mc/443-portaria-188>. Accessed on: Oct. 10, 2018.

BRASIL. Portaria n. 310, de 27 de junho de 2006. Aprova a Norma Complementar nº 01/2006 - Recursos de acessibilidade, para pessoas com deficiência, na programação veiculada nos serviços de radiodifusão de sons e imagens e de retransmissão de televisão. **Diário [da] República Federativa do Brasil**, 28 jun. 2006. Available at: <http://www.anatel.gov.br/legislacao/normas-do-mc/442-portaria-310>. Accessed on: Oct. 14, 2018.

BRASIL. Secretaria Especial dos Direitos da Pessoa com Deficiência. **Manual de adaptações de Acessibilidade**. 2016. Available at: <http://www.pessoacomdeficiencia.gov.br/app/node/1358>. Accessed on: Nov. 5, 2018.

CONADE. Desenvolvido pelo Conselho Nacional dos Direitos da Pessoa com Deficiência. Traz informações sobre a instituição. 2017. Available at: <http://www.pessoacomdeficiencia.gov.br/app/conade>. Accessed on: Oct. 11, 2018.

FADERS. Desenvolvido pela Fundação de Articulação e Desenvolvimento de Políticas Públicas para Pessoas com Deficiência. Traz informações sobre a fundação. 2017. Available at: <http://www.portaldeacessibilidade.rs.gov.br/>. Accessed on: Oct. 14, 2018.

FERRÉS, J. **Televisão Subliminar**: socializando através de Comunicações Despercebidas. Trad. Ernâni Rosa e Beatriz A. Neves. Porto Alegre: Armed, 1998.

GIL, A. C. **Como elaborar projetos de pesquisa**. 4a. ed. São Paulo: Atlas, 2008.

IBGE – Instituto Brasileiro de Geografia e Estatística. **Censo Demográfico 2000**: características gerais da população. Resultados da amostra. Rio de Janeiro, 2000. Available at: http://www.ibge.gov.br/home/estatistica/populacao/censo2000/default_populacao.shtm. Accessed on: Oct. 12, 2018.

IBGE – Instituto Brasileiro de Geografia e Estatística. **Censo Demográfico 2010**: características gerais da população, religião e pessoas com deficiência. Rio de Janeiro, 2010. Available at: https://ww2.ibge.gov.br/home/estatistica/populacao/censo2010/caracteristicas_religiao_deficiencia/default_caracteristicas_religiao_deficiencia.shtm. Accessed on: Oct 8, 2018.

IBGE - Instituto Brasileiro de Geografia e Estatística. **Releitura dos dados de pessoas com deficiência no Censo Demográfico 2010 à luz das recomendações do Grupo de Washington**. Rio de Janeiro, 2018. Available at: https://ftp.ibge.gov.br/Censos/Censo_Demografico_2010/metodologia/notas_tecnicas/nota_tecnica_2018_01_censo2010.pdf. Accessed on: Nov. 12, 2020.

LIMA, B. S. C. A. *et al.* Análise do Surdo Diante a Comunicação Televisiva: Recorte Para o Closed Caption e Janela de LIBRAS. In: XIX CONGRESSO DE CIÊNCIAS DA COMUNICAÇÃO NA REGIÃO NORDESTE, Fortaleza, 2017. **Proceedings....** Available at: <http://www.portalintercom.org.br/anais/nordeste2017/resumos/R57-1432-1.pdf>. Accessed on: Jan. 12, 2019.

LYNN, L. E. **Designing Public Policy**: A Casebook on the Role of Policy Analysis. Santa Monica, Calif.: Goodyear. 1980. Available at: <https://www.amazon.com/Designing-Public-Policy-Case-Analysis/dp/0835921832>. Accessed on: Dec. 16, 2018.

MARCONDES, N. A. V.; TOLEDO, M. F. M. Materialismo histórico e método de pesquisa: uma proposta de revisão da literatura. **Revista de Ensino, Educação e Ciências Humanas**. Londrina, v. 13, n. 2, p. 71-80, oct. 2012. Available at: <http://revista.pgskroton.com.br/index.php/ensino/%20article/view/711/679> . Accessed on: Nov. 12, 2020.

MEAD, L. M. **Public Policy**: Vision, Potential, Limits. Policy Currents. Fev. 1995. Available at: <https://nyuscholars.nyu.edu/en/publications/public-policy-vision-potential-limits>. Accessed on: Dec. 16, 2018.

MINISTÉRIO DA CIÊNCIA, TECNOLOGIA, INOVAÇÕES E COMUNICAÇÃO. Desenvolvido pelo Ministério da Ciência, Tecnologia, Inovações e Comunicação. 2017. Traz informações sobre a instituição. Available at: <http://www.mctic.gov.br/portal>. Accessed on: Oct. 22, 2018.

MINISTÉRIO DOS DIREITOS HUMANOS. Desenvolvido pelo Ministério dos Direitos Humanos. 2017. Traz informações sobre a instituição. Available at: <http://www.sdh.gov.br/>. Accessed on: Oct. 23, 2018.

ONU – ORGANIZAÇÃO DAS NAÇÕES UNIDAS. **Declaração dos direitos das pessoas deficientes**. Resolução aprovada pela Assembleia Geral da Organização das Nações Unidas em 9 de dezembro de 1975. Available at: http://portal.mec.gov.br/seesp/arquivos/pdf/dec_def.pdf. Accessed on: Nov. 13, 2018.

ONU – ORGANIZAÇÃO DAS NAÇÕES UNIDAS. **Programa de ação mundial para as pessoas com deficiência**. 1982. Programa aprovado pela Assembleia Geral das Nações Unidas em 3 de dezembro de 1982. Tem finalidade de promover medidas eficazes para a prevenção da deficiência, a reabilitação e a realização dos objetivos de igualdade e participação plena das pessoas. Available at: <http://www.todosnos.unicamp.br:8080/lab/legislacao/legislacao-internacional/PROGRAMA%20DE%20ACaO%20MUNDIAL%20PARA%20AS%20PESSOAS%20COM%20DEFICIECIA.doc/view>. Accessed on: Oct. 28, 2018.

PAMPA. Desenvolvido pela Rede Pampa. Traz informações institucionais. 2019. Available at: <http://www.pampa.com.br/quem-somos.php>. Accessed on: Mar. 31, 2019.

PINHEIRO, H. L. Os Direitos Humanos e Pessoas Portadoras de Deficiência. *In: Relatório Azul – Garantias e Violações do Direitos Humanos no RS*. Porto Alegre: Assembleia Legislativa, p. 144-155, 1997.

RBS. Desenvolvido pelo Grupo RBS. Traz informações institucionais. 2019. Available at: <http://www.gruporbs.com.br/atuacao/rbstv/>. Accessed on: Mar. 31, 2019.

RECORD TV. Desenvolvido por Rede Record. Traz informações institucionais. 2019. Available at: <http://www.recordtvrs.com.br/conheca-a-record-tv-rs-09052017>. Accessed on: Mar. 31, 2019.

RIOGRANDE DO SUL. Lei n. 6.616, de 23 de outubro de 1973. Autoriza a instituição da fundação riograndense de atendimento ao excepcional e dá outras providências. Assembleia Legislativa do Estado do Rio Grande do Sul. Available at: http://www.al.rs.gov.br/legis/M010/M0100018.asp?Hid_IdNorma=34995&Texto=&Origem=1. Accessed on: Nov. 30, 2019.

SASSAKI, R. K. **Inclusão**: Construindo uma sociedade para todos. 5a.ed. Rio de Janeiro: WVA, 2003.

SBT. Desenvolvido por SBT. Traz informações institucionais. 2019. Available at: <https://www.sbt.com.br/tv/portoalegre>. Accessed on: Mar. 31, 2019.

SILVA, F. T. S.; LIMA, F. J. **Chaves da legitimação e da aprendizagem televisiva**: áudio-descrição de um herói humano e de um herói mendigo [online], 2011. Available at: <http://audiodescriptionworldwide.com/rbtv/chaves-da-legitimacao-e-da-aprendizagem-televisiva-audio-descricao-de-um-heroi-humano-e-de-um-heroi-mendigo/>. Accessed on: Oct. 13, 2018.

SOUZA, C. Estado do campo da pesquisa em políticas públicas. **Revista Brasileira de Ciências Sociais**, São Paulo, v. 18, n. 51, p. 15-20, 2003.

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