

Digital, Culture, Media and Sport Committee

Oral evidence: The work of the Department for Digital, Culture, Media and Sport, HC 157

Wednesday 14 October 2020

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Members present: Julian Knight (Chair); Kevin Brennan; Steve Brine; Alex Davies-Jones; Clive Efford; Julie Elliott; Damian Green; Damian Hinds; John Nicolson.

Questions 99 - 238

Witness

I: Rt Hon Oliver Dowden CBE MP, Secretary of State, Department for Digital, Culture, Media and Sport.



Examination of witness

Rt Hon Oliver Dowden CBE MP, Secretary of State, Department for Digital, Culture, Media and Sport.

Q99 **Chair:** This is the Digital, Culture, Media and Sport Select Committee and this is a session with the Secretary of State, Rt Hon Oliver Dowden. Before we start the questioning, we are just going to go round the room to members to see if they declare any interests. I would like to declare my interest, which is that, first, I am treasurer of the Lords and Commons Cricket Club. I have also received hospitality from the ECB, the Premier League, and also my local football club, Solihull Moors, at the weekend when they thrashed King's Lynn 5-nil. I also worked at the BBC for five years.

Clive Efford: Nothing from me, Chair.

Alex Davies-Jones: I am a member of the Musicians Union and chair of the all-party group for British Wrestling.

Damian Green: I am a season ticket holder at Reading Football Club.

Steve Brine: I am an honorary vice-president of Winchester City Football Club.

Kevin Brennan: I am a member of the Musicians Union and the Ivors Academy for songwriters and composers, and I have received hospitality from the various public service broadcasters.

Q100 **Chair:** Thank you, Secretary of State, for joining us today. Let me paint you all a picture. The £1.57 billion Culture Recovery Fund has only reached some 3% of businesses 100 days after it was announced. We are still waiting on a deal between the Premier League and the EFL, even as 10 to 15 football clubs find themselves at risk. Rescue packages in other sports are still being costed. More than 30% of freelancers have not had access to a penny of support in the past six months. In the creative industries, it is estimated that a mere third are eligible for support, 155,000 creative jobs have been lost since March, and more than half the jobs in the music industry look set to disappear by the end of the year. The few freelancers eligible for the Job Support Scheme received a maximum of £1,875 over three months. That is less than the minimum wage. It is less than half the minimum wage. Charities face a shortfall of £12 billion since the pandemic, and 60,000 jobs have gone there, too. The Government's indemnity scheme announced in July opened for applications just 12 days ago and is still limited in its scope, despite calls from this Committee. Despite the undoubted hard work of you and your Ministers, which is acknowledged by this Committee, are you presiding over a complete destruction of the sector?



Oliver Dowden: No, of course, is the short answer to that, Mr Chairman. There are so many points that you raised in those opening remarks I don't know quite where to begin.

Just to give you an overview and without getting into countering speeches, I will give you a sense of some of the things that we have done: £1.57 billion was, in fact, the biggest single investment in arts in the history of our nation, negotiated and brokered by my Department; £250 million went out the day before yesterday, saving 1,300 arts venues; £750 million, the biggest amount of support for charities in their history, was again brokered in record time. The film industry, through a combination of the high-end film and TV quarantine exemption and the insurance underwriting, is now pretty much at full capacity—I was at Pinewood just a couple of weeks ago—creating thousands of jobs for creatives.

You mentioned sport. Project Restart ensured that we were one of the first countries in the world to get football back behind closed doors and for the first time in history, thanks to the work of my Department and others, we had the Premier League free to air for some of its matches on TV.

We have achieved a huge amount in a short period of time against an extraordinary backdrop. I do not want to suggest for one moment that I am complacent and I know that many of the things that you have raised are very important questions, which I am sure you will want to question me on in detail. However, I don't think it is a fair characterisation of either Ministers or, indeed, officials in my Department to say that we have presided over destruction. We have worked day in, day out, to ensure that we get all our sectors back up and running as much as we possibly can consistent with public health advice and the safety of the nation. We have record amounts of support in for those sectors, which of course face many huge challenges. I don't deny for a moment those challenges. One of the terrible things about being a Minister during this crisis, particularly a Minister for culture, sports and other areas, is that I am doing things that I find positively hateful. I do not want to be stopping theatres from operating properly. I do not want to be stopping fans from going into stadiums. The reason why we are doing this, though, and paying that price is in order to secure public safety and control Covid. We are taking record measures to support all those sectors through this difficult period.

Q101 **Chair:** I have a few points from your answer there, thank you. This Committee, as I said, does acknowledge the hard work of yourself and other Ministers. We do know that in our engagement.

You said twice, I think, "brokered in record time". That is fantastic, but why is it taking so long for the money to reach the organisations? You have just referenced the £250 million. That is part of the £1.57 billion, so that is 100 days ago. Why is it taking so long? That is true with the indemnity scheme as well, which was only opened 12 days ago. Why is it



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taking so long between you negotiating and it actually being delivered at the frontline?

Oliver Dowden: Mr Chairman, may I take each in turn? Perhaps if we deal with the £1.57 billion, first of all. Almost immediately we got out the £100 million to our big national institutions, the likes of the British Museum, the Victoria and Albert Museum, and so on. In addition to that, we got emergency funding out to music venues that were in trouble; £3.6 million to get them through that period. We have already announced £100 million for heritage and the £250 million, as you acknowledged, and there will be a further £80 million coming later this week for arts venues.

In relation to both heritage and the arts, the reason why the money was not distributed immediately and it took some time was that I took the decision as a Minister that, given the scale of the challenges facing the sector, I wanted Arts Council England and others who are involved in distributing this money to have the opportunity to look at the sector across the whole. Rather than doing it on a piecemeal basis as each bit came in, they needed to evaluate the state of the sector and consider all of those bids and go through them in a proper way. If we had gone at a faster pace and we had been in the situation where money had been awarded inappropriately or money had gone to organisations that were wanting it, I think it was better to do it as rapidly as we could but in a proper way to ensure confidence. Remember, this is the largest single investment in arts in our history and we need to ensure that it commands the confidence of the taxpayers who are paying for it.

Q102 **Chair:** You do also have the instruments in place in order to do that because you have the structure, effectively. You have the Arts Council and so on. Why is it that that delay has happened if you have those structures in place? Is it simply a case of civil servants basically poring over books and deciding how much is needed here and there and, therefore, is that a matter of capacity in the Department, or is it to do with the structures and whether or not you needed to set up something new?

Oliver Dowden: The distribution mechanisms varied for different parts of the £1.57 billion, but if you are talking about the £250 million for the performing arts, which we announced earlier this week, that analysis was undertaken by Arts Council England, who brought in additional resources. I think anyone who is involved in the distribution of public funds will realise that to distribute £250 million to 1,300 different organisations there has to be a proper process in place to ensure that the money is being spent wisely, and I genuinely believe it is being spent wisely, and that those assurances—

Q103 **Chair:** Do you accept, though, Secretary of State, that there will be institutions that will go to the wall as a result of the delay? Is that a necessary price?



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Oliver Dowden: No, I don't believe that will be the case because we have said all along, and we have said to institutions if they were facing imminent risk of financial collapse, that prior to the distribution of funds they should get in touch with Arts Council England and with my Department. We had that offer available.

I have seen this across other sectors. The effect of saying, "The Government are going to stand behind you" stems a loss of confidence. What you do not want is the institutions and the investors in those institutions to think, "The risk is I spend good money after bad. I stretch our budgets, I call on donors, and then we are going to go bust anyway so we might as well not bother". Knowing that the Government are there to stand behind them I think has stemmed that loss of confidence. In specific instances, where we feared that there would be a loss of capacity—for example, in the music industry—we did bring forward grants soon. It is also worth bearing in mind that Arts Council England has also, right from the very beginning of this and before the £1.57 billion was announced, brought forward funding to support the sector in co-ordination with my Department as one of our arm's length bodies, and continues to do so.

Q104 **Chair:** I have a final question on this part before I hand over to Kevin. I am just going to touch very briefly on the relationship with the Treasury and the Job Support Scheme. Isn't it pointless to have a scheme where you are asking companies to pay a third of salary when their businesses have been rendered unviable due to social distancing?

Oliver Dowden: If a business is precluded from operating, then it is clearly eligible for the enhanced Job Support Scheme. That is 67% of salary. For those that can still operate but cannot operate at the level they were previously, this is why we have introduced this form of subsidy in the way that you described. It is worth noting that that had the support of both the CBI and the TUC and is similar to schemes in other countries around the world. I think it is appropriate that we have this bifurcated approach whereby we say if you are not allowed to operate, either because of national or local rules, the Government will step in and pay 67% of salaries. We have the other scheme, the standard Job Support Scheme, where we will pay salaries with a third coming from—

Q105 **Chair:** You do not accept there will be individuals and businesses that will fall between these two stools?

Oliver Dowden: As the Chancellor has said, unfortunately we cannot promise that every single business is safe and every single job will be saved.

Q106 **Chair:** With respect, they would be viable without social distancing. These are not unviable businesses. This is part of a sector of the economy that you well know is a growth engine in normal times.

Oliver Dowden: Yes, and, by the way, that is precisely the reason why I was able to convince the Treasury to spend £1.5 billion on this sector. It



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is because we know it is a growth industry of the future. This is an investment for the future, but it is also worth bearing in mind that those two schemes are supported by a range of other interventions; for example, the business grant scheme, tax cuts on VAT, deferrals of business rate payments, a whole range of other measures that, of course, you are familiar with and I am happy to go through.

Q107 Kevin Brennan: Welcome, Secretary of State. I want to talk a little bit about the workforce because these are real people, unlike “Fatima” in the advert. I am not going to repeat what I have said already about the creative jobs and the attitude, but it turns out Fatima is not Fatima at all. Fatima is apparently Desiree, who is from a ballet school in Atlanta, Georgia, in the USA. Could you at least promise that if the Government are going to put crass adverts out like this, as you described it, they at least feature real British artists and who get paid for the use of their image?

Oliver Dowden: I have made my views on that advert very clear. I would just like to take this opportunity, if you will allow me, Mr Chairman, to once again restate the huge value of the performing arts in this country. I was at the Royal Ballet on Friday and it was wonderful to see artists perform again. I know the huge value they bring to this country and that is, by the way, why on the same day of that advert I was in Battersea announcing that the Government have provided £600,000 to the dance school there. That is why the Birmingham Royal Ballet has £600,000. It is not just because of the innate value of them but because we know that those are jobs that should be preserved. We are working tirelessly to preserve them.

Q108 Kevin Brennan: That is what I want to press you on a little bit. You and your colleagues have been claiming that two-thirds of those in arts and entertainment—that is 64,000 out of 99,000—have taken up the Self-Employment Income Support Scheme, but a further 88,000 in the sector are deemed ineligible by the Government. The true figure is that about a third of freelancers in the creative sector have been able to benefit. That is true, isn't it?

Oliver Dowden: Again, it is worth taking a step back and looking at the different elements of it. Clearly, if you are directly employed you were eligible for furlough and job support schemes. The self-employed, 67% of people were eligible for it, that is correct, but alongside that, for those people who were not eligible, for example, Arts Council England is bringing forward £115 million worth of support. Clearly, there is wider support through the welfare system as well. I know what an incredibly difficult time this is for people and how worrying and uncertain it is.

Q109 Kevin Brennan: It is a very fair point you are making; it is a difficult time. On that point, could I read you something? I spoke to Jacquelyn Hynes yesterday, whom I know and who is a member of the Musicians Union. She is an extremely talented flautist. She said to me, “We're not just musicians, we are members of society, we are people with families



and needs. I have gone from being an active and engaged member of society, serving musical charities and educational projects, to someone who can't afford to leave their house. I can barely afford food. I cannot afford to support my family in their hour of need and I can't pursue my education, which I've saved and waited for 10 years for. I would have been performing internationally this summer, an enthusiastic ambassador for my art and my culture. Instead, I haven't left the house for a month and have not seen another human being. I am looking to sell the instruments which fostered so many connections and brought me and others so much joy. I am no longer a member of society."

Jacquelyn is one of those people who made her living as a musician partly through teaching and partly through performing. Because her income from teaching was slightly over 50% of her income, she did not qualify for any of these schemes from the Government. Like many musicians, that element of her job is effectively a zero-hours type of contract, so most of it disappeared with Covid. All her performing work disappeared through Covid, and the Government have not wrapped their arms around Jacquelyn. What do you have to say to real people like that who are in this sort of situation?

Oliver Dowden: The first thing I have to say to Jacquelyn and all people in that situation is I know what a terribly difficult time this is for people because they cannot perform. The reason why they cannot perform is the measures we have had to take to control this virus. This is not something we have wanted to do and I know that the only way we can get all those people back doing the job that they love and they are brilliant at and generates wealth and opportunities for people and fulfils them and helps them support their families is to get people back in theatres without social distancing and get the economy back to normal. We are working tirelessly to achieve that, consistent with the public health guidance.

Then we are working to support the industry through a range of different schemes. I know that Jacquelyn in this case, from what you have described, is not eligible for the self-employed job support scheme, but that is why we have put other support in, for example, through Arts Council England. If you take, for example, what we announced earlier this week, the £250 million, if you take somewhere like the Old Vic, which I was at on Thursday, the £600,000 we have provided to the Old Vic enables them to have integrated digital and socially distanced performances that make those viable, which in turn creates the opportunities to get freelancers working, just as we have been able to do with the—

Q110 **Kevin Brennan:** That is welcome, Secretary of State, but my point is that, despite what Ministers have said, two-thirds of freelancers are not getting any help because of the kind of situation I have described to you in the individual case of Jacquelyn. That is the reality out there on the ground and I just want to impress that upon you. That is real and those are real people living real lives and making a real contribution to society, who are not being supported by the Government because of the way that



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the schemes have been designed. I would welcome an admission that that is the case for people like Jacquelyn.

Oliver Dowden: I certainly accept that we have not been able, through the self-employed support scheme, to cover every single person because of those gaps that you identified, but it remains the case that two-thirds of them are covered.

Secondly, because of those gaps, there is a range of other supports in place. Of course, there is the underlying support of the welfare system, which we have put additional resource into—for example, increased universal credit allowances and so on—but in addition to that we are working with Arts Council England to create more opportunities for them. That is why we have allocated £115 million and that is why we are investing this money.

There is a bit of a misconception about the £1.57 billion. Of course, it is about preserving the institutions, but in doing so we are encouraging institutions to preserve themselves in a way that creates opportunities, and we believe 30,000 opportunities will be created through this money.

Q111 **Kevin Brennan:** I just want to make the point that it is one-third, not two-thirds, and I think the figures show that, as I read out earlier.

I have two quick questions because we are under a time constraint this morning. On that point you were just making about the money that is being handed out from the Culture Recovery Fund, is it true that a condition of getting that money from the Government is that anybody who receives it has to praise the Government?

Oliver Dowden: No, it is certainly not the case. What we did when people received those awards was we got in contact with them and we said, “Do publicise it”, because it is important for people to know that this money is coming.

Q112 **Kevin Brennan:** According to *ArtsProfessional*, recipients were instructed, “to welcome this funding on your social media accounts (using #HereforCulture), on your website ... In receiving this funding, you are agreeing to acknowledge this funding publicly by crediting the Government’s Culture Recovery Fund ... Alongside this we require you to alert your local media outlets of the news”. In fact, it is a requirement for them to credit the Government for providing the money in public. Isn’t that the case?

Oliver Dowden: I already said to you, Mr Brennan, that it was the case we encouraged people to publicise it. This is taxpayers’ money that is being spent. It is perfectly reasonable to alert people to the fact that it is there. The awards were made well in advance of the information you read out to me. That is perfectly normal as part of awarding funds for there to be publicity associated with it, whether that is private sector, public sector or Government.



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I think you will have seen that many people have completely independently welcomed it, and rightly so. It puts to bed this myth around Conservative Governments and the arts. We created the National Lottery, which renewed arts in this country. We created the tax reliefs that enabled the film industry and others to flourish in this country, and now we have made the biggest-ever single investment in the history of this country in arts. We know the value of it and we are demonstrating it.

Q113 Kevin Brennan: I have one more question on another matter. When you were in front of us previously in relation to music streaming, we had a little exchange about that. In the Select Committee's report to you on Covid, we made a recommendation that the Government should look into the economics of music streaming, and this Committee is doing some further work on that. The response was that the Intellectual Property Office is supporting a research project on this, and I welcome that response. Would you be happy to say publicly here at the Committee today that everybody should fully co-operate with that report that is being prepared with the support of the Intellectual Property Office, including the record companies, and be fully transparent in supplying information so that it can produce a worthwhile report?

Oliver Dowden: Yes, of course, people should fully co-operate with that report.

Kevin Brennan: Thank you.

Q114 Steve Brine: Good morning, Secretary of State. I can say that the Theatre Royal in Winchester is very grateful to anybody, including the Government, for the £219,000 that it received and is very happy to praise whoever helped it.

Can I ask you about Operation Sleeping Beauty? You said in the *Daily Mail* in early September that, "Mass indoor events are now in my sights". You will know that we heard evidence from Rebecca Kane Burton and Lord Lloyd-Webber about a pilot event at the London Palladium. Can I ask you then about the pilot events and Operation Sleeping Beauty? What does the rise in cases that we are seeing mean for that operation?

Oliver Dowden: First of all on the pilot events, the pilot events have been very successful and I pay tribute to everyone involved. It has helped us build an evidence base both about how we minimise the risks associated with indoor performances and how we mitigate against those. Clearly, we are facing very strong headwinds right now and there is no need to reprise the science and the evidence that everyone is familiar with about the rising levels of infection. That has limited what we can do, but that does not mean we are not continuing, if you will excuse my double negatives. We are continuing the work behind the scenes to ensure that we can get things going again.

To take three examples, we continue to work with industry to work through further mitigations that we can take, and we have a venues working group on how we do that. Secondly, we continue to look at ways



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consistent with existing social distancing that we can make productions viable. There are two examples of that. One is the deal that Camelot reached with some pantomime producers, where they buy up the spare tickets. We worked with them on that and welcome that, although, of course, it is between Camelot and the panto producers. We are also looking at how we organise theatres so that social distancing has a minimal impact. You will have seen those images that some people were slightly concerned about at the London Palladium, but it does demonstrate that it is possible to have higher numbers of people, subject to where we are with the public health.

Then, finally, aside from the long-term work of getting us back to full non-socially distanced audiences, we continue to prepare pilots for if we are at the point where we get mass testing available, whereby we can have in-day testing, and if you then, through that in-day testing, demonstrate that you are not going to spread the disease for the next day or two, we can make that work so that people can safely go to theatres without social distancing. We are pushing ahead on all of those but, of course, it has been slowed because we cannot make any further easements at this stage, given the state of the disease.

Q115 Steve Brine: Obviously, productions take months and months to put in place. That is the very clear message we got from the witnesses in that session—because of that, mass indoor events should have been in your sights, to use your words, before September if we have a hope of saving the panto season this year, for instance.

Oliver Dowden: This illustrates the challenges for the Government in this. If we had gone for a massive push and said to people, “Prepare to go ahead for the panto season all guns blazing”, I would now be turning round to those producers and saying, “No, hang on, look at where we are with the disease”, which goes to my reluctance about setting a not-before date. I am very keen to do that. I was speaking to Sir Cameron Mackintosh a couple of weeks ago about this. I am again seeing Lord Lloyd-Webber and visiting one of his theatres tomorrow, I believe. I hope to be able to get to a point where we can give a not-before date. It feels to me that we are looking end of March/April for that as a reasonable date, but I don’t want to give that commitment in a way that does not have a strong evidential base for it and would encourage people to invest and then not get a return on that investment because the productions did not go ahead. There are measures we can take to mitigate but, none the less, I do not think we are at that stage.

Steve Brine: Okay. I am glad that you are seeing Lord Lloyd-Webber tomorrow. I suspect he will have many questions for you—as many as us.

Oliver Dowden: Yes, we are in frequent contact about this.

Q116 Steve Brine: Shortly after the pilot, you said that a stage 5 date would not be announced before November at the earliest. Where is that now then? You just talked about a not-before of March.



Oliver Dowden: To be clear, when you announce the not-before date—and it remains the case that it is certainly not going to be before November because of the challenges we have described, but I want to get that actual not-before date. I am mindful with that actual not-before date that we want to have announced at least three months before it happens because of the lead-in time. I have just given you a sense of where thinking is at the moment. I am not announcing that today, to be categorically clear, because of where we are with the disease right now.

Q117 **Steve Brine:** Okay. We are going to move into festivals in a minute, but as a bridge to it, then, obviously in setting target dates we completely appreciate that you do not want to set them to then pull them, because then you are accused of U-turns, otherwise known as listening. Could you talk a little bit more about what will have to happen before venues can reopen without social distancing? The Health Secretary said in the House yesterday that the Government's policy is to suppress the virus until a vaccine saves us. We will not get into whether there is going to be a vaccine, whether it will work, whether we will be able to roll it out, and so on, but are we talking then about the existence of a vaccine for mass venue opening without social distancing or is it the mass testing on day regime that you have talked about? Or is there something else in between?

Oliver Dowden: There are three things that could enable this to happen. One is clearly the vaccine, once we got to a point where it was sufficiently spread throughout the national community. The second is in relation to on-day testing, so if we got to a point where we have both the level of testing and the confidence in it. Clearly, there would be other priorities for that, but if we are confident allocating that to performing arts. The third thing is the natural progression of the disease and the measures that we are taking to control it. If we have confidence both that we have it under control and it is on the right trajectory—and, again, we have seen that winter is a very bad time for that because people are indoors, it is the flu season and so on. Those are all the factors at play, which hold me back at this stage from giving that not-before date.

Q118 **Steve Brine:** You mentioned the Palladium earlier. I am a Spurs fan so maybe I am biased, but there is just over 2,000 capacity at the London Palladium. It says that it was just under 50% full on Monday or Tuesday evening for the Arsène Wenger event. There are 62,000 seats in the new Tottenham Hotspur stadium. That is just under 2% of the people who were in the Palladium. Even if you put 1,000 people in the new Tottenham Hotspur stadium—but you cannot do that. There are roughly 100 acres to a golf course. The PGA at Wentworth on Thursday, Friday, Saturday and Sunday this last weekend: no spectators at all. You can understand why people are confused about that, Secretary of State. A thousand people to watch Arsène Wenger talk about the history of Arsenal's great period, but you cannot watch the current situation.

Oliver Dowden: Yes, of course, I accept people's frustration at the inconsistency there. All I can do is explain to you how this has come



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about. The simple reason for it is that in relation to sports we had sports on a path to return to normality. Indeed, sports were the first to get on the first stage of return to normality; that is, football behind closed doors. I think we were one of the first countries in the world to achieve it. At that time, I was being attacked by arts for prioritising sports. The next phase was to have pilots to move to a point from 1 October whereby we would be able to have socially distanced spectators in stadiums. That is what I desperately wanted to happen.

Where we are with the disease and the rapidly rising rates of infection, mean that it has not been possible to have that further easement because the very clear advice from the scientific community was that at this stage of the disease, with rapidly rising infections, we should be imposing restrictions, which we are—not further easements.

It is worth noting the difference in the quantum between the two. If we had social distancing for sports, that is a lot of people coming week in, week out, going to sports stadiums up and down the country, so it is an easement. That contrasts to socially distanced indoor performances. Clearly, people have noticed the Palladium. There are very few socially distanced indoor performances going on. They are not massively financially viable; in fact, they are not really financially viable. It is a different scale.

All I can do is explain why I want sports to go ahead and why we can't at the moment. If people are unhappy with indoor performances going ahead with social distancing, that is a separate question as to whether you stop them, as it were.

Q119 **Steve Brine:** You can appreciate why. If we are in the business of presentation and how it presents, it looks terrible, doesn't it?

Oliver Dowden: I understand people's concern about it. The only answer available at the moment to that, though, is to say we will not permit indoor performances socially distanced. Of course, all these things are kept under review, but given the volume of them at this stage, that is not happening at the moment.

Q120 **Steve Brine:** We will move on to festivals and then I will conclude. My point is that there are 100 acres to a golf course. I have not been in the Palladium for many years, but I am guessing there are not 100 acres outside, whether they have good fogging or otherwise. Anyway, I spoke about festivals in the House last week.

Oliver Dowden: May I just follow up very quickly on that? I appreciate all of those points and that is why I wanted us to go ahead on the 1st, but we have had to pause it because of where we are with the disease. It is as simple as that.

Q121 **Steve Brine:** About 90% of UK festivals did not go ahead this year. We are past the festival season, really, which is April to September. Yet evidence we had to the Committee when we talked about festivals a few



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weeks ago is that all annual fees remain due and payable even though the festival season has been completely cancelled for this year. Organisations representing this sector are advised that local authorities' large, single-event premise licence fees should roll over to next season. That is something for which we require Government action. I would like to hear from you on that if possible. This year's festival season, a major contributor to the economy nationally and locally, lots and lots of people, many self-employed employed in it, was totally lost. What are you doing to ensure next season's festival season can go ahead or has even a remote chance of going ahead?

Oliver Dowden: I will deal with each of those things. On the rollover of government fees I am happy to engage on those points with them.

In terms of support, festivals have received support through the Culture Recovery Fund. Just over £4.4 million has gone to Association of Independent Festivals members, so that is starting to flow through, and 70% of Association of Independent Festivals members were successful with their application. We are starting to get support through.

In relation to festivals as a whole, it is in the same category as all these other areas where we want them to happen and we are working closely with them on how to do so in a safe way. The "Purple Guide", as you are aware, was published yesterday, so we have made good progress with that through the Outdoor Events and Festivals Working Group. We are working on how we manage those risks around it, and as we get the disease under control I want us to start piloting and then have a not-before date. Again, that is subject to the evolution of this terrible disease.

Q122 **Steve Brine:** Have you been personally involved in the development of the "Purple Guide"?

Oliver Dowden: My officials have and I have been made aware of it. I do not want to overstate it, clearly, given the huge amount of work that is going on in the Department. That has been principally led by my colleague Caroline Dinenage.

Q123 **Chair:** I have one follow-up question on that. You mentioned the three pillars, effectively, which is the vaccine, testing, and controlling the disease. We know the vaccine trial has been stopped. Personally, I do not think we live in a Hollywood movie in that respect. When it comes to testing, on Operation Moonshot there are stories today again about the fact that that is now being potentially scaled back. On controlling the disease, obviously we have just had, very tragically, the highest number of deaths I think since the beginning of June. Let's think about a plan B. If we do not have a vaccine, if we do not have the capacity to test absolutely everyone, and if, frankly, this disease just keeps rumbling on, what is plan B in terms of reopening?

Oliver Dowden: First of all, I would take issue with each of those points very briefly because it is quite important. There is not just one vaccine. There are multiple vaccines being trialled around the world, as you know,



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and they will have setbacks at different stages. I think the overall trajectory is the same and most scientists agree that it is a reasonable scenario to think that we will have one towards the beginning of next year. Clearly, there are challenges around rollout.

In relation to the mass testing, we still continue to make good progress with that. I would take with a pinch of salt the day-to-day reportage of that. It is the case anyway that with the disease we will get to a point in the spring where we come out of the difficult period, which is people being indoors and the flu season, so I think it is reasonable for Government to work with the sector to see how we can minimise the risk, which is what we are doing now. We are working with them on all the measures we can take to mitigate so that then, as those factors come into play, we are ready to go straight away with it. That is the Government's plan.

Q124 **Chair:** There is no plan B beyond these three pillars? You think that is enough, basically waiting for the vaccine, extra testing and also controlling the disease, although the disease clearly is not under control at the moment?

Oliver Dowden: I would argue that those are all different plans so they are, in effect, plans A, B and C. We are working across all of them.

Q125 **Chair:** Do you get my point that basically there is a scenario in which we do not reach these points?

Oliver Dowden: That is something that pertains across the whole wider economy and those challenges apply just as much to hospitality, which is suffering because of social distancing, as to tourism, and so on. That is the approach being taken around the world. There is not some sort of silver bullet—we all wish that there was—that we could fire to stop this disease. It is how we can live with this disease in the short term and take the mitigations and in the medium term control the disease either through the range of macro-economy measures, a vaccine or having mass testing so essentially you are freed from the disease for that period of time.

Q126 **Alex Davies-Jones:** Thank you, Secretary of State. I would like to ask a brief supplementary on Operation Sleeping Beauty. At the end of last week it was announced that Camelot has now agreed to fund a seat-matching scheme for our venues and our theatres. You mentioned that hospitality was suffering due to social distancing, but they were obviously given Eat Out to Help Out. The One Voice Campaign has been calling for "seat out to help out". Is this something that the Government would be able to roll out nationwide to help our theatres and venues struggling with social distancing?

Oliver Dowden: I would like us to continue to consider measures around the "seat out to help out" scheme. The thing that I would say about that is that the idea of Eat Out to Help Out was when hospitality could operate in a commercially viable way. It was then about driving people to



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hospitality, and it worked very well. The issue with theatres is that they cannot operate in a commercially viable way with social distancing.

If we get to the point where we can get them to operate in a commercially viable way through all the means we have been describing, at that point I would be very open to looking at measures to encourage people back into theatres. Clearly, there will be a confidence issue about people going back. I think that is the point at which we would look at those kind of measures and I would be very open-minded about public/private collaboration, discussions with the Treasury and so on, but I think it has to wait until then.

Q127 Damian Green: Good morning, Secretary of State. I would like to move on to sporting matters—the other part of your responsibilities—specifically starting with football. We have seen this power grab by the bigger Premier League clubs, Operation Big Picture. It has been described by the Football Supporters' Association as a "sugar-coated cyanide pill". I think that is a pretty accurate description. Do you?

Oliver Dowden: I have made clear my deep scepticism and concern about this, both in terms of the provision itself, where it seems to tend towards a closed shop for effectively the six most powerful clubs in the Premier League since they would have a majority of the nine but, more importantly for Government right now, there is a problem in football, which football is perfectly capable of resolving itself, whereby the Premier League and the EFL just need to get together and do this deal.

From conversations I have had, we know that EFL clubs will not be allowed to go bust and there are resources there, but we need a comprehensive deal. I think that this is a distraction at best from that. What it demonstrates is that we were wise to put in our manifesto provisions for a fan-led review because it genuinely brings into question the ability of football to govern itself properly. I think the way that football can demonstrate that it can govern itself well and properly is to get this deal over the line, which is there to be had, whereby the Premier League uses its wealth to support the wider football family, which is common in other countries, and the EFL also comes properly to the negotiating table rather than being distracted by projects like this.

Q128 Damian Green: You just said very significantly that no EFL club will be allowed to go bust. That would be extraordinarily welcome, given the current situation. How can you guarantee that?

Oliver Dowden: Those are the conversations that I have had with EFL and Premier League. I have received assurances that they would not allow that to happen and they have the resources to stop that happening. There is one question about a club right on the edge that could just go bust and stopping that from happening. That is a piecemeal solution. What we want is a proper deal where we have the funding available to the EFL to ensure that it can give clubs the certainty through this period when they do not have fans in stadiums. The Premier League spent £1



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billion in this most recent transfer window. That is more than the four richest leagues in Europe after them combined. The money is there.

Q129 **Damian Green:** Yes, I think it spent more on agents' fees, or enough that would keep several lower divisions going. You say that there is a deal clearly to be had. Is that just between the Premier League and the EFL or are the Government involved at all? In particular, does it involve them putting in any money?

Oliver Dowden: It would be between the EFL and the Premier League because the money is there. The question I have to ask myself as Secretary of State, and the Chancellor would have to ask himself is that, given there is that much money in football, could we seriously turn round to a pensioner in Hartlepool and say that some of her taxes would have to go to support this? We have, though, provided, of course, as you know, lots of wider support for the sport. The role of Government, though, in relation to this deal is to try to bring those two sides of the table together. I have met extensively with Richard Masters and Rick Parry, as has my colleague the Sports Minister, Nigel Huddleston. We are all pretty convinced that this deal can be done. The Premier League has indicated in principle its willingness to do this. I hope that EFL will stop being distracted by this latest wheeze over the weekend and come seriously to the table and do the deal.

Q130 **Damian Green:** It sounds like you are not desperately impressed by Rick Parry's performance through this.

Oliver Dowden: I would have preferred that at the end of this, rather than reading about this "project power grab" as you I think rightly put it, instead I was reading how they had come to a deal to secure the future of football. I think that would be a much better use of people's time.

Q131 **Damian Green:** Moving on to the wider point and picking up on some of Steve Brine's points, one of the things we have learnt over the past six months is that scientists honourably disagree. The idea of following the science is a slightly fuzzy concept because they disagree. The one thing they all agree on is that outdoors is healthier than indoors, and in that regard it is extraordinary, even at a time when restrictions are being tightened, that outdoor sporting events that would attract spectators are not being allowed. That seems to be one of the first things that should be happening, after schools and work, which the Government have rightly prioritised. How close are we to this?

Oliver Dowden: We were ready to go. We had had the pilots. The pilots had been successful and we were ready to go from 1 October. We had to pause it, given the rapid expansion of the disease. It is worth noting, though, it is not just in the stadium, it is the journey to and from the stadium. There are issues such as public transport. People are likely to want to have something to eat and drink on the way. There are lots of other social contact points. That is not to say that those things can't be mitigated, they can be, but we do have to accept in permitting that to go



ahead from 1 October we would have been having an easing in restrictions and an increase in social interaction, which could have aided the spread of the disease, at the same time as we were imposing lots of further restrictions. Indeed, you can see that just this week we have had to impose those further restrictions and it may well be the case that more come along the line.

If and when we get to the point where we have confidence that we have the disease under control in the sense that we are not on this rapid upward curve, then I will want to rapidly return to this decision. Through things such as the Sports Technology and Innovation Group chaired by David Ross, we are continuing to look at further work we can do to increase our assurance about minimising the risks around this. We are ready to go the moment we get the starting gun fired, if you see what I mean.

Q132 **Damian Green:** The Sports Technology and Innovation Group has been proposing various high-tech solutions. Are you looking at those?

Oliver Dowden: Yes, of course, and we will seek to adapt as many of those as we can. By the way, we have a history of doing that. That is how, through intensive negotiation with people like Jonathan Van-Tam of Public Health England and others, we got Premier League up and running shortly after its championship very rapidly, very early on, and got lots of money back in the sport through that.

Q133 **Damian Green:** One very immediate practical point, given that we are now moving away from the period when all Premier League games are free to air, is that Liverpool is now the city most locked down in this country. This Saturday is the Merseyside derby. It is not free to air. So, you cannot watch it in the stadium. You cannot watch it in the pub. You need to have BT Sport and pay for it to watch it. Do you not think that if that is not free to air that is an invitation to people to break the lockdown rules and go into the house of the person in their road who has BT Sport? Should that game at least be free to air?

Oliver Dowden: First of all, people are very sensible and know the challenges in Liverpool. I would not accept the premise that people in Liverpool are going to break the rules at all. If BT was able to do that as a gesture, that would be a great thing to do, of course.

Damian Green: Hear, hear.

Q134 **Clive Efford:** I am just going to take you back to Project Big Picture. Two American owners of two of the biggest English football clubs came up with a plan that could put the entire Football League on a sustainable financial footing for a generation, possibly, and you have rejected it. Who did you consult before you decided to reject the plan?

Oliver Dowden: I received advice from my officials on the impact of that. I received lots of immediate representation from fans and, indeed, Members of Parliament who expressed severe concerns about that. The



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concern around this is twofold. First, now is not the time to be doing this thing. Now is the time, rather than to divide football, to bring it together to solve this problem. Secondly, there were big concerns, which I shared, about it appearing to entrench the position of a small number of clubs in a closed shop situation. I do think it makes the case if they were going to go down this line that there is a real problem with the governance of football around whether this is working properly, which is why we would need to return to a fan-led review.

Q135 Clive Efford: Who do you represent in this? Is it the 72 Football League clubs or is it the 14 that are outside the big six in the Premier League? Who is it that you are standing up for?

Oliver Dowden: The British people. I represent the people, the voters who elected this Government, and the interests of the voters, including large numbers of football fans who I think are very concerned about this.

Q136 Clive Efford: We know what you are against, so what is your plan?

Oliver Dowden: The first thing we need to do is to make sure that the Premier League and EFL reach this deal. The deal is there to be done. It doesn't require this closed shop arrangement. There is a deal there. The money is in the Premier League available to do it. They are that far from sorting it out and I think it is right that they do that.

Q137 Clive Efford: You have been involved in the negotiations. According to reports, the Government, the Football League and the Premier League have been in discussions. The Premier League is offering a £40 million grant and a £110 million loan. Do you recognise that?

Oliver Dowden: I am not going to start disclosing the private details of those negotiations. I have given you an overall sense of where we are with it.

Q138 Clive Efford: Okay, but it wants to have an agreement post-Brexit to import 16-year-old footballers, which could devastate many of the academies in the country. It wants the Carabao Cup to be terminated; it does not want to participate in that. That is a major part of TV revenues for the English Football League. That would be devastating. It wants control over the salary cap for English Football League clubs and it wants the limit on the number of loan players that can play in English Football League teams to be lifted. Is that not just the Premier League operating like a closed shop and holding a gun to the head of the English Football League?

Oliver Dowden: I want to be clear on this and I hope that I haven't given this impression that somehow the EFL is the bad guys and the Premier League is the good guys in this. Of course, that is why the deal has not been done, because of some of those sorts of conditions, but that does not mean that there is not a deal there to be done if flexibility is shown on both sides. The Premier League has the resources, but it should not be using that to extract unreasonable conditions from the EFL.



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Q139 **Clive Efford:** Why should it be extracting any conditions at all? This is a crisis situation. Why should the Premier League be allowed to exploit it?

Oliver Dowden: Clearly, it is a deal between the two parties. You will have noticed I have not endorsed any of those proposals. I don't want to start in this Committee or in public getting into a line-by-line appraisal of each of the terms there, but it is quite clear from what you are saying that they are at that point where both sides are coming together. They just need to get over the line with this, and I still genuinely think that they will do so.

Q140 **Clive Efford:** When you have commented on this, you have said, "There are the resources there, and I have to say that if they can't get together and work together to sort this out, we will have to return to what we promised in our manifesto, which is a fan-led review of football governance, because I think many fans will be concerned about what they are reading today." When did you depart from the plan to have a fan-led review of football governance?

Oliver Dowden: It has always been the case we will have a fan-led—

Q141 **Clive Efford:** Well, why are you returning to it?

Oliver Dowden: We are returning to it imminently. I do not want right now to be conducting a fan-led review when, as you rightly say, there is a crisis in football and we need to get this resolved and we need to get the money flowing. I am getting close to the point where I am going to be left with no choice but to get on with this imminently because of the failure of football to help itself.

Q142 **Clive Efford:** Okay. The issue of a fan-led review is a threat, it is a bargaining chip, not a proper commitment from the Government?

Oliver Dowden: The Government will conduct that in a proper and orderly way over the course of this Parliament. Because of what has been going on recently, it suggests a need to bring that forward and crack on with it imminently, which is not what I want to do because I don't think that is what football should be focusing on right now. I think football should be focusing right now on getting this deal. Once we are through the Covid crisis we can look in good order at the governance arrangements for football.

Q143 **Clive Efford:** Can I just be clear, though? I will give it one last go. This situation that we are in, where you stood with the Premier League and said we will get the Premier League going, we will get money into the wider football pyramid, what you did not say at that time was, "But there will be conditions imposed by the Premier League in return for that". You have just said that no football clubs will be allowed to go bust, so that means that the EFL does not need to negotiate anymore, you are committing to preventing any football clubs being put into receivership?

Oliver Dowden: No, to be clear I have had the assurance from the EFL that it will not allow clubs to go bust in the short run. That is not a



Government assurance; that is an assurance that I have received from the sport. I am certainly not taking sides in this, as you seem to be implying with your line of questioning. I have been equally robust with the Premier League. I don't think I could have put it more clearly that it has had a transfer window in which it has spent £1 billion, more than the next four clubs put together. It has the resources. It should come to the table. What I am not saying, equally, is that on the other side the EFL is on the side of the angels and the Premier League is not. This is a classic commercial negotiation. They can do the deal and I want them to get on with it. The resources are there and there is a deal to be done.

Q144 Clive Efford: Can I move on to one issue about the return of fans to stadiums, and to other sporting venues to be quite frank? We have seen pubs opening and people allowed to go into pubs, to the theatre. Football is out in the open and clubs have spent a lot of money—I have been to visit Millwall Football Club. I have seen that it has spent £150,000 on creating a safe concourse and area, moving its turnstiles, yet it has not been allowed to bring fans back in. Why is it that football clubs have not been allowed to open up for limited numbers of fans, when venues like pubs have been able to?

Oliver Dowden: First of all, I pay tribute to all of those clubs and I know how hard they have worked. They have worked very closely with the Government and it has been the case that they have had fans back. We have had quite a large number of successful pilots. The plan had been to ramp up those pilots to full return of fans to stadiums with social distancing from 1 October. The reason why it has not been possible to do that is it was judged—the collective decision by the Government on the basis of advice from scientific advisers—that at this stage of very rapidly rising infections now is not the time to make those easements.

I have to say that I think the risk would have been the other way round. Say we had gone ahead from 1 October and people had seen very large numbers of fans going into stadiums at the same time that the virus was rising rapidly. I think they would have rightly said, "Hang on, why are you choosing to do it at this point when we are imposing all these other restrictions?" This is not saying we are not going ahead with it. We want to go ahead with it. It is simply a pause given where we are with the virus.

Q145 Clive Efford: Moving on, because we are short of time, to the local government income guarantee. If local government were to give gymnasiums free rent and rate relief and other fees, does the income guarantee for local authorities cover that sort of expenditure?

Oliver Dowden: A large amount of money has been made available. I think it is £4.2 billion. There are resources there. Clearly, local authorities will have to prioritise their statutory duties, but we have made available resources for local authorities.

Q146 Clive Efford: Okay. I want to go to the BBC and Charles Moore with one



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last question. Did you actually offer Charles Moore the job as chairman of the BBC?

Oliver Dowden: No.

Q147 **Clive Efford:** There is no truth in the rumour that he only turned down the job because you would not pay him £300,000 a year?

Oliver Dowden: No.

Q148 **Julie Elliott:** Can I go back to something you said much earlier on when we were talking about support for the Covid crisis in the sector? The Chair and Kevin Brennan asked you a number of questions around the viability of businesses. Can I clarify something? Do you believe there is a difference between a business that was not viable before this crisis and a business that is not viable during this crisis but will be after it?

Oliver Dowden: Yes, there is a difference. Businesses that are not viable because of this crisis are exactly the ones we are trying to help through the range of measures that we are taking.

Q149 **Julie Elliott:** I do not believe you are helping businesses that are not viable because of the crisis. That is why I wanted to clarify that because your answers were not clear.

You do think there is a difference between a business that was in trouble before the crisis happened and obviously is in trouble continuing to one that was perfectly viable, is not viable at the moment for reasons outside of its control but would be with the correct support after? You do agree there is a difference?

Oliver Dowden: That is exactly why we have put £1.5 billion pounds in, for example, through the Culture Recovery Fund.

Q150 **Julie Elliott:** That is not enough but we will carry on. I want to go back to the Premier League and the EFL. Again, I have listened to your answers very carefully around this and I am very concerned. Can I ask, do you believe that the financial crisis that is hitting professional football because of the Covid crisis is the same as the financial crisis within football and governance outside of that, which was there before this happened, or do you believe the two things are the same?

Oliver Dowden: They are two separate issues. The fan-led review has come into play because of the proposals we saw over the weekend that is seeking to bring forward a restructuring of football, which is exactly what the fan-led review was meant to look at. If they want to go down that path what I have to say to them is we have the fans' interests here, which is why we proposed that fan-led review, and it is inviting the Government to bring forward that fan-led review to address that.

Q151 **Julie Elliott:** Earlier in the year you called on the Premier League to step up to the plate to support the other leagues in football. Do you believe the Premier League should step up to the plate? It clearly has the money to support the rest of the football leagues and it is really in its interests to



do that because of the supply chain and everything else. Do you believe that should be sorted out completely separately to this nonsense that has been announced at the weekend?

Oliver Dowden: Yes.

Q152 **Julie Elliott:** In terms of the fan-led review—which I do think is a very, very different thing—when can we see that starting?

Oliver Dowden: What I would like to happen is for us to get through this Covid crisis, for football to return to normality, fans fully back in stadiums without social distancing—

Q153 **Julie Elliott:** After the crisis, you are talking about?

Oliver Dowden: Yes, so we can get a clear picture of where we are with it.

Q154 **Julie Elliott:** My understanding of what is going on in football—I represent an area in Sunderland that has a team; a region that is football obsessed, I could say as a rugby fan, but there we go—is that it is a huge part of our culture, our community and our life in the north-east.

Oliver Dowden: As indeed, of course, is the rugby league as well.

Julie Elliott: I am a rugby union person, but never mind, the wrong part of the north.

Oliver Dowden: In different parts of the north.

Julie Elliott: The reality is, talking to people I know in football, that we are weeks away from some of the lower-league clubs going under. That is the belief if you talk to people involved very closely with the game. Therefore I was very surprised when you said the EFL will not allow clubs to go bust. That is not my understanding of where we are. I think there are clubs in dire financial positions in the current climate. Clearly, with the incidence of Covid going up exponentially in the last few weeks, we are nowhere near fans coming back into stadiums and I absolutely agree that the health of the people of this country has to be the priority. However, in that desperate situation, what are Government going to do to ensure the EFL survives in the way it is at the moment? I do not agree there are not any clubs in financial dire straits.

Oliver Dowden: I do not disagree with you that there are not clubs in dire financial straits. For example, they have been able to take advantage of a wide range of measures that the Government have already introduced on a cross-economy basis, whether that is the furlough scheme or particularly in relation to clubs.

Julie Elliott: The furlough scheme comes to an end.

Oliver Dowden: Yes, but particularly in relation to clubs PAYE deferral has been one of the big things they have benefited from.



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My point throughout this session, and indeed leading up to it, is there is tremendous wealth in football, particularly in the Premier League when they are spending £1 billion on a transfer window.

Julie Elliott: Totally agree.

Oliver Dowden: The Premier League needs to play its part in supporting football and getting those resources through to the EFL. Frankly, it is in the Premier League's interest to do that because that provides the resources.

Q155 **Julie Elliott:** We do not have a disagreement there. However, what are the Government going to do to intervene in this situation to encourage the Premier League to sort out the financial situation caused by Covid without the nonsense of this deal at the weekend that is trying to pre-empt a wholesale reorganisation that should be fan led?

Oliver Dowden: We continue to keep the pressure on the Premier League to do this deal. I am in frequent contact with Richard Masters. They know there is a duty on them to do this. They are engaging in those talks and they need to get it over the line. I made it very clear it is the Government's clear expectation that they should do this. Government do not want to step into the governance of football to sort this out for them.

Q156 **Julie Elliott:** We are not talking about the governance of football, which is my exact point. At the beginning you agreed with me that the Covid crisis should be sorted out separately—

Oliver Dowden: Yes, exactly.

Julie Elliott: —to the overhaul of the governance and finance, the moving forward of football as a whole. That does need to be restructured; I do not think there is any disagreement anywhere that that needs to be reformed. However, the Covid crisis has nothing to do with governance. The Covid crisis has caused a huge financial crisis within football when it is a sport where, as you said, they have spent £1 billion in transfers among four clubs. There is money there.

Oliver Dowden: I do think the Covid crisis has something to do with governance in the sense that the failure when there is obviously a deal to be done does point to failures in the governance of the sport and further illustrates that.

I do not want to sit here in front of you and start making threats to the Premier League, but I think it is well aware—

Julie Elliott: The Premier League is making threats to the rest of the EFL, to be fair.

Oliver Dowden: I think the Premier League is well aware there are options available to the Government.

Q157 **Julie Elliott:** I want to move on to women's sport because we are very time limited. The organisation Women in Football has a membership of



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around 4,000 women who work in football. It does incredible work supporting women in the sector. It recently relaunched, publishing a survey it conducted amongst its membership. Have you seen the report?

Oliver Dowden: I am afraid I have not had a chance to look at the report. I do genuinely recognise the huge strides we have made forward with women's sport and I really do not want this crisis to see that being lost.

Q158 **Julie Elliott:** Could I ask you to read the report and perhaps let us have your comments on it?

Oliver Dowden: Of course I will do, yes. I will be delighted to do so and I will write back to the Committee on that.

Q159 **Julie Elliott:** One of the things it found was that two-thirds of women in football had faced discrimination in some way and yet only one in 10 incidents had been reported. Do you think that is an acceptable position and is there anything the Government can do to try to sort that out?

Oliver Dowden: Of course it is not acceptable. I will be looking very carefully at that report to see the recommendations it makes. As you know, the Government have introduced a range of different measures around direct and indirect discrimination.

Q160 **Julie Elliott:** On 18 June you said that football was back, although the women's game had finished on 25 May and therefore it was the men's game that was back and not the women's game. That was not the best use of language. Although there is excellent work being done by people like Kelly Simmons in the FA to try to get the sport back, have you had any discussions as Government as to how you can support the women's game that was really growing and really picking up supporters? Have you done anything to look at how you can support the women's game coming out of the crisis?

Oliver Dowden: Yes, I believe I made those remarks at one of the Downing Street press conferences. I think if you look earlier on, I did make reference to the women's game at that point. We are working with the FA and have had discussions with the FA about what further things we can do to support the women's game. It would be a terrible failure if during this crisis we saw big steps back from the huge gains we had made with the growth of women's support, particularly women's football, in this country over the past five or 10 years.

Q161 **Julie Elliott:** One of the things that are very important to any sport growing in this country is that it is free to view, which has been highlighted earlier. Where are the Government in terms of the review of the listed free-to-view sporting events and has there been any specific emphasis on women's sporting events? I am not just talking about women's football here; I am talking about women's sport in general.

Oliver Dowden: I think you are referring to the listing regime.



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Julie Elliott: Yes.

Oliver Dowden: Yes, we are looking at women's sports as part of the listing regime.

Q162 **Julie Elliott:** When can we expect an outcome?

Oliver Dowden: I am happy to write back to the Committee on the status of that.

Q163 **Julie Elliott:** Finally, according to Women in Sport, nearly 60% of girls are not meeting recommended exercise guidelines and there are 700,000 more inactive women than men in England. Is there a plan to change this? Obviously exercise is vital for public health and the crisis has shown that obesity and lack of activity are contributory factors in how well you deal with the virus. Have the Government any plans to address this problem?

Oliver Dowden: It is worth noting that even at the height of this crisis when we had the nationwide lockdown, unlike other European countries, we never banned exercise for precisely that reason. If you look at the tiering, even in Tier 3 we have not really imposed big restrictions on exercise.

Julie Elliott: It is the imbalance between women and men.

Oliver Dowden: Yes, that is why on that point, as we were coming out of the first phase of the crisis, the Prime Minister announced a range of measures—record investment in cycling lanes, walking paths and all these other things—to get people up and active as an essential part of our work to deal with this. We know that obesity is a strong contributory factor to the impact of Covid.

Q164 **Julie Elliott:** Are you looking at any targeted measures to increase the number of women partaking in exercise?

Oliver Dowden: On any Government measures, we have to undertake an equality impact assessment to make sure we consider the impact on women as well, yes.

Q165 **Chair:** Thank you. Secretary of State, you mentioned options when replying to my colleague in terms of the Premier League. You said there are options available if they do not come to a deal. I have to say the last time you were here I think you said exactly the same words; basically the Premier League needs to come forward, step up to the plate and so on and so on. Here we are several months on. Other sports have sorted themselves out and the Premier League and the EFL are fighting like two cats in a sack basically. Are you in despair at what they are doing? Do you recognise there is an unequal relationship between the EFL and the Premier League? What will you ultimately do if they do not sort this out? Will you consider, for instance, a levy on the Premier League in order to bail out the EFL clubs?



Oliver Dowden: I agree with all the points you made up to that point. I do not want to start getting drawn down the path around levies and so on. The best way to resolve this, and the way available for the sport to resolve this, is to reach that deal. I genuinely think we are that close to the deal being done. I am hopeful that if the Premier League understands the perception of its sport, when it is spending so much money on it, and that it should be doing its part and if the EFL understands that this project we have seen over the weekend is not what fans or anyone else wants—if both of them can disabuse themselves of those misconceptions, I am not saying it is universal—they can get to that point.

I do not want the Government to have to step in either to look at the overall governance of football because it is going down a completely different path through a fan-led review or at any other more direct actions for the Government to recoup monies from the Premier League.

Chair: Gareth Bale's weekly salary would have bailed out Macclesfield Town; it is absolutely perverse in my view.

Oliver Dowden: That is a very apt observation.

Q166 **Alex Davies-Jones:** Secretary of State, I would like to also touch on some of the issues regarding women's sport and misogyny in sport. We heard some horrific stories from my colleague in football, but unfortunately these things persist in all elements of sport, culture and life.

I recently had an Adjournment debate on the Government's actions to tackle misogyny in sport. The responding Minister from your Department showed an understanding that the problems ultimately fell short of the Government's need to tackle this directly from the top. I am particularly interested to hear your thoughts on how we can support industries and sports that currently have no regulatory body. Who do these people go to when issues arise? I am not sure if you are aware of the Speaking Out movement that launched with wrestlers across the world, it was also quite prominent with British wrestlers. What plans does your Department have to support these unregulated sports and industries?

Oliver Dowden: You raise a very important point about these unregulated sports. I am very happy to meet with all of these organisations to see what further steps we could take to support them further. There are Julie Elliott's points around that report that I will look at with interest as well.

Alex Davies-Jones: We would really welcome that meeting, thank you.

Oliver Dowden: I would love to do so.

Q167 **Alex Davies-Jones:** In terms of regulation—in terms of what sports and industries can start back up—it has left many wrestlers, dancers and those industries that involve close contact really struggling to understand and interpret the regulations. Your Parliamentary Under-Secretary wrote



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to me to state that both sports and performing arts need to follow the rules for training schools, but was unclear on events. As I have mentioned, wrestlers and dancers require physical contact to perform. Are you therefore able to clarify whether physical contact during a performance is allowed, presuming people have been tested and isolated in advance?

Oliver Dowden: Provided they follow the guidance for their individual sport or performing art. We have set up working groups and within that there is an approvals process. Provided we are content that those mitigations will work—as you say, those are the obvious appropriate mitigations—then, yes, through the various governing bodies we will approve that.

Q168 **Alex Davies-Jones:** What if the industry or the sport does not have a regulatory body or a governing body?

Oliver Dowden: I would urge them to get in touch either through my private office or directly to officials in my Department and we can see how we can address those sports that do not have a governing body to be able to facilitate them to do that.

Q169 **Alex Davies-Jones:** Thank you. I would also like to ask one brief question on pay-per-view, which we have already discussed. The Merseyside derby is now on BT Sport, which is only going to force people indoors to watch the game. We have discussed the free-to-view element. On the weekend, Sky Sports announced that fans need to pay an additional £15 pay-per-view on top of their monthly Sky and BT subscriptions. What are your thoughts on this?

Oliver Dowden: I was not massively impressed, let us put it that way. This goes to the whole concern that people have. This is a brilliant sport. It is our national sport. We all take huge pride in it. I hope the sports themselves can come together and sort out the funding, particularly for the EFL. All these other things jar with this idea of coming together during this period of crisis for the country and for the sport.

Q170 **Alex Davies-Jones:** What conversations have you had with the broadcasters specifically about this and their pricing packages?

Oliver Dowden: Clearly we had conversations with the broadcasters at the time of the return of football behind closed doors to facilitate that. We continue to raise these issues with them. I have not personally raised the issue of the £15 with them, but we will continue to discuss it with them.

Alex Davies-Jones: Thank you.

Q171 **John Nicolson:** Good morning, Secretary of State.

Oliver Dowden: Good morning.

John Nicolson: On the question of interests, I should point out I am a former BBC presenter and reporter and also presenter at ITV News.



Secretary of State, there is a sense that your Department over-,promises and under-delivers. Could I refer you to your 2019 manifesto where you pledged to shave eight years off Theresa May's target on broadband. This is what the manifesto said. It promised, "full fibre and gigabit-capable broadband to every home ... across the UK by 2025". When I asked your Minister for Digital Infrastructure about this in the House and whether or not it was still planned to honour your promise he declined to answer. Can you tell me, will you honour that manifesto pledge?

Oliver Dowden: First of all, you talked about alleged over-promising and under-delivering. I am finding the exact figure, but I believe around 27% of properties now have access to gigabit-enabled broadband, and that is rising rapidly. Yes, it is 27.17% coverage in the UK of gigabit-enabled. That is partly because of this very ambitious target we set in our manifesto. We are straining every sinew to be able to get there. I do not dispute that this is a very challenging target, but we are doing everything we can to make sure we honour that commitment.

Q172 **John Nicolson:** That is not the question I asked you. You avoided answering the question I asked you. It is a very simple question. Will you honour your manifesto promise, yes or no?

Oliver Dowden: We will do everything we possibly can to honour that because—

Q173 **John Nicolson:** No, Secretary of State. That is not an answer. To say you will try to honour a promise is absolutely worthless. If you get married to somebody you do not stand at the altar and say, "Yes, I will do my very best to love, honour and cherish. I am straining every sinew to make good on that promise." People would laugh at you in the church. Let us have another go—if you want to abandon the promise that is fine—will you honour the promise, yes or no?

Oliver Dowden: The reason why I have a degree of caution about this is that I do not have a crystal ball until 2025 to guarantee this thing can happen. What I can say to you—

John Nicolson: Why—?

Oliver Dowden: Sorry, Mr Nicolson, if you will allow me to finish my answer; what we have done is we have made enormous progress. I am confident we are making good progress on it. We are up to 27% coverage with gigabit.

John Nicolson: Yes, you have said that.

Oliver Dowden: We are committed to £5 billion worth of funding and—

John Nicolson: You said that.

Oliver Dowden: —we are working with the Treasury through the spending review to achieve that. What I do not doubt is what an incredibly challenging commitment that is.



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John Nicolson: You have said that.

Oliver Dowden: 100% is every last part of the United Kingdom, including remote parts of northwest Scotland, the very last house at the end of the very last lane.

Q174 **John Nicolson:** Secretary of State, this is a technique for the "Today" programme when you know you are coming up to the news headlines and you want to try and flannel because you know the presenter will have to stop talking at a certain point.

Oliver Dowden: I think this is a performance tactic from you, if I might say, and the other way around.

Q175 **John Nicolson:** Well then perhaps we are both performing so let us strip away the performance. Let me offer you one final chance to answer the question. If you can do your best to try to avoid saying it is a very difficult target, we know that, and try to avoid telling me what you have already done because you have said that twice. Tell me whether or not you will honour the promise you made in your manifesto less than a year ago for full fibre and gigabit-capable broadband to every home by 2025.

Oliver Dowden: As I have said, we will do everything we can to meet that.

John Nicolson: Secretary of State, we have heard that. Back to you, Chair.

Chair: Thank you very much, John.

Q176 **Damian Hinds:** Good morning. Can I bring us to online harms? Can you give us any update you have on online harms on the legislation, confirming the identity of the regulator, the powers it will have and your approach to harms that are so called legal, but harmful both for adults and children.

Oliver Dowden: Where we are with the development of the process, clearly we had the initial response. In terms of the full response, I have agreed all of those recommendations on it. I have agreed them with the Home Secretary. We are currently finalising the clearance process through No. 10 in order to get that out and into the public domain.

In respect of the regulator, we have indicated that our preferred regulator is Ofcom. I am continuing to have conversations with Ofcom on the assumption that will be the case, but clearly we will have to formally confirm that. As you know as a former Cabinet Minister, I have to wait until we have secured full collective agreement to say that is definitively the position, but that is very much the basis we are working on.

Q177 **Damian Hinds:** Can I take an example of self-harm as an online harm? I remember a conversation with a representative of a photo-based social media network that had just changed its policy on posts on self-harm. It had three different categories and depending on whether it was promotion, disclosure or recovery different groups of people would be



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able to see these photos, whether it was in your network or not. I remember hearing this person describing this and thinking she seemed a very decent person, a very right-minded person, but I knew of no reason to believe that she was the best-placed person to decide what the exposure of this generation of children should be to pictures of self-harm, nor especially why her organisation, which is a commercial company, was best placed to do that balancing against its other objectives. Are they?

Oliver Dowden: That is precisely what we are setting up the regulation to determine. The structure is that we will impose a duty of care. Social media platform operators will have to be transparent about how they are enforcing that duty of care and they will be accountable to a regulator as to whether those are appropriate measures. Clearly I, as a Minister, cannot make that individual determination. The point is to set up a structure to hold them to account and if they fail to do so, they will face legal sanctions.

Q178 **Damian Hinds:** It would be against their own published terms and conditions so they would still be determining what they thought was the appropriate distribution or exposure of, for example, images of self-harm. You can say the same about eating disorders and various other things.

Oliver Dowden: There are two elements. The social media provider will come forward with its terms and conditions. We will not just say—it will not be “we”, I have to be careful. The regulator would not just say, “Fine”. It would say (a), “Do they have proper and effective terms and conditions?” and there will be a process for doing that and then (b), if they do not abide by them, properly abide by them, then there will be consequences of doing so.

It is a difficult balance, as I know you will appreciate. There are certain things that are very easy to deal with, which are illegal harms and we make those illegal. We are treading this path between the state regulating the internet and social media while at the same time trying to protect the most vulnerable. I am acutely mindful that teenage girls—and more and more boys—are particularly susceptible to self-harm, eating disorder websites and so on. Therefore I have in my mind, “Can I credibly say that this regime is addressing that while at the same time operating in a free society?”

Q179 **Damian Hinds:** That is encouraging to hear. Can I press you, Secretary of State, on this point about the terms and conditions because I think it becomes fundamental? Yes, we say the regime will hold companies to account for their terms and conditions, but they have to be the right terms and conditions.

Oliver Dowden: Yes, exactly.

Damian Hinds: Then the question becomes who is conducting that test. The frontline is going to be the regulator, but is it going to be the regulator who decides what should be in scope, or is it going to be you and your Department, or is it going to be Parliament?



Oliver Dowden: Again, if you can take the “minded to” with the appropriate caveat, the way we would resolve this is we would, through secondary legislation to be approved by Parliament, define particular specific areas of legal but harmful activity that we would particularly want attention to be paid to. We would take advice on that clearly from the regulator and others. Ministers would make those recommendations and Parliament would approve them in the normal way with the SI process.

Q180 **Damian Hinds:** Can I take you through another example? We had TikTok at this Committee recently. It admits that at a period in its history it had a policy that essentially downgraded LGBT content and took action against certain content depicting people with disabilities. It said it had changed that policy. It is also alleged it has a policy—this matter is contested—of taking action against content that distorts a view of some other country’s history, an example given is the events in Tiananmen Square or ongoing issues with Taiwan. You might say the former category—LGBT and disability content—would be illegal because those are protected characteristics, but clearly being a member of the Chinese Communist Party is not a protected characteristic one way or the other.

Should it be in scope for the consideration of what constitutes an online harm if you have a social media platform that tries to skew political discussion?

Oliver Dowden: Again without knowing all the details of it, I think that starts to stray into the area of misinformation and disinformation, which is clearly a harm that we would seek to identify.

Q181 **Damian Hinds:** More generally, if you end up with social media algorithms that give preference to content that tends to frighten, disgust or shock, which lets falsehoods spread more quickly than truth and generally deepens divisions in society and politics, even if no law has been broken along the way, is that a legitimate area for the legislation and for the regulator to be concerned with?

Oliver Dowden: Certainly transparency around such algorithms is a very important part of it, understanding what has happened and the appropriateness of it. What I am slightly careful of in this is that there are two steps. First of all, this has to be confirmed as agreed Government policy and announced in the appropriate way. Then within that we will have mechanisms to identify specific categories of harm and for Parliament to be engaged with that process. However, I think all the points you are making are wholly legitimate points about areas of concern.

Q182 **Damian Hinds:** While I have the conch, as it were, can we turn to more direct immediate threats to children in particular on the internet, some of which has been particularly prevalent during this pandemic for reasons we understand. The UK Safer Internet Centre, I understand, relies partly on EU funding, which obviously will expire as other EU funding streams will. When that expires, will you continue the funding of the Safer



Internet Centre?

Oliver Dowden: Clearly we are going through a spending review process with the Treasury. The default assumption I am working on is to seek to continue funding where things have received that EU funding. However, as you all know, that is all subject to ongoing discussions as part of the spending review process.

Q183 **Damian Hinds:** Finally from me, I am sure you will have seen the article in this morning's *The Telegraph* on gaming disorder. It reports on a meta-study, bringing together previous studies. It works out that the number of people with gaming disorder now apparently is estimated as being higher than the number of problem gamblers. I am not saying that makes it a bigger problem than problem gambling but it is of wider prevalence. Is this something your officials at DCMS are working with Department of Health officials on, to come up with an approach and an integrated plan?

Oliver Dowden: I am afraid that, mainly because I was preparing for this Select Committee, I did not have my usual chance to read *The Telegraph* so I have not seen that specific article. However, I think it raises important points and, if I may, I will follow up with you by letter on that point.

Damian Hinds: Thank you.

Q184 **Alex Davies-Jones:** To touch on TikTok and online harms again, as my colleague said, we questioned them last month and discussed some of their policies that do discriminate against LGBT, disabled people and many more, and body positive content. If the company decided to reintroduce these policies would not your online harms legislation, as it is currently proposed, require them to continue discriminating against people in this way if it was in their terms and conditions?

Oliver Dowden: First of all, and further to Damian Hinds' point, clearly those sort of things, if they are infringing on protected characteristics, are covered by existing anti-discrimination laws so they are illegal. They fall within that category and are covered by the law already.

In terms of the things that are legal but harmful, that is the whole point of how the regime was set up. They have to abide by their terms and conditions. I am acutely aware that the terms and conditions cannot just be 'fig leaf' terms and conditions. For example, in relation to anti-semitism, as ever with these things there is clear illegal anti-semitism and there are things that tend towards anti-semitism across the board on this challenge. I would certainly be looking as we design—you will see this in the proposals as we develop them—to address exactly that point, to ensure that they were genuine—particularly for the largest social media companies that have the resources to be able to do so, TikTok would clearly be an example of that—and that they have meaningful terms and conditions that address those kinds of harms.



Q185 **Alex Davies-Jones:** That is good to hear. However, would the online harms legislation, as it is currently proposed, empower the regulator to take action against policies such as those or those that could encourage political censorship, which I know TikTok has been accused of?

Oliver Dowden: Ultimately the regulator will have sanctions and those sanctions would be in the form, initially, of fines. Again, I do not want to go into every last detail of the online harms legislation, but appropriate sanctions would flow from that.

Q186 **Alex Davies-Jones:** What is your response to the claims that some of the content on TikTok and other platforms—I do not want it to seem like I am specifically picking on TikTok here—glorify domestic and sexual violence?

Oliver Dowden: If that is the case, it is appalling, and that is yet another example of the reason why we need to bring forward online harms legislation.

It is worth noting we are not sitting on our laurels while it is going on. In relation to child grooming, abuse and all those other things we continue to engage very intensively with social media companies to see what further measures they should be taking.

Q187 **Alex Davies-Jones:** When were the last meetings you had with them on these issues, and also the Home Office?

Oliver Dowden: The Home Secretary and I have engaged a lot. I will have to write back to you on the exact timescales, but the Home Secretary and I have engaged extensively with social media companies in relation to child abuse images and exploitation. I meet regularly with social media companies, which is always on my agenda. My colleague, Caroline Dinenage, does this on an even more frequent basis. With your permission, I am afraid I do not have the dates to hand; I will have to write back to you to provide details of that.

Alex Davies-Jones: Thank you, yes. I would appreciate that. Especially in light of the Domestic Abuse Bill that is currently making its way through Parliament, I think it is really important that those discussions are had with social media companies and the Home Office. Thank you.

Oliver Dowden: Of course, I completely agree.

Alex Davies-Jones: Thank you, Chair. No more questions from me.

Q188 **Chair:** Thank you. That is five letters you owe us now.

Oliver Dowden: Very detailed questioning. With your permission, maybe they could be one letter with five paragraphs.

Q189 **Chair:** Secretary of State, one very quick follow-up before I move on to Damian Green, do you believe the scope of planned online harms legislation has expanded or contracted since you came into post?



Oliver Dowden: It has both expanded and contracted in the sense that what I have sought to do is to minimise the level of unnecessary regulation. For example, in relation to SMEs that are not really social media companies that could inadvertently be caught—the classic example I use is a small cheese retailer, the comments underneath there, while at one point technically could have been covered by online harms I do not think that is a realistic threat—we have sought to carve out exclusions there. At the same time I am looking to expand, for example in relation to ensuring there are genuinely tough penalties so that this has a meaningful impact on, for example, very large players.

Chair: Thank you.

Q190 **Damian Green:** Secretary of State, you prioritised obtaining data adequacy with the EU, how is it going?

Oliver Dowden: We continue to have constructive discussions with the European Commission. The reality of it is I suspect it is inextricably also bound up with wider trade discussions. My starting point—I hope this is the starting point of the EU—is we are currently data adequate. Since we have left the European Union and entered the transition period we have not changed any of our laws so there is no reason why at the end of this year the EU should not accept we are data adequate and deem us so. There is absolutely no reason not to because we have not changed one single law. I appreciate that through this process, now that we are a third country, the EU will want necessary assurances and we are working with it to go through that.

Q191 **Damian Green:** One of the things we keep hearing in other contexts is the necessity for no-deal planning. Everyone hopes we get a deal, but that seems perfectly reasonable, particularly at this late stage. Therefore what contingency plans do you have if we do not get one?

Oliver Dowden: The risk here initially, as you will know, lies with EU to UK transfers. Our first and biggest contingency is to unilaterally declare the EU as data adequate so there will be no restrictions on companies or public bodies in the United Kingdom transferring data to the European Union, and of course there is a two-way flow with this. In respect of companies and organisations transferring data from the EU to the UK, standard contractual clauses are the best way of achieving that. That is to say that they insert a clause, and we have standard wording for that, which says they are complying with EU data requirements and in that way they will be compliant.

Q192 **Damian Green:** What happens on 31 December if we do not have one? Will data continue to flow both ways as it has done?

Oliver Dowden: Yes, certainly in respect of those companies that have taken necessary steps to ensure that they have those standard contractual clauses it will flow completely normally. Of course we are working to step up that engagement and indeed we are working with the devolved Administrations, with Government Departments, public bodies,



arms-length bodies and through there to businesses to make sure as many of them do that as possible. If they do not have those clauses the companies concerned will be transferring at risk and it will be up to individual data authorities, the equivalent of the ICO, in each member state as to what steps they deem necessary to take in relation to those companies that have transferred data without data adequacy being achieved. I would not expect a cliff edge but, in the end, there is an asymmetry there because clearly I, as a UK Government Minister, do not control the activities of member state regulators.

Q193 Damian Green: Sure, but that must put a huge amount of business uncertainty for a lot of very important companies. Are they not beating a path to your door?

Oliver Dowden: Yes, and I want more of them to beat a path to my door and we are doing more and more to engage with them. Indeed, I think the larger companies, as is often the case, are better prepared. If they insert those standard contractual clauses, that is sufficient mitigation to deal with this risk.

Q194 Damian Green: Can I have one more question, Chair, on a different subject? One of the successes in recent years has been the Music Export Growth Scheme. I know the industry is worried that it might disappear in a post-Covid world where the Treasury is perhaps looking for every last penny. Do you still support the scheme and hope it continues?

Oliver Dowden: Yes, we continue to support it. Clearly it is a tough spending round and we are going through it. In fairness to the Treasury, Treasury Ministers and the Chancellor in particular, what he appreciates—as I appreciate and I know members of this Committee appreciate—is that, particularly in respect of the cultural and creative industries and digital and tech, DCMS is responsible for the two biggest growth areas in the country. It will be those jobs of the future that will be generated so the Treasury has shown a willingness to invest to support that, whether that is creative industries and film tax breaks, or whether it is in relation to the Culture Recovery Fund. There has been a willingness to make that investment.

Damian Green: Thank you.

Q195 Chair: One very quick follow-up on that. You stated in the answer to Damian there was no reason for us to be incompatible with the EU in terms of digital services. We heard yesterday from Dr Chen from Nottingham University. He stated very clearly that the 2018 immigration law effectively made us incompatible with the EU in terms of visa and visa data. What do you have to say to Dr Chen? He was very, very adamant that we would find it very difficult to effectively be compatible.

Oliver Dowden: The process of these discussions with the Commission is to iron out those sorts of issues. The point is, as we sit here today, we are data adequate courtesy of the transition period. We are data adequate in the middle of October. We were data adequate on the day we



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left the European Union. We have not changed anything. Therefore, the assumption should be that we are data adequate going through.

I appreciate the Commission will have concerns and as those issues arise we are happy to work with it to provide the necessary reassurances to address those issues. However, the first and principal position is if we are data adequate now the switchover and mere act of formally ending the transition period and becoming a full third country should not be the thing that shifts us from being data adequate to not.

Q196 Chair: Secretary of State, Dr Chen was arguing effectively that what has happened is since we started this process—this never-ending process of Brexit—we have effectively changed our laws, which means effectively we have now become out of sync in terms of data with the EU. That is what he is saying.

Oliver Dowden: We made those changes in the context of being subject to EU law so, unless those changes were contrary to EU law, and there has not been enforcement action on them, then we continue to be data adequate, if you see what I mean.

Q197 Kevin Brennan: One of the bedrocks of that success you talked about around the creative industry sector, the music industry and so on is the BBC. It has a hugely positive gravitational pull in that direction, almost accidental intervention, which has been incredibly successful for our country.

We had the new director-general in front of us, Tim Davie, recently. He seemed to most of the Committee a pretty sensible, pragmatic former Conservative Party activist, and I think we were all quite impressed with him. What he said about this consultation on decriminalisation, which some people had thought he might give way on, was that it did not pass the logic test. What is your reaction to that?

Oliver Dowden: I have discussed this at length with the director-general. I think it was right that we conducted this consultation on decriminalisation. I do think there are major challenges around decriminalisation that we can continue to consider, and we will publish our response to the decriminalisation consultation.

I am concerned that in doing so, were we to choose to do so, we do not send a signal that it is acceptable not to pay your TV licence. I would be concerned about sending signals around non-payment. There are wider questions around the funding of the BBC from 2022 to 2027, and again, we have to consider those points as well.

Q198 Kevin Brennan: Am I wrong in sensing in your answer that you are preparing to push back on No. 10 on this, against Dominic Cummings and those whose agenda this is, simply because decriminalisation is a misnomer, isn't it? It will not stop people from having to pay their licence fees, instead of what happens in practice, which is that nobody goes to prison for not paying their licence fee. Sometimes people are imprisoned



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for refusing to pay all sorts of fines, and the licence fee might be included in that, but in practice that is not what happens.

In practice, what would happen if you went down this route is you would have bailiffs knocking at people's doors because they had not paid their licence fees. Am I wrong to sense that having looked at the facts—and it is the right thing to do, as Secretary of State—you are coming to the conclusion this is probably not a route you want to go down?

Oliver Dowden: First of all, I would take issue with the characterisation of this somehow being a Dom Cummings agenda. I have conversations with him about many things; I have never had a conversation with him once about the BBC or decriminalisation or anything else like that, and this—

Q199 **Kevin Brennan:** Who has been driving it, then?

Oliver Dowden: We announced a public consultation on this because there are legitimate questions about whether people should ultimately face a criminal sanction. I accept the points you are making have been well made during the consultation. It is not the case that you go to prison straight away if you do not pay your TV licence. It is at the end of a long process. I think it was appropriate that we looked at that.

Government are now considering their response, but the issues you have raised are legitimate concerns that have been expressed during the course of this consultation, and we will weigh those up in making a determination.

Q200 **Kevin Brennan:** I am just trying to understand that a little bit further. I accept your explanation, but if it is not from Dominic Cummings and from No. 10, how did this whole thing come about? It was not in your manifesto. It suddenly emerged when Nicky Morgan was temporarily Secretary of State after the election, and it was announced. It came out of the blue almost. It looked as if it were a signal of a full-frontal attack on the BBC.

Oliver Dowden: I am afraid I cannot account for a decision in that sense that was made by my predecessor, and I am sure she would have given evidence to this Committee as to the nature of that decision.

As Secretary of State I will consider the outcome of that consultation and determine the next steps. I think there are legitimate reasons for doing so, because it is a very legitimate question to ask about whether you should ultimately have a criminal sanction. There are, of course, many, many other big decisions that we have to take around the BBC, not least the licence fee settlement for 2022 to 2027.

Q201 **Kevin Brennan:** Yes, that is much more important, but this would cost £200 million a year to the BBC, so it is not a small matter.

Oliver Dowden: Part of the consultation is to understand those figures and make an appropriate judgment.



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Q202 **Kevin Brennan:** I hope I am right in sensing in my water that you might be going down the pathway of rejecting this particular proposal.

Can you tell the Committee when you are likely to be able to publicly say what you are going to do about that? It is a cloud hanging over the BBC at the moment.

Oliver Dowden: I hope to do so in relatively short order. I am conscious of giving promises that I do not—

Q203 **Kevin Brennan:** You said you would do it by the end of the year. Do you stick to that?

Oliver Dowden: Yes, I stand by that. Yes, I stand by that.

Q204 **Kevin Brennan:** Can I just ask you about your plans to tackle obesity by restricting advertising on television? Why are there no penalties for online breaches of this kind? Will you at least give public service broadcasters and others who are in advertising the assurance that if you do this sort of thing for broadcast advertising, given that online advertisers are direct competitors with the broadcasters, you will make sure that they are subject to exactly the same restrictions?

Oliver Dowden: The short answer is yes, and that is a very important point. At a time when traditional broadcasters are under revenue pressures, I do not want to accentuate a trend by creating a disparity over that. We would seek to implement any measures concurrently.

Q205 **Kevin Brennan:** One tiny, short question, Chair, with your indulgence, moving back on to the football question. Cardiff City, which is located in my constituency, was in touch with me yesterday in relation to this. Apart from the Security Council of the United Nations-type aspect of this proposal—ie that you create a club that has a veto over decisions elsewhere in football—that was floated by Manchester United, what was wrong with the proposal?

Oliver Dowden: That was my principal concern, and I think it is a pretty fundamental concern because it completely restructures the sport and, in doing so, pre-empts a fan-led review and all those other measures. That, in turn, has quite profound consequences in terms of locking in a small group of clubs at the top. It changes the incentives—the way, for example, broadcasting revenues are split is different—and I think it could have consequences for the competitive elements lower down.

My underlying point with this is: why on earth now, when we have this immediate crisis facing football, are we debating something instead of dealing with the main issue? It just feels to me a massive distraction. It does not feel to be where fans are and others.

Q206 **Clive Efford:** Can I just follow up on that? The Premier League is a company of 20 shareholders that are the 20 clubs in the Premier League. What is being proposed may fundamentally change the way the Premier League runs its own affairs, but it certainly does not fundamentally



change the way that football is governed.

What it does do—I am not suggesting this is the right way forward in its entirety—for the first time is put a financial package down, initially £250 million to assist the English Football League in these circumstances, and then it offers 25% of TV revenues in perpetuity going forwards. That is paydirt for the English Football League and puts it for the first time in many years on a sound financial footing. It is not something that can be set aside without being given proper consideration. It is not true to say what is being put on the table fundamentally changes the governance of football. It may change the way the Premier League manages its affairs, but it does not fundamentally change the governance of football.

Oliver Dowden: I am not sure I agree with that characterisation. I think it is a pretty profound change to the nature of football. I am afraid I may have to disagree with you on that.

Q207 **John Nicolson:** Secretary of State, can I ask you how you would define the word “trousering”.

Oliver Dowden: I assume that you mean taking money and putting it in your own pocket. I guess that is what you mean by that, Mr Nicolson.

Q208 **John Nicolson:** Yes. It is not a word that I use myself, but at the last culture questions on the Floor of the House, I asked your Minister why the UK Government was withdrawing us from Creative Europe. I know Ministers sometimes wriggle a bit when they are asked to answer direct questions. I thought it was a perfectly reasonable question, but instead of answering it, she responded and accused Scots of trousering arts cash. She specifically said that £97 million in cultural recovery package money had gone to Scotland and only £57 million had been spent, and then she turned with a dramatic flourish—I know you dislike those—and said, “What has happened to the rest of it? Have they trousered it?” Do you think that is appropriate?

Oliver Dowden: I think my colleague was raising a legitimate question to which, to the best of my knowledge, I have not received an answer. Perhaps you may be able to put some pressure on the Scottish Government to account for the difference between the £57 million and the £97 million.

John Nicolson: No, no, there is no need, Secretary of State—

Oliver Dowden: I am very interested to see how that money is being spent. Perhaps, if the Scottish Government are forthcoming with that, then that would be useful to see.

Q209 **John Nicolson:** Sadly, Secretary of State, your staff are not keeping you up to speed on this. The Scottish Culture Secretary, Fiona Hyslop, immediately responded by giving a breakdown of exactly what had been spent and what had been allocated, which showed that more than £97 million had been spent. Your Minister was wrong, and several weeks later you are not up to speed on this, which is disappointing.



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Oliver Dowden: I do not believe that is the case. I was briefed on this just yesterday. Unless the letter was—

Q210 **John Nicolson:** You do not believe the Scottish Culture Secretary has announced where the money has been spent?

Oliver Dowden: We will come back to you on that point, but I have not seen compelling evidence of how that specific—remember, this is £97 million worth of Barnettised funding for culture. This was new money, the new projects beyond the £57 million, the ones that were being funded. I am happy to stand corrected if there is that evidence.

Q211 **John Nicolson:** I will be delighted to correct you, as, I am sure, will the Scottish Culture Secretary, but let's return to the notion that the money might have been stolen. Do you think that is an appropriate answer for your Culture Minister to give on the Floor? It really debases debate, Secretary of State, to indulge in this sort of foolishness.

Oliver Dowden: I think you are asking me to act as Mr Speaker. I think this is a point of order, and perhaps I might advise you, Mr Nicolson, to raise it as a point of order on the Floor of the House.

Q212 **John Nicolson:** I completely agree with you. I wrote to the Speaker about this point, and he advised me to seek an apology from your Minister, and if she did not apologise, to raise it on the Floor. I have written to her; she has refused to apologise and has not responded. I will be raising it as a point of order, so I take your point.

Perhaps you could just answer my question very briefly, the question that she did not answer. Why are you pulling us out of Creative Europe?

Oliver Dowden: Because now that we have left the European Union, we will make appropriate arrangements to suit the United Kingdom. As part of the spending review process, we are working through how we can use this money to support the United Kingdom and indeed the whole of the United Kingdom. There is much we can work together on.

If you look at the creative industries, there are huge opportunities for us to work across the four nations of the United Kingdom. Think, for example, of the film industry, where there are huge strengths in Scotland, there are huge strengths in Wales, and of course there are huge strengths in England, for which I have responsibility. There is an opportunity to be more outward looking and global in relation to what we do. This is about saying we are no longer part of the European Union. We had this effectively imposed on us, in the sense that it was part of a project that suited the needs of all the members of the European Union. Instead, let's take this opportunity to develop something that suits the needs of the four nations of the United Kingdom.

Q213 **John Nicolson:** You know, of course, that it is not a requirement that we be in the European Union to remain in Creative Europe, though? You know that?



Oliver Dowden: Yes, of course I do.

Q214 **John Nicolson:** Yes, because Norway and Ukraine are in it, for instance, so it just seems another bit of excessive Brexiteering to me.

Let's turn to the BBC, however. Older people rely on television for companionship, as we all know. In particular, during the current crisis, according to Ofcom, 92% of those aged over 65 relied on the BBC for their news. Do you understand and recognise the pain that you brought on the very oldest and most vulnerable in society by forcing them to pay for their TV licences?

Oliver Dowden: That was a decision taken by the BBC with which we did not agree. We made that very clear and continue to do so.

Q215 **John Nicolson:** Yes, but you knew there was a consequence of forcing the BBC to adopt a social policy. You were warned that this would be the consequence at the time. I remember raising it on the Floor of the House. Many of your own Conservative Back Benchers deplored the decision, and you were warned repeatedly as a government that the result of forcing the BBC to take on this huge social policy—it was very foolish of Lord Hall to agree, I know, but none the less he did—would result in huge cuts in BBC News, which has happened, and it would result in pensioners being forced to pay for this because the BBC clearly could not afford it. You knew what was involved. It is causing enormous pain, and it is something that you, as a government, are responsible for.

Oliver Dowden: Mr Nicolson, you almost pre-empted my answer, which is the then director-general, Tony Hall, welcomed this settlement and accepted that it was a reasonable settlement. As part of that settlement, the BBC made the decision not to fund the licence fee for the over-75s. That is not something with which the Government agreed, and it was not imposed on the BBC as a condition of that settlement.

Q216 **John Nicolson:** It was really, because previous Conservative Governments had tried to do it, and the only way the BBC had managed to stave it off was by threatening the mass resignation of the board, something that Tony Hall was not prepared to do. I think he enjoyed his position too much. Everybody who was party to those negotiations warned you, as a Government, that the end result—no matter how much you try to blame the BBC—of the imposition and the settlement that you reached was that the over-75s would be forced to pay for their own TV licences. It was your Government's policy, and it is causing a lot of hardship to old folk who rely on their televisions.

Oliver Dowden: We can go around in circles on this point that this was a decision for the BBC with which the Government disagreed. The position could not be clearer.

Q217 **John Nicolson:** Yes, but you did know that this would be the result. It is all very well to be party to a bit of unpleasantness and then say, "I really disagree with the results of my own actions", but the Conservative



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Government was responsible.

Let's move on to Channel 4. Have you any intention of privatising Channel 4?

Oliver Dowden: It is important that we look at the whole future of public service broadcasting. If you think about how much public service broadcasting has changed in the past 20 years, we have gone way beyond the shift from analogue to digital. We are moving on to platforms. I do not go home and watch whatever is on the box as I did 20 years ago. I am sure you also use BBC iPlayer or you use Amazon Prime; we use Netflix. The younger generation still are using self-generated content on YouTube and so on. It is an appropriate moment to look at the overall governance of public service broadcasting.

That is why I will shortly be announcing a panel to review public service broadcasting to bring together these different threads: the work that this Committee has done, which we will be considering very carefully; the work that Ofcom has done; and then thinking about the future landscape for public service broadcasting, not just the BBC but the other public service broadcasters, which clearly include ITV and Channel 4, among others.

Q218 **John Nicolson:** Sorry. Was that yes or no?

Oliver Dowden: I just told you that we are reviewing all of it in the way that I described.

Q219 **John Nicolson:** I must remember to catch up with "Groundhog Day" on Netflix the next time I am looking for a movie, because this takes us all the way back, doesn't it, to the 2015-2017 Government. John Whittingdale—if you remember John Whittingdale, who was your predecessor—denied, when he appeared before one of our predecessor committees, that the privatisation of Channel 4 was even under consideration, and then, lo and behold, a photographer caught one of your civil servants strolling into Downing Street with sell-off options for Channel 4 in a document under his arm. John Whittingdale, delightfully, tried to say that when he had appeared before the Committee he had not been planning to privatise Channel 4, but he had left the Committee struck with excitement about privatising it and had drafted a 1,000-page document in the next week or so. How we all laughed.

You do realise, of course, that the result of privatisation of Channel 4 would be devastating on "Channel 4 News", for example, because no private owner would ever fund that level of investigative journalism.

Oliver Dowden: I do not think it is unreasonable, given the massive changes in the public service broadcasting landscape, that in an orderly way, we review the public service broadcasting landscape, and of course all options need to be on the table. It is precisely because of the need to understand those sorts of considerations that we will not move precipitously on this. We will undertake an appropriate review with all options on the table.



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Q220 **John Nicolson:** Which you did last time. The problem is that you guys really hate “Channel 4 News”, I think. There is always a slight hint of menace about the way you talk about it. Your own Prime Minister is too “frit” to appear, as your dear leader once said. He is too scared to appear on “Channel 4 News”. There is a boycott of “Channel 4 News” at the moment because it is so effective at pinning him down. There is always a slight hint of menace about this.

Listen, can I close by just returning to Kevin Brennan’s excellent line of questioning, again returning to the controlling, bullying thought? Your Department, we saw, required recipients of the Government’s cultural recovery funding to offer you lavish praise. You tried to massage this earlier on. I will quote you. You said to Mr Brennan, “We encouraged them to publicise it, and we encouraged people to talk about it”. This is what your Department is telling people to do. I quote, “On the day of the public announcement, we require you”—not encourage—“we require you to welcome this funding in your social media accounts using the hashtag #HereforCulture. We also require you on your website to use the Here for Culture logo, and we require you to alert local media outfits.” Then, very helpfully, for those who do not know how to contact media outfits, you say, “This could be done through a press release”. This is bullying.

Oliver Dowden: I have to say, Mr Nicolson, I find it quite extraordinary to take lectures from somebody who is a member of the SNP and the sorts of bullying tactics we see from the Scottish National Government day in, day out. This is just a normal PR campaign that you would have to publicise very large awards. It would be no different to any other campaign, and I really think this is somewhat overblown.

Q221 **John Nicolson:** Secretary of State, that is not a good enough answer. To try to lash out with some so-called bullying tactics that you will be unable to cite is not good enough. It is intimidating, if you are a recipient of Government largesse, to have the implication that unless you publicise it in this slavish way, you will not get it. That is not good.

Oliver Dowden: I will not get drawn down to the level of cybernats and all those other things, but it is perfectly legitimate to encourage organisations to publicise awards. By the way, those determinations as to the awards had already gone through an extensive process and had been agreed. This was informing people of the award and the steps to take to make people aware of what is going on. This is taxpayers’ money being spent. This is £250 million of taxpayers’ money being spent, and I think taxpayers are entitled to see where their money is being spent.

Chair: Thank you. We are going to have to move on there.

Q222 **Damian Hinds:** What sort of BBC Chairman would you like to see?

Oliver Dowden: The Committee may have seen that I have launched the competition overnight, and what we are looking for is a strong, credible figure who can hold the BBC to account to ensure that we have strong and effective corporate governance of the BBC and a proper



challenge of the BBC. The criteria are set out in the advert, but I am particularly concerned to ensure that the BBC returns to its core values of impartiality and takes the opportunity to develop in this rapidly moving digital landscape, when we have all these—

Q223 Damian Hinds: When you say, “returns to its values of impartiality”, that suggests that you think it has moved away from them. For you, what is the exam question when it comes to the BBC?

Oliver Dowden: The exam question on impartiality for me is: does the BBC as much reflect the values of somebody living in a semi in, say, Leigh, outside Manchester, as it reflects the values of somebody who lives in a loft apartment near Old Street roundabout in the centre of London. We need to ensure that this institution reflects all of those different values.

I suppose the sine qua non—or whatever it is—of it is somebody who can grasp the huge challenges the BBC faces around relevance and developing an organisation against an incredibly challenging backdrop.

Q224 Damian Hinds: Yes, and that impartiality extends outside of domestic news coverage as well. Do you think there is anybody in BBC News who wants Donald Trump to win?

Oliver Dowden: I have no idea. I have no idea, but I think what you are alluding to is what I am talking about in terms of impartiality. Genuinely great news. Take, for example, “Once Upon a Time in Iraq”, which is a brilliant documentary produced by the BBC. It challenges views, and it takes into account all different perspectives. I say this as somebody who was a remainer during the 2016 referendum campaign. I was guilty of not seeing the groundswell that was going on in the country, and the BBC was as well. Many of us are guilty of being too much reflective of our acquaintances in our local area rather than what is going on in the country. For example, shortly after I became Secretary of State, Radio 5 Live made very big strides in terms of making sure that it gets into the communities it serves.

Q225 Damian Hinds: Just sticking with BBC News, then, a little quiz for you. Do you know what the Big Pygmy, Meathead, the Dominator, the Butcher and Semtex all have in common?

Oliver Dowden: I would be no good on “Eggheads”. I have no idea.

Q226 Damian Hinds: They are all participants in what is called mixed martial arts. The BBC, as we have heard, is making 450 cuts from BBC News, much of it disproportionately hitting regional programming. There are lots of very unhappy MPs and journalists out there. Yet the BBC is spending money—because I presume that the owners of that franchise are not giving it away for free—on showing mixed martial arts. I appreciate that what happens in Fight Club stays in Fight Club, but this is not in Fight Club, it is on the BBC iPlayer. Many fighters suffer pretty gruesome injuries. They have dislocated limbs, cuts to their heads. They recently



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had to release a fighter who had links to a far-right Bulgarian extremist soccer group. If you look at the social media comment around participants, you will see that there are lots of comments about how the female fighters look as opposed to how they fight. Is this an appropriate use of taxpayers' and licence-fee payers' money at the same time as the BBC is cutting jobs?

Oliver Dowden: I have to tread quite a careful line as Culture Secretary, in that my job is to reflect the concerns of the general public and so on as the elected Minister responsible for the BBC, while at the same time respecting the editorial independence of the BBC and trusting people like Tim Davie and the new chairman to make those decisions. You raise very legitimate questions. I would not extend into outright condemning it without seeing more of the detail of that.

Q227 **Damian Hinds:** Yes, but you have not seen "Fight Club", then?

Oliver Dowden: I have seen "Fight Club" the movie, but not this new Fight Club that you are talking about.

Q228 **Damian Hinds:** Just finally, can I ask about the National Citizen Service, which you will remember from the coalition Government and Prime Minister David Cameron? It has a new chief executive in Mark Gifford, who I believe came from Waitrose. It has this One Million Hours of Doing Good programme, which sounds excellent to me. Can I just ask you, what is the future of NCS, and what can your Department do to help the young Covid generation and give them some hope?

Oliver Dowden: I pay tribute to Mark Gifford, and I think he has done some fantastic work. I have been in contact with him. He has done some fantastic work during this difficult period of Covid. As you will appreciate, the Treasury always likes to have any spending review to be a zero-based exercise, we have to justify all spending in the Department, and we are going through that process. It is worth noting that there is not just the NCS. There is also, for example, the Youth Investment Fund and various other elements to spending by the Department in this area.

Q229 **Kevin Brennan:** Secretary of State, the Centre for Data Ethics and Innovation is responsible for investigation and advising Government on the use of algorithms. As I understand it, the chair of that organisation is Roger Taylor from Ofqual, the organisation that was responsible for the algorithm fiasco in relation to exam results last summer. Do you think that, as a chair of that organisation, he is well positioned in that context to advise independently about accessibility and regulation of algorithms in the public sphere?

Oliver Dowden: There are two separate issues here, aren't there? There is the conduct in relation to Ofqual for which the education sector is responsible and has been well tested. I think it is a separate organisation that he chairs. He has that role, and he is remaining in that role.

Q230 **Chair:** I have just been asked by some National League clubs to raise a



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couple of issues with you, if I may. The bailout package is £20 million, isn't it?

Oliver Dowden: It is £10 million to take us through to the end of this year.

Q231 **Chair:** £10 million to take us through to the end of the season?

Oliver Dowden: To the end of this year, for now. We do not know where we will be beyond January, so this takes us up to that point. Our intent is very clear as to where we are going with this, but that—

Q232 **Chair:** Where did the £20 million come from, then? That is what was reported by the BBC.

Oliver Dowden: £10 million is the figure that we are working off—

Q233 **Chair:** Yes. I raised it at the Despatch Box, and the Minister did not dispel the fact—

Oliver Dowden: It may be that we are shorthand taking either side of Christmas and taking it to £20 million, if you see what I mean. £10 million each—

Q234 **Chair:** So the £10 million, this is being distributed. How is it going to be distributed? There is a concern here that effectively it is just going to be done on attendance. For example, there are larger National League clubs—let's say Notts County—that get 6,000 or 7,000 to their games, and then you have other clubs that may only get 1,000 or 1,200 per game. Their argument is that their total revenue is not about tickets. It is about the hospitality around the tickets and as they cannot do that hospitality, they therefore need a different way in which it is calculated so it is not based on just attendance but on the total revenue of the club. Are you minded to adopt that approach?

Oliver Dowden: The principal reason for providing this support was that we did not do what we were planning to do, which was to allow socially distanced fans back in stadiums for 1 October. The principal reason was to fill that gap, and the FA will have the resources to distribute the money to fill that gap. Of course, we will be open-minded in designing the exact specifics of it about these wider considerations, but it is worth noting in relation to those wider considerations that, for example, if hospitality is not allowed, then the principle from the enhanced JSS is that the clubs will be eligible for funding for anything that is not allowed.

I suppose the point is that this scheme is designed to fill the gap by not having fans in stadiums. There are other governance schemes to provide wider support for the economy. Of course, we are open to having a conversation around the edges of that, but those are the two guiding principles.

Q235 **Chair:** With respect, Secretary of State, you cannot rely on the JSS in that regard because, in essence, what is happening is that these clubs



have boxes lying empty. They cannot put them in because of social distancing. They are having to give the money back that they hire out these boxes for.

Oliver Dowden: On the JSS, we are working through this with the Treasury, but the basic principle, the Treasury says, is that if something cannot happen because Government have stopped it from happening, then the JSS will be available. Of course, there is all the other support. For example, there are the grants available and all the other areas of support.

I suppose what I am saying to you, Chair, is that I appreciate there are these wider challenges that we will work through the clubs with and look at the range of support that is available from the Government, including through the Treasury. The principal focus of this fund is to fill the gap by not having fans.

Q236 **Chair:** You could, though, solve this issue yourself by just including total revenue rather than just tickets. That is the point, regardless of the JSS and so on, which personally I do not think answers that particular problem. You have said that you are minded, you are thinking about it. We are already quite a few weeks into this process. I think it was announced a couple of weeks ago. Are you going to revisit that now, and are you going to effectively look at the possibility of including hospitality as well as ticketing in the money for the National League?

Oliver Dowden: I will look at that possibility, but the first thing that this money is being used for and the reason why it came forward was to fill the gap resulting from the fans not being in the stadiums. That is where the money will go initially. Of course, I am happy to look at all these other points, and you legitimately raise them.

Q237 **Chair:** The PM is saying he wants to save sport. Many sporting institutions and clubs effectively rely on events, weddings and so on. In that case, what should happen? Should there be extra cash for those individual clubs, and what sort of figure do you think would help?

Oliver Dowden: My Department is working closely with the wider business events industry to understand where the gaps are and work with the Treasury to see what support is available. The basic principle here, again, is that the Chancellor has made clear that the JSS will cover businesses that cannot operate, and in addition to that of course there is the—

Q238 **Chair:** The JSS is not going to make up half a million quid in weddings.

Oliver Dowden: Yes, but there is also business grant support available up to £3,000 a month, I believe. There are lots of other areas of support.

Taking a step back on all of this, I am not disputing for a moment that restrictions are placing huge pressures on all these industries, but we are



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working to see how we can provide different areas of support to help them through this period of challenge.

Chair: Thank you, and thank you very much for your evidence today, Secretary of State. That concludes our session.