



Welsh Affairs Committee

Oral evidence: Broadcasting in Wales, HC 450

Monday 11 January 2016

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Members present: David T C Davies (Chair); Byron Davies; Chris Davies; Dr James Davies; Carolyn Harris; Liz Saville Roberts; Craig Williams; Mr Mark Williams.

Questions 123-185

Examination of Witnesses

Witnesses: **Professor Tom O'Malley**, Emeritus Professor of Media Studies, Aberystwyth University, gave evidence.

Q123 Chair: Professor O'Malley, thank you very much indeed for coming along to give evidence for us today. Obviously we are a fairly friendly bunch, so do feel free to tell us anything you want but, bear in mind, sir, if I cut you off it won't be because I do not want to hear it, it is just that I am aware that Ofcom are coming in behind you and we have to get them in as well.

Professor O'Malley: That is fine.

Chair: If I can begin by asking Byron Davies to start the questions.

Byron Davies: Good afternoon, Mr O'Malley.

Professor O'Malley: Good afternoon.

Q124 Byron Davies: Can we start by having a general look at the broadcasting landscape in Wales and how you see it at present?

Professor O'Malley: The broadcasting landscape in general? Historically, it is very strong compared with other countries, other systems, because of the strength of public service broadcasting. I think it was John Davies who said in his "A History of Wales" that modern Wales was invented in a sense by the arrival of the BBC in the 1930s. I think it has gone through a turbulent time since the 1980s, the changes consequent upon the Peacock report of 1986 and the Office of Communications Act 2002, which introduced more competition in the system.

As the IWA's audit of 2015 has shown, there are problems in the amount of money that is being devoted to first-run productions in Wales, about Wales, and also to investment in news. This, I think, is a consequence of the policies that have encouraged competition in

the commercial sector, have put ITV under pressure, and forced ITV to consolidate and to negotiate with Ofcom to have a good deal of their obligations to what were traditional public service broadcasting programmes reduced over the years. That has happened also in Wales and I think the BBC has suffered as a result of the licence fee settlement of recent years as well.

We are not talking about the news media but the news media has to be thought of in terms of not just the BBC and ITV but commercial radio, public service radio, commercial news and the internet. That is a big subject, but it definitely needs to be thought about in relation to broadcasting communication in Wales and the BBC Charter renewal as well.

Q125 Byron Davies: Before we move on, you mentioned competition in the system. Do you think that is a bad thing then?

Professor O'Malley: Competition is good, but one has to think about the degree of competition. If you look at the remit for Ofcom, under the 2002 Act, its first obligation is to promote the interest of citizens—which is very laudable—and its second is to promote the interest of consumers by competition where appropriate. There has been quite a substantial critique developed in academic circles over the years about the tendency of Ofcom to veer towards promoting competition and to undervalue public service broadcasting. I would adhere to that criticism, although I do know colleagues who disagree quite vehemently with that perspective, but I think that is very important. The balance has tipped in one direction and what we—

Chair: Too far towards competition or too far towards—

Professor O'Malley: Too far towards competition I think. If you go back to 1986 with four channels and a handful of radio channels, when the internet wasn't thought of, satellite wasn't around, what has happened is that effectively we have had this massive expansion of largely commercial and under-regulated provision. That initially put massive pressure on ITV and destabilised the system to some extent. I am not saying it should not be there. I think I would argue in favour of more regulation.

Q126 Craig Williams: On this point about the concentration on competition, are you not just describing the digital revolution there, with the new technology and what has happened to the sector, rather than an overconcentration on competition? Aren't those just the natural realities of the new media out there and the new options?

Professor O'Malley: I think that is a very good point. Everybody did recognise as late as the 1970s that this was going to happen—they did not see the form in which it would happen—and everybody recognised that it had to be changed. I think it was the direction of change that has caused these problems. You could have conceived of developments that allowed for the growth of competition but which ensured that it went more gradually, to some extent, and that some of the big players who came on to the scene had more public service obligations than they even have now, and eased ITV's transition into the new phase. But this all happened very quickly.

The Peacock report was in 1986, and by the early 2000s ITV had consolidated. I think only recently it has purchased another chunk of the system as well. It has had to face intense competition—often competition that has been competing on its patch but without

its obligations—so I think the whole thing could have been fine-tuned a bit better. Also I think the BBC has become a bit of a straw man to knock at over the years. The BBC is crucial to the industrial environment of cultural industries in the United Kingdom and I think the constant attacks on the BBC have forced it into a very defensive posture. In my view that has not done the system any good at all. So, in short, yes, it was going to happen, but the problem was the way in which it happened.

Q127 Liz Saville Roberts: You mention your belief that there has been a culture of attacks on the BBC, and a promotion of competition for competition's sake and that market-driven interests I understand you mentioned in the past have been prioritised over the PSBs—well, we're considering the BBC Charter. Is there a question that this has a particular effect on Wales? Does it hold different significance and implications and threats, perhaps, for Wales, in a different way, certainly, to England and perhaps even to Scotland?

Professor O'Malley: As John Davies says, Wales defines itself—it became a unity in the sense of cultural unity and lots of other things happened before. Before the BBC arrived there was no sense in which Wales had one unified media form. Ever since then, it has been the subject of great effort on the part of the people in Wales to enhance, enrich and diversify that experience, not just for what you might call straight party political nationalist reasons but in order to sustain a very rich and vibrant culture. I think that at the core of that have been the various manifestations of public service broadcasting and properly funded public service broadcasting. If you diminish that, then you are in danger of undermining a great many aspects of Welsh cultural identity and political experience as well.

Q128 Liz Saville Roberts: You referred to the past. How would you see this playing out in the future if the tendencies we see now, which we are concerned about, possibly were to continue?

Professor O'Malley: If the competition is allowed to continue at the sort of pace that it has been over the last 20 years, a number of things will happen. You will get a virtual withdrawal of ITV from rich public service broadcasting. That has been happening already. The BBC would be under pressure to produce less and less first-run new content from Wales as well—I think that would be very serious—and we know that S4C is under immense financial pressure and has been for a number of years. In my view, it would be very, very damaging to the culture and politics of Wales if, because of that pressure, S4C's involvement in production, and the dissemination of that production in Wales, were to be reduced over time.

The other thing is that, by thinking solely in terms of promoting competition, which is good in many areas—I am not anti-competitive in that sense—it would take our eye off the ball, because we have to look to the future to see how public service content can be put across a whole series of platforms. For that to happen, you have to have a robust commitment to public service broadcasting in Wales and the necessary powers to back it up.

Q129 Chair: One of the criticisms that has been made to me of the BBC is that they dominate and are pushing out the smaller newspapers. The news websites are used now they are free and online, “So why go and buy a local paper” some people have said “when the BBC are doing all of this?” The criticism was that the BBC are doing it, and that perhaps they

should concentrate more on television, and that they dominate the media in Wales. Is that not a fair point?

Professor O'Malley: I do recognise both of those points. If I could take the last one first: the BBC dominates in Wales. That is right. It should not be the case and that is why we need a robust commercial public service sector—that is what I would say—and a robust private sector as well that is out there.

About 10 years ago, I think, I wrote a submission to one of the many Ofcom reviews that have been published, in which they talked about the BBC crowding out commercial rivals on the internet and elsewhere. I said at the time that I did some research and I could not find any evidence of it. I looked again at the Green Paper consultation document and it was there again, and I looked again and I could not find anything. I do not think there is any evidence that has been produced—I may be wrong—that shows systematically, and over time, that this has happened. I have heard anecdotal accounts on the radio and elsewhere of it and I will own up if there is material that I have not seen, but I have looked for it and have not found it. So I think the question is not whether or not the BBC is crowding out, but whether an appropriate regulatory environment is created in order to encourage both sections of our communications system to develop—the private sector and the public sector as well.

Chair: Could I go back to Byron, if you have any further points on this and if not then—

Q130 Byron Davies: No, other than I was going to ask—and I think you have probably gone some way to answer this already in fact—you previously mentioned that market-driven interests are prioritised over public service broadcasters during the Government's review of the BBC Charter. Are you saying that is detrimental?

Professor O'Malley: I am fearful of it, yes. I would say that an appropriate approach to the new Charter is to review some of the positive aspects of the competitive environment that has been developed, and to look again at the positive contribution that a robust public service can make. I have read that document and I would say that is not how Government policy is characterised. It is still going along the direction set out by Alan Peacock in 1986 in the committee on the future of broadcasting for the BBC, which is the most important post-war report on broadcasting.

Q131 Mr Mark Williams: Welcome. My question is more about process—initially at least—in terms of Charter review, and you are a member of the Campaign for Press and Broadcasting Freedom.

Professor O'Malley: Yes.

Mr Mark Williams: They have expressed some pretty savage criticisms of the process, including insufficient time for engagement with different bodies. They are very critical of the Culture Secretary's advisory group and the membership of that group and, critically, also have concerns about there being no commitment to full-scale consultation on the decisions the Government makes as a result of that process. Do you share those criticisms as a member of that group, and what are the particular implications that process has on Welsh broadcasters?

Professor O'Malley: I think that the process could have been broader in its timescale. I am all for having a period of initial consultation, such as that we are going through at the moment. I agree with the view that the advisory committee was far too narrow in its makeup. It should have been more representative of the broader community interest.

Q132 Mr Mark Williams: How narrow is “narrow”?

Professor O'Malley: It is too focused or it has too much of an industry focus in it, as far as I remember. Obviously you need industry in it, but there are many more stakeholders in broadcasting than that and they should be there. I am puzzled and don't know what the post-White Paper period of consultation will be. I think it would be unfortunate if the White Paper sets out a series of proposals that are almost in stone, has a short period of consultation and then moves to Charter renewal. I would urge the Government—and the campaign does, and I have and others have—to give a longer period so that people can think carefully about the proposals as they are actually formulated by the Government, and then the Government can come back and respond to that.

At the moment we are at the phase where the Government is inviting representations and people have been making those representations. The Government will then come forward with policy in the White Paper, and there will be a consultation process. I think it is important that that consultation process is as extensive as it can be and, in the context of Wales, that those people around the National Assembly, and MPs who are interested in the subject, can do what they can to canvass opinion in Wales about those proposals as they are embodied in the White Paper.

Q133 Chair: Does the Campaign for Press and Broadcasting Freedom have support within the BBC for what it is saying?

Professor O'Malley: Not that I am aware of. At what level? There may be individual members who are members of it. I don't know the membership of it but, no, I am not aware of anybody in the higher echelons of the BBC who is a member or who has expressed support for it.

Q134 Craig Williams: For the uninitiated, can you describe what the organisation is?

Professor O'Malley: Yes, it was set up in 1979 initially to campaign for a right of reply. It then took on issues to do with public service broadcasting and also, yes, to argue against misrepresentation of people in the media. It is part of that general change that occurred in the 1970s to make sure that people from different ethnic communities were represented properly and that women were not discriminated against. At its core have been questions of governance, particularly in public service broadcasting and also questions on which I am not an expert, questions of ownership and control—those sorts of issues that come up.

Q135 Chair: That is helpful, thanks. I must admit, perhaps to my shame, I had not heard of it before but I am sure it does a very important job. Is it a big organisation or—

Professor O'Malley: Fairly big. I don't know what the size of the membership is anymore, but it has been around for a long time and it campaigns quite vigorously.

Q136 Chair: Does it hold public meetings or something like that?

Professor O'Malley: Yes, it holds public meetings regularly. There is a website that you can go and consult. It is all up there.

Chair: Thanks.

Q137 Craig Williams: In August, the First Minister plucked a figure of £30 million out of the air and wrote to the Director-General of the BBC saying that, in terms of parity of funding, the BBC in Wales needed £30 million more for programming. Broadly, what do you think about the First Minister's letter to the Director-General of the BBC? Is there that scale of discrepancy between the BBC—

Professor O'Malley: You will have to ask other people about that. I don't know the answer.

Craig Williams: Okay.

Professor O'Malley: It is a good question but I don't know the answer.

Chair: No, that is great. Do you know what, I wish more people would just say, "I don't know the answer"?

Craig Williams: That is a first.

Chair: Full marks for that. In that case, Liz Saville Roberts.

Liz Saville Roberts: Question 5, is it?

Chair: Yes, well, if you have something further on that. Yes.

Liz Saville Roberts: To do with the Green Paper?

Chair: Yes, cost per hour.

Liz Saville Roberts: Because Byron was going to lead on that but I am happy to lead on that nonetheless.

Chair: Fire away.

Q138 Liz Saville Roberts: The specific question here is that the Government's Green Paper asserts that, cost per hour of indigenous language radio content in Scotland and Wales is considerably higher than the cost for English-speaking content. Do you think such concerns are valid? Just an additional question, or do you think they perhaps indicate a fundamental failure to grasp the purpose of Welsh and Gaelic language radio broadcasting, and perhaps even an inability to see outside the monolingual English box, as it is of course the richest resourced language in existence?

Professor O'Malley: I think the first part is true. It is appropriate for a Government to be concerned about expenditure where public moneys have been expended and to make comparisons if it wishes to so do. The reality that you have just described seems to me to be consequent upon the need for public support for Welsh language public service broadcasting. That seems to me to be a price worth paying for an excellent part of the Welsh cultural industries.

Q139 Liz Saville Roberts: Is there an element of risk that many people who are coming to judge this matter come from a monolingual English background, where the resources are endless? You have market forces you can turn to. It is just not the same picture when we look at Welsh or Gaelic.

Professor O'Malley: I think that is right. If public support for S4C in one form or another diminished, then it would not be replaced on the scale that currently exists by the market—for the reasons you give. Again, I would not want to be quoted on this but I have read research in the past that says that even people who do not watch S4C want it to be there and funded and valued. Because for those of us who live in Wales—and I have only lived there 20 years but I feel very much at home in Wales—Welsh culture is extraordinarily rich and diverse. People are very, very proud of all the different strands within it and see Welsh language as something that should be supported across the board.

Q140 Mr Mark Williams: You previously criticised the governance structure of the BBC, and the Trust in particular, as being too centralised. Could you elaborate on that and how you would seek to improve the structure to better reflect the needs of Wales and its audiences?

Professor O'Malley: In 1952 the Royal Charter was published as the result of a long debate that had gone on in the 1940s and before about governance of the BBC. The Beveridge committee of 1949 to 1951—whose recommendations inform that Charter—were very, very clear that they wanted to see regional accountability built into the system. That is why they set up national broadcasting councils as well. The power of those councils has always been circumscribed and diminished over time and now they no longer exist, so one very important historically grounded concern has been slightly sidelined. We don't have anything like the Welsh Broadcasting Council that Beveridge wanted and that ran until about 1998 or something like that. One way forward is to reconsider that again, to consider having some form of representation at the level of a decentralised Welsh system that had a council that was properly representative of as many different voices in Welsh society as possible, properly constructed and properly run, and that had a role in overseeing or feeding into the development of BBC policy within the area. But I think there are other questions about general governance of the BBC that impinge on that as well, and presumably it is not the purpose of this Committee to talk about, but which would need to be considered were that sort of development to take place.

Q141 Mr Mark Williams: What about the development of a single service licence for Wales, something that the Institute of Welsh Affairs has argued in favour of? Your thoughts on that.

Professor O'Malley: I am at the moment agnostic. I can see no major objections to it, but personally I want to think about it a bit more. It would depend on the context within which it was introduced—the fiscal context and the governance context. In principle, I cannot see necessarily what is wrong with it.

Q142 Mr Mark Williams: You have also levelled some criticisms against Ofcom's governance structures, describing them as “arguably totally undemocratic”. That was something the St David's Day discussions reflected on, and the result of that was in the Wales Bill, which this Committee is looking at and which is soon to come before the House.

There is a requirement there that Welsh Ministers will appoint one executive member of Ofcom and for Ofcom to lay its annual report before the National Assembly. What are your reflections on that? Is that a positive devolutionary step? I don't suppose it does go far enough to address the arguably totally undemocratic structures you have alluded to, in your view. What are your thoughts?

Professor O'Malley: They would be a step forward. I think it would be good if that happened. The problem is that the IBA—which is the Independent Broadcasting Authority—and the BBC Board of Governors, as it used to be constituted, even though they were both subject to massive amounts of criticism, were broader in their representation of society as a whole than the BBC Trust has become and Ofcom has become as well. There has been a shift towards shifting the balance from the political and public accountability part of regulation to the managerial and technocratic side of it. In the past the emphasis was on as much public accountability as you could, as much representation as you could. Over the last 20 years what has happened is I would say a more technocratic approach to regulation. Whereas I think that you need the technocrats, but they should be clearly working to agendas that were worked out in a different fashion. Hence it is totally undemocratic.

Q143 Chair: This is an oddball question, but, technologically, it would be possible, I suppose, to have a BBC Wales TV service paid for as an extra subscription by people within Wales, wouldn't it? Technologically that would be perfectly possible, wouldn't it?

Professor O'Malley: I tried to do some mental arithmetic about that in relation to the licence fee on the way here and I do not think it would—again I have to be careful because I don't know the maths—fund it necessarily, if you get the numbers of people involved and the amount of subscriptions. I would not necessarily want to commit myself to comment on that.

Q144 Chair: No. I can see what you are saying—that the number of people in Wales who might want such a service might not make it financially viable—and that is something that one could look at, but the technology would exist to do it, wouldn't it? You could do that perfectly.

Professor O'Malley: The technology exists to make many things but I think there is a problem with subscription. If you look at it in terms of the ecology of broadcasting and its relationship to culture, it has a place, but if you start bringing in subscriptions for public service broadcasting you have real problems in the long run.

Q145 Chair: What would they be?

Professor O'Malley: What will happen, if you bring in subscription, is that the BBC in particular would be driven down the road to producing programming that generated packages that were purely subscription. What would be left out would be that whole broad range of product that the BBC has been responsible for, and is responsible for over the years, because it does not generate enough money.

Q146 Chair: One might argue that it would be driving the BBC to produce programmes that people would like to watch.

Professor O'Malley: It does, and what happens is that people also learn to like to watch things that they never knew before. There is a whole history of drama on the BBC that originally was almost removed, because it wasn't hitting the audiences, and it went on to become very, very popular. The BBC has a broader remit than simply providing programming that people find popular. Not that that is bad, but it has a broader remit.

Q147 Craig Williams: Coming back to S4C in the modern world, would you be happy to see the current operating model between the BBC and S4C continuing in the next Charter?

Professor O'Malley: No. I think I have written here and elsewhere that I do not think the 2010 settlement was an appropriate settlement, no more than I think the one last summer was. I think it would have been best if there were problems with S4C's finance and governance, for them to have been the subject of a more considered deliberative process. It was all a bit too hard and fast. I think it also has aggravated a growing tendency to top slice the licence fee. First you get S4C, then it is the World Service and I think at the moment there is a definite commitment to pensioners' licences at 75. That seems to me to be unhelpful. These things should be dealt with in different contexts and the BBC should be fully accountable, robustly scrutinised and so on, but should not take on things that are effectively the responsibility of other Departments.

Q148 Craig Williams: Could I ask then more specifically what you would see as your option and why that differs from S4C and the BBC's preference, because they are quite happy with the current arrangements ongoing?

Professor O'Malley: Yes, that is fine. If they are they are. I am just giving a point of view. I do not claim to speak for them. I speak for myself. I would have preferred to have seen S4C continue as an independent board with its relationships that it has established with the BBC, and for possibly more regular public consultation in Wales about its aims, remit and development, and for discussions to have gone on in a public and transparent way about likely funding. Because I think that would solve one of the problems that has been alluded to, I think by the Chair, which is the issue about monopoly voices. What we have is clearly great broadcasters working together professionally and properly but, at the same time, it would enhance diversity of voice if S4C were independent.

Q149 Craig Williams: I suppose in finalising you almost answered this, but I might as well put the specific question to you: you would agree with a review of S4C aside from the Charter review?

Professor O'Malley: Sorry?

Craig Williams: A review of S4C, a standalone review rather than get—

Professor O'Malley: I think that is what should have happened in 2010.

Q150 Chair: You would agree that S4C delivers good service within the confines of the budget it has?

Professor O'Malley: I do. Yes. I think it has a very difficult job to do, yes, but I think it does a good service.

Q151 Chair: The model that they use, you are perfectly content with that?

Professor O'Malley: What aspects of the model?

Chair: The commissioning; the fact that they commission everything in.

Professor O'Malley: I think that has been very successful in Wales and it has proven of great value to Wales and beyond.

Q152 Chair: Can I pick you up on something? In your written evidence you made some comment that the BBC should not be commissioning in, because it should not be subsidising the profits of private companies. I wonder why you see the BBC as being different in that way. Why couldn't the BBC benefit?

Professor O'Malley: I think there was a reason I didn't agree with at the time, but I think I have learned. At the time when commissioning was brought in, in the late 1980s and the early 1990s, the reason for it was to promote competition and development within the industry as a whole and to give small companies the opportunity to enter into the system. That was at a time when if you were a small company your only outlet was the BBC or ITV. I think that has changed. Now we have a situation where BBC services, which should be developing and thinking about how to move into this increasingly complex digital world, by law have to commission stuff. I am not saying they should not commission. I do not say that. What I am saying is the BBC should not be required to do that if it did not want to. That is my view. This is not the view of the BBC as far as I know, but I think it would be more comfortable for the BBC if it could do that and for public service broadcasting generally, because we now have a situation where there are many, many outlets for "independent producers".

Q153 Liz Saville Roberts: To come back to the review of S4C and the future of Welsh language broadcasting, you mentioned again a review in the past but there are calls—a number of us in here have maybe contributed towards them—for a review now given the ongoing reduction in S4C's funding from the Department, although it is not significant, and the likelihood of the same question arising with the Charter review that S4C needs to have particular attention given to its role in the future. What would you feel about that?

Professor O'Malley: I would want to look in some detail at why people are asking that and what they intended from it first before making a decision about it, but I cannot see there is a problem with it, in principle. But I do think it would have to be very carefully done, were it to happen.

Q154 Dr James Davies: In terms of the Charter renewal process, you have commented that you would like to see Welsh Assembly Members play a role in that. How would you envisage that working?

Professor O'Malley: Like many people around this table, and many people I know, I have spent a lot of time over the last 10 years and more making contributions to the National Assembly of Wales, one Committee after another—which crop up like mushrooms and then disappear—because there are many issues to do with broadcasting in Wales that the National Assembly of Wales has to comment on. I and other people have argued that there should be some kind of mechanism at the National Assembly of Wales, a Standing Committee that looked at media and communication in Wales, just to ensure that there was regular research being produced and that when there were issues—such as this particular

issue that you are concerned with—that there were already people in place who could do that.

I know that the objection is that it is not a devolved issue but, given that it is not a devolved issue, Members, quite apart from Government officials, have spent a great deal of time over the last 10 years working on it. I think if that kind of structure, or something like that, was put in place—it would not solve the problem now—it would mean inevitably when the next set of issues come up there would at least be an environment in which the National Assembly would have continuity of engagement with the issues, rather than discontinuity as happens at the moment. I hope that answers your question.

Q155 Liz Saville Roberts: Ofcom has mentioned concern that the commissioning process seems to militate against the BBC’s English medium output for Wales, and the attention that Wales gets through the media—that there is a risk of polarising to an engaged elite in Wales, alongside a widening disconnect with the country’s democratic processes, which in turn undermines the legitimacy of democracy. To turn first of all to the commissioning process: is there anything integral about the commissioning process—which is centralised by the BBC—which affects how much is commissioned in Wales about Wales?

Professor O’Malley: I think there are people far more able to talk about the technical process of commissioning than I am. But I do endorse the view of the IWA, which says that it would be good if commissioning were devolved more fully to Wales, because I think that people who live and work in Wales, and who are more in touch with the diverse cultural life of Wales and the political life of Wales, are going to be in a stronger position to make judgments about the kind of material that needs commissioning. The BBC, much as I wholeheartedly support it, has always been an organisation that prefers centralisation to devolution. That has historically been the case. It makes gestures in that direction but it really ought to, in my view, act in the spirit of post-1997 devolution and alter its structures to allow for the kinds of development that I have just raised. It would be in harmony with the kinds of requests that I understand are coming from Scotland as well in a similar vein.

Q156 Liz Saville Roberts: I notice you mention Scotland. Just to refer specifically to the news—that is the “Scottish Six”, which presents the news to Scotland in English through the lens of Scottish concerns and issues—is there scope for a similar programme in Wales where the present news is a bolt-on part? Welsh news is a bolt-on to the British BBC news. Is there room for a “Welsh Six”?

Professor O’Malley: S4C’s news programme is a model. It does not just deal with Wales. I watch “Wales Today” almost every night but it has international news and Welsh news as well. I can see no reason why, if it can be done through the medium of Welsh, it could not be done successfully through the medium of English.

Q157 Dr James Davies: If we continue with discussion of S4C, in trying to judge its success, one of the problems I think in the digital age is that linear viewing figures are still used to determine how many people are watching it whereas we are told that a large number of people are now accessing its programmes through iPlayer, for instance.

Professor O’Malley: Yes.

Dr James Davies: Do you think that a problem and what should be done about that?

Professor O'Malley: I think the future is in the internet. I am sure that other people will say that. The future is about positioning public service content across the internet, having a robust and properly funded production sector and proper governance, and I think the figures that I have seen from S4C point in that direction. That is the direction it is going and it seems to me very heartening that it is getting that response on the internet as well. We must not forget that S4C's success is in production—not least of all “Hinterland” in recent years, which has gone abroad—that has gone international and it has always had the tradition of producing programming that has gone international. It has won Oscars and all sorts of things.

Q158 Dr James Davies: The issue is recording the data relating to the number of views, for instance, through iPlayer. That, in theory, you would think would be easy enough to do, but in practice it seems to be a problem.

Professor O'Malley: It is a problem that websites have as well, yes. We are at the dawn of an age of metrics. We had a mass circulation press in the United Kingdom from about 1910, 1920 onwards. We did not get the Audit Bureau of Circulations until 1931 and then most papers did not sign up until the 1950s.

Q159 Chair: One of the concerns of the Campaign for Press and Broadcasting Freedom is clearly from the website the dominance of Rupert Murdoch in the media. Is that also the case in Wales? The figures would suggest that this is the best-selling paper across the UK.

Professor O'Malley: I will have to say that I don't know the answer to that precisely. What I can say is that, historically, there has never been a national newspaper in Wales. There have always been regional papers. The *Western Mail's* circulation has been in the south-east. The *Daily Post* has been in the north. What Wales has had—and still has—has been a robust local press; a very, very strong local press. Certainly where I have lived in Wales it has been like that as well. *The Sun* has always sold well in Wales, as have other English newspapers—papers produced in London with Welsh editions—so I would not have thought Rupert Murdoch's company is any more dominant in Wales necessarily than it is in the United Kingdom, but hold fire quoting me on that.

Q160 Chair: Do you think the BBC have a role in counteracting that?

Professor O'Malley: I think the BBC have a role in producing diverse public service news and current affairs information. I think other organisations in the media industries have a role in doing that as well, and we need diversity of voices. The problem we have at the moment in Wales is that, because of the kind of things I talked about before, certainly in broadcasting terms, the BBC is the dominant force within it and we need to find ways of opening up public service voices in that field.

Q161 Chair: Obviously, to take an example, *The Sun* and the *Daily Mail*, which I think is the second best-selling paper, will take a certain viewpoint on issues that may be controversial, for example immigration. Do you think that the BBC and public service broadcasters have a duty to reflect a different point of view?

Professor O'Malley: I think the BBC has a duty to take editorial decisions independently of the national press—whatever we want to call it—that cover properly the range of issues

that seem to it to be of concern to people in the United Kingdom. I think that is the approach it should take.

Q162 Chair: So it should not necessarily try to counter a view. Should the BBC be there to take an editorial view, though, or should it be there to reflect the diverse opinions that different people will have on controversial issues?

Professor O'Malley: My understanding is that, on news and current affairs issues, the BBC does not editorialise in the way that, say, the *Daily Mail* editorialises. I think that it should maintain an independent position as a reporter of the variety of issues that arise and it should try to broaden the perspectives that it brings to issues, to make sure that more voices are heard regularly on issues of public concern.

Chair: Right. Okay. I do not have any further questions but if anyone else has—I will look around—if not, can I thank you very much indeed, Professor O'Malley? That was very helpful.

Professor O'Malley: Thank you for inviting me. I hope it has been helpful. Thank you.

Chair: Thank you.

Examination of Witnesses

Witnesses: **Glyn Mathias**, Ofcom Advisory Board for Wales, and **Aled Eirug**, Ofcom Advisory Board for Wales, gave evidence.

Q163 Chair: Prynhawn da.

Glyn Mathias: Prynhawn da.

Chair: I think we probably all know each other quite well but I will try and maintain a semblance of formality, given this is a Select Committee meeting. Thank you both very much indeed for coming along. You have obviously done this on many previous occasions, and I am going to start with Liz Saville Roberts.

Q164 Liz Saville Roberts: The reason why I have gone for this question is that I used to work in local papers in Wales and I have seen an immense change, just in the sheer weight of paginations, if you like, from 25 years ago, and this has been well documented. If we look also at what has happened with English language television output in Wales, how concerned do you feel about media plurality?

Glyn Mathias: It is a very central concern. Media plurality is absolutely essential in a democracy, so you do not just have one or two voices but you have a multiplicity of voices. In Wales plurality is weaker than in any other nations of the United Kingdom. ITV plays a deceptively important role. The BBC plays an even bigger role, as we have heard. Independent commercial radio also adds to the plurality of voices. I would like to come back to that at some point, if I may, because there is considerable risk to that at the moment. There isn't anything like as much plurality as we would like to see, as any democratic country would like to see. It is dangerous when there isn't sufficient plurality, and it is our concern that this will diminish rather than increase in the next few years, if what we foresee out of the BBC Charter and other events is likely to happen.

Q165 Liz Saville Roberts: What are the factors you say that would contribute to the decrease and is there anything we can do to stem that?

Glyn Mathias: Yes, I think it is important that when decisions are made in London about what might be good for the broadcasting ecology of the country, one should always be mindful that the broadcasting market in Wales is different. It has different needs and different concerns. Whereas, for example, if you look at the argument that the BBC is maybe crowding out other competition, the problem in Wales is that, however unhealthy you might think the dominance of the BBC in Wales might be, if you cut programming from the BBC in Wales nothing will replace it. The competition does not provide alternatives, does not provide the plurality that the nation requires, and it is ironic in some ways that, just as more powers have been devolved to the National Assembly, the more devolution is progressing, the amount of coverage in broadcasting and in the press of the Assembly and the life of the nation of Wales is declining.

Q166 Chair: You are obviously very clear here that we need more plurality within the media in Wales—which I think is a view that might be widely shared—but also that the BBC dominate the media in Wales. If we put those two facts together, are you not arguing that perhaps we should be trying to move things away from the BBC and towards local broadcasting and local newspapers and so on? Is that not a fair deduction of what you said?

Glyn Mathias: I don't think that is in your power or in my power. It is the commercial market.

Q167 Chair: No, no, it is not but that is the logical outcome of what you are suggesting we should do, isn't it, to kind of—

Glyn Mathias: No.

Chair: No?

Glyn Mathias: No, I think we must concentrate, first of all, on not diminishing the plurality that we do have where it happens. I can talk about commercial radio, which I would like to, and we can talk specifically about the BBC, but let me just talk about ITV, for instance. I was on the content board of Ofcom at the time when we were renegotiating the licence for Channel 3, and ITV put up a number of propositions. What we eventually got—thanks to some of the pressure from Ofcom—was that the current level of programming by ITV was maintained and will be maintained, according to the terms of their licence, until 2025, but no way was there ever any viable proposition that they would actually increase that. That is the position on ITV.

Q168 Liz Saville Roberts: Surely the local media and the national media—which we do not have effectively, except BBC and to a degree ITV—do very different things. The *Daily Post* would be lost without the A55 and most local papers basically are having a go at the local authority. We want that, that is fair enough, but, in terms of what we lack in Wales, we also want to have this proper discussion and awareness of what is happening at this legislative body we have in Cardiff, which is getting more powers but which is not held to account.

Glyn Mathias: Yes, it is the weakness of all Wales journalism, which is at issue, with the decline of printed newspapers in Wales. The *Western Mail* is now somewhere below 20,000 in its readership. We face the risk that this decline is going to be unstoppable. You

have to remember that most people in Wales read papers printed in London, which carry very, very, very little information about Wales, so people in understanding the democratic process in Wales need Welsh-based information and that is what we are really talking about in our submission.

Aled Eirug: If I may make a point, the contrast with Scotland is very, very striking in terms of the indigenous media they have there in newspapers. I think there are two points about the BBC and local markets. To be fair to the BBC, the BBC withdrew its commitment to news provision in the local websites—they had about five regional websites across Wales—after pressure from local newspapers, in particular, saying there was unfair competition. Of course the BBC also has a responsibility to provide money to local TV, wherever that may be, up to a certain level of funding for the first couple of years.

Q169 Chair: If other Committee members don't mind, Mr Mathias obviously has something to say about commercial radio and I could not see a question there, so perhaps you would like to answer one anyway.

Glyn Mathias: Yes. This is one of the more urgent issues facing broadcasting in Wales at the moment, but if I could just put a bit of background in because it is a bit complicated. When we get digital switch over to DAB from analogue radio, under the present legislative arrangement there is no positive content requirements on digital stations. That means that there will be no requirement for local news, local presenters, even for programmes to be made within a particular locality. That does not matter at the moment because most digital stations are simulcast with FM stations and analogue stations, so basically the regulation on analogue stations effectively applies. If you deregulate commercial radio in advance of digital switch over, or at any time, you risk losing any requirement for local provision. In Wales that is particularly important because commercial radio does add a certain amount of plurality in the system, in that it does have bulletins with some Welsh news in them—and that is at risk. That is at risk, in particular, because the Secretary of State at the DCMS published a letter in November asking for Ofcom to look at whether there is scope for deregulation of commercial radio before we get to the digital switchover; in other words, in the immediate future.

It is our view at the advisory committee that, if that deregulation happens, and there is no requirement on any commercial radio stations to carry any local content whatsoever, then there is a serious risk that not only local news in Wales but Welsh news in Wales will be lost. In other words, at the moment, some town and country stations have a Welsh news bulletin. The risk is that if there is any news left on commercial radio it will come from London and yet another source of news about Wales will be lost. That is current. The Ofcom board is currently considering the matter and is likely to present its conclusions to the Secretary of State within the next couple of months.

Q170 Byron Davies: How sound do you think the First Minister's recent call for an extra £30 million of funding for BBC Wales' English language content is?

Glyn Mathias: Like your previous witness, I have no idea where the £30 million figure comes from—I will say that straightaway—but what I would say is that we are really concerned that the current Charter review will lead to further reductions in programming in BBC Wales. They said in their document not long before Christmas that, although they

will cut nations' programming less than elsewhere, they will still cut it. What we would say is that you have to take into account the volume of cuts that have already taken place over the last few years. The decline in public service broadcasting in Wales has been greater in terms of a reduction in programming than in any of the other nations. That has to be taken into account. You cannot just say a blanket figure—"Will you take 5%, 10%?" or whatever it is. You have to take into account the specific circumstances that the reductions in public service broadcasting in Wales have been greater than any other nation.

Aled Eirug: I think one of the other problems is that, not only do you have less output, you have less of a range of output in terms of genres. For example, you are not getting drama commissioned with very, very few exceptions, such as "Hinterland", which is done jointly with S4C. You have very, very little light end, so the mix of programming reflecting the life of Wales has changed quite substantially in the period of the last five to 10 years. I think that is an important element to bear in mind.

I think one of our worries would be from herein that what the BBC are saying at present is that, in some way, the BBC centrally are looking at replacing local output with more or better portrayal of Wales. Well, I think they are two different issues. Portrayal of Wales on networks and on the BBC is one question. It is quite another question in terms of whether local output is important or not.

Glyn Mathias: The BBC Director-General, in a speech towards the end of last year—no, it was earlier in the year—accepted that there was a lack of adequate coverage of the social and cultural life of Wales in their current output. Despite that acknowledgement, nevertheless, the BBC are still proposing to cut nations out.

Chair: Carolyn, can I bring you in for a moment?

Q171 Carolyn Harris: Yes. Apologies, but I was in another meeting. A concern that has been raised with me—and it is something that I am concerned about as well—is the diminishing amount of English language television that is being made in Wales for Welsh viewers. Things like "Hinterland" that was mentioned and "High Hopes", for example, are two classics that I feel would be warmly received right across the United Kingdom. A lot of money has gone into those programmes and into the talents developing those programmes. What is your feeling on how we can best promote them, so that we do not lose this characteristic of Welsh life?

Aled Eirug: I must declare an interest. My wife is a producer of "High Hopes".

Carolyn Harris: You said the right thing.

Aled Eirug: I agree totally with you. I think it is a real problem because life in Wales is not just about factual programmes or walking around the Brecon Beacons or news or current affairs, it is far wider, far richer than that. I think what we are missing at the moment, where we have seen a marked decline—and we touched upon this earlier—is in the breadth of genres across other different types of programming, which is sometimes more expensive. Unless you have that, I think you have a deficiency in the way Wales is shown to itself, because we are not talking here of Wales on network, for example, like "Sherlock" or "Dr Who". I think that is quite another argument.

Carolyn Harris: Yes, it is. Yes.

Aled Eirug: This argument is about programmes about Wales in Wales for Wales.

Carolyn Harris: Welsh activity.

Aled Eirug: Absolutely, and I think that is critical.

Carolyn Harris: Thank you.

Q172 Chair: It is a slight tangent but since we mentioned “Y Gwyll”, I looked at it on Netflix the other day and it is not available in Welsh. Is there any particular reason for that because they can put up English subtitles for virtually anything? It is a shame, really, I thought.

Aled Eirug: I don’t think that is a question for us.

Chair: No, it is not really but I have it on the record now.

Q173 Craig Williams: We have talked about plurality and I wonder whether—because I very much agree about the BBC point—I could just touch on the commissioning within the BBC. We have taken some evidence that says it is quite centralised—overcentralised, in fact, the evidence suggested—so I wonder whether I could draw you in on that because, in terms of the nations and supporting plurality through the BBC, commissioning is quite important for Wales.

Aled Eirug: I think it has always been a very, very difficult nut for the BBC to crack, as to the level of commissioning outside London and from Wales. I think the BBC at least has committed itself to a level of commissioning of network programming in most genres, from Wales, Scotland and Northern Ireland, but what they have not done is to break that down by nation. For example, I think they are talking about 17% from Wales, Scotland and Northern Ireland, but if 15% is done from Scotland, for example, that does not put us in a very good position. What I think people in Wales would say who are bidding for commissions is that the track record we have in terms of drama and so forth is very, very good. There is no reason why Wales should not do as well, or better, over the next few years in terms of commissioning.

But I think what that does not take into consideration—and both of us have worked in the BBC—is how centrifugal it is in terms of its decision-making and how the BBC has to make very, very conscious decisions, and make sure it keeps to those decisions in terms of its commissioning policy, so that it does not give commissions to people it is used to working with in network in London, and that it is far more diverse in terms of the companies it commissions. I think it is a real issue and I am not sure what the impact of the creation of BBC studios will be, which I am sure you will have touched upon, in terms of BBC commissioning generally and to what extent that will skew decisions. I don’t know what the answer is, but I think that is one of the important questions to bear in mind over the next few years.

Q174 Craig Williams: I think, Mr Chair, that a breakdown by nation is certainly something that would be useful from that evidence. But can I ask about across the industry? So Channel 4, only 2% of its commissioning comes to Wales in terms of independent producers. I know

they are making some quite good noises about tripling that, but is that the case that the BBC overcentralises, the same with other channels, in this instance Channel 4?

Glyn Mathias: Channel 4, I can answer that question because I was involved. I was on the content board on this particular issue as to whether or not Channel 4 was commissioning enough programmes from the nations. What was agreed, after considerable debate, was a target of 9% over the next few years across all the nations. I will say that, partly as a result of the pressure from Ofcom, Channel 4 is now actively working with a lot of independent production companies in Wales.

Q175 Craig Williams: Was that the same approach as well, that they look across the three other nations rather than independently?

Glyn Mathias: Yes. The 9% figure is for all three nations, for Scotland, Northern Ireland and Wales.

Q176 Mr Mark Williams: Turning now to S4C, some of the evidence we have seen that you provided suggested that, despite the funding cuts that S4C endured from between 2009 and 2013, they did manage to retain a range and diversity of service covering most genres. How do you think the latest announcements of further cuts—and we have heard different statements from different people, maybe later this week we will glean some answers on that—will impact on S4C’s capacity to deliver that broad breadth of genre that we all want?

Aled Eirug: I speak as somebody who is the new content board member for Ofcom in Wales but I was also a member of the S4C Authority until 30 November. So I think certainly any cut in funding is going to have an impact on the business and will have an effect on programming. What we have seen, in terms of the amount of money taken away from the S4C budget over the last few years, has meant that S4C could commission fewer programmes and had to schedule more repeats. I think that is an obvious equation. One of the difficult issues is: to what extent can S4C have any security in terms of future funding and to what extent does S4C figure in the licence fee negotiations for the BBC? I think there is a real issue there because S4C would wish to maintain this level of programming and so forth but the impact of inflation in broadcasting, in particular, tends to be higher than general inflation, which is an important element.

Another element I would ask you to consider as well is not just the programming but the impact of S4C having access to various platforms. You mentioned iPlayer earlier. iPlayer has been very, very important for S4C and that only happened because of the very close relationship with the BBC. That has meant it has increased its audience over the last year by a number of hundreds of thousands of viewings. That has added about 3% overall, I think, to its viewing. If you look at what is happening across platforms—in terms of Apple TV or other ways of reaching audiences through tablets or whatever that may be—how is S4C with less money going to be able to afford that? I think there is a real issue there and a real gap.

On the positive side, I think the relationship between S4C and the BBC has been a very, very good thing and I think iPlayer is a good example of where that has really worked.

Q177 Mr Mark Williams: The origins of the present position S4C finds itself in was a relationship change that took place in this place in 2010, the Public Bodies Bill, which broke

that formula that guaranteed the funding and vested a role in the Secretary of State to ensure—I don't know if this is an exact quote from the Bill or the legislation—sufficient funding. Do you think to date the Secretary of State has fulfilled that obligation to provide sufficient funding?

Aled Eirug: Since I am so new in the job I could not say anything. No. I think that is a provision in the Public Bodies Act 2011 and I seriously think that Ofcom would be very, very supportive of a review of the position of S4C, and part of the review should be an interpretation of what exactly that means in terms of the legislation, its funding implications and the implications for S4C in future.

Glyn Mathias: Can I add another suggestion on this point? If the BBC are to be externally regulated, then part of that external regulation—set out in statute presumably—could be to protect the independence of S4C and be satisfied that they are indeed getting the resources that they should under the terms of the Act.

Aled Eirug: There is a real issue here about the BBC. The BBC Trust has already said that it is not fit for purpose, and I don't know to what extent you are considering future models of governance and so forth. I think we can be sure that the nature of the governance of the BBC is going to be very, very different. Now if it goes from a BBC Trust model to a board model, which includes a majority of non-execs but includes executives, what is appropriate in terms of the relationship between S4C where at the moment the relationship is between the S4C Authority and the BBC Trust? The BBC Trust does not exist anymore so something is going to change.

Mr Mark Williams: That was pointed out at the time of the legislation that we would reach a point in time when we needed a wholesale review. Thank you.

Glyn Mathias: Can I just add one more idea on that point, which is that if there is external regulation, what is the model of governance of the BBC as a whole going to be? If it is a board of directors where apart from the management, there are also independent external directors, and then perhaps with an independent chairman, then that model should be replicated in Wales so that there will be external, independent directors and an independent chair. That might provide some safeguards around this subject as around many other issues.

Q178 Dr James Davies: Thank you. As you know, the BBC has a statutory duty to provide so many hours of programming to S4C. Do you feel, as the Director of BBC Wales recently suggested, that that is an outdated concept in today's interactive and digital world?

Aled Eirug: I think it is fair to say that it is anachronistic, but it is also fair to say that if you got rid of that what guarantee could S4C have that they have the equivalent value of content from the BBC? I would have thought it is exactly the sort of question that you would wish to discuss in the context of the wider review. The wider review might also be not just what we have discussed already, but also the definition of S4C, because the definition of S4C in legislation is of a television service, which is in itself anachronistic. I think there is an opportunity there as well to have a look at, and this is something S4C have pressed DCMS to act on, I think, for the last five years. Nothing has happened, but I think there might be the opportunity to discuss the implications of what might be possible in terms of defining what S4C is.

Q179 Chair: Which I think answers my question: you would like to see a separate review of S4C, looking into it. I was asking the previous witness earlier about the possibility of allowing a subscription-only service for a Welsh public service broadcaster. I appreciate that there may be issues around how much and all the rest of it but, technically speaking, that would be perfectly possible to do, wouldn't it?

Glyn Mathias: I think there is an inherent conflict between public service broadcasting and the subscription system. The point about public service broadcasting is it has public purposes, which have to be fulfilled, and various obligations that are set down by the regulator. I suspect the subscription system would not marry easily with that basic concept of public service broadcasting.

Q180 Chair: Right. But a public service broadcaster has a duty then to produce programmes that may not automatically rise straight to the top of the ratings, but at the same time—as our previous witness said—the BBC do produce programmes that are very, very popular. So, turning the question around, should the BBC concentrate less on very popular programmes and concentrate more on the sort of things that one cannot find elsewhere on an increasingly crowded TV remote control?

Glyn Mathias: This is the central conundrum: if you concentrate on programmes that are inherently less popular and do not provide the more popular programmes to surround them, then you get a smaller audience for the programmes that you want the public to listen to or watch. That remains the case. The point about the BBC licence fee is that it provides a broad span of programmes to inform, educate and entertain, and the entertainment is part of bringing in the audience so that they watch the other stuff.

Q181 Chair: Right. I think you have already spoken about the challenge facing public service broadcasters in the face of digital viewing platforms. Basically there is so much stuff out there at the moment. Is there anything you want to add to that?

Glyn Mathias: Well, I would add this—

Chair: There is nothing much we can do about it, is there?

Glyn Mathias: I am not sure about that. There is one particular challenge, which is the growth in smart TVs. Smart TVs as you know have on their front screen a series of icons, only one of which is linear TV and the EPG for that is just one icon. Indeed, the customer can put their own personal front screen on a smart TV and obliterate entirely the—

Chair: I have not quite worked out how to do that yet but I have one.

Glyn Mathias: You have one, have you?

Chair: Yes.

Glyn Mathias: This is a serious problem for public service broadcasters and, in particular, for Welsh programming. If it has no visibility at all, then fewer people are going to watch it. The issue is how you create some form of regulation that obliges smart TV producers to continue to give prominence to the EPG of linear television. The answer to that is that it is quite difficult. There are jurisdictional issues. They are mostly made in the Far East and it is probably an EU issue rather than a British issue. However, it is very important that the

regulator—in this case Ofcom—addresses these kinds of issues with a degree of urgency. They recognise the issue, and in their last report on public service broadcasting the issue is quite explicitly laid out but I just want to see some urgency on this front.

Chair: You are fighting against the tide, aren't you? I mean this thing is great. I can watch whatever I want to watch whenever I want to watch it, not what the broadcasters want to give me. What is not to like? Most people are just going to say, "This is great", aren't they? They are not necessarily going to watch offbeat things produced by obscure BBC departments that somebody thinks are worthy.

Glyn Mathias: Do you want to answer that one?

Chair: All right then, I will leave that as a thought.

Craig Williams: Can I follow that?

Chair: Yes, please, why not?

Q182 Craig Williams: I will try to follow that actually, rather than follow it. This is the great debate of our time, isn't it, especially seeing this in the context of Charter review? I can see some appeal to some channels insisting that they should become the front of a smart TV and stay there, but the whole thing about this is the personalisation of it. Like other parents we survive wholly on Netflix in our household, having a three year-old there. In terms of this, where is it going to go and what is Ofcom's thought about tackling this and, fair enough, having manufacturers automatically, as they already do, put BBC iPlayer and the other public service broadcasters on the front? Presumably, there is no thought of mandating that they remain there.

Glyn Mathias: In the last public service broadcasting review, which Ofcom produced in the middle of last year, the issue is addressed. As the regulator, Ofcom needs to stay ahead of the curve and not behind it, otherwise you get caught out. They are constantly monitoring the encroachments of these globalised streamed television services and their impact on the current system of public service broadcasting. At the moment the view is that the present system of public service broadcasting is holding up, although with a clearly declining percentage of viewers. But there will come a point when the whole system has to be reviewed and looked at if those encroachments are clearly destabilising our concept of public service broadcasting. These globalised companies do not give a damn about society in Britain, never mind society in Wales. They are just there to get the maximum number of eyeballs onto their service. I think if you believe in a democratic process where the media play a key part in conveying what is going on to the public, then that cannot be an improvement.

Q183 Mr Mark Williams: A final question from me on governance and the two suggestions that have been made in the reform of the BBC Trust and Ofcom: one being a standalone regulator model—something new, something distinct from the BBC and Ofcom—or what has been labelled OfBeeb. What are your reflections on those and—you touched on this more generally—the future of the BBC Trust model as it stands now and possible replacements?

Glyn Mathias: I have always believed in external regulation of the BBC. I have always thought the special pleading, which said that the independence of the BBC would be threatened by external regulation, was all nonsense. Ofcom regulates hundreds of TV

companies, TV stations and TV licences and it does not make sense to me—I would say this, wouldn't I?—to split the regulation of the BBC. It is split at the moment between the Trust and Ofcom. There are certain regulatory functions that Ofcom has over the BBC. It is split at the moment. To perpetuate a split in the regulation of the BBC does not seem to me to make sense.

Chair: Finally, Liz Saville Roberts.

Q184 Liz Saville Roberts: Rhodri Williams, Director Ofcom Wales, has said that he believes the appointment of members to represent Scotland, Wales and Northern Ireland on the Ofcom board would be an asset. Could you tell us something about how you feel in relation to the fact that the draft Wales Bill amendment requires the appointment of a Welsh member on the Ofcom board?

Glyn Mathias: Yes. The Wales Bill imitates the Scotland Bill, and will make the arrangements for the Welsh Government to appoint a board member of Ofcom. I have always believed that that was the right thing to do. I used to be on the Electoral Commission and I was the Welsh board director on the Electoral Commission. I see no issue around that at all, and the faster they get on with it the better.

Q185 Liz Saville Roberts: I would like to go back to a question on the smart TVs. I would like to ask your opinion because there was a discussion, but we did not go very far with it. How do you feel in relation to regulation with access to PSBs and what is, effectively, one of those technologies you can see coming over the hill at us?

Glyn Mathias: Sorry, forgive me, ask the question again.

Liz Saville Roberts: The smart TVs, we were discussing some of them, such as the Apple TV. There is no access to British PSBs. Should that be as granted? As the Government, should we legislate for this?

Glyn Mathias: It may be a question of jurisdiction whether the British Government would have to liaise with other countries in the EU to have an EU-wide agreement on it. I certainly think the issue should be addressed to see how far it could be taken.

Chair: It might be a bit wider than what we can do but, thank you for that, it is an interesting point, I mean, genuinely. Thank you very much indeed both of you for coming along. You are always very accessible to us all, in and out of Committees, so we are grateful to you both for everything you do. Thanks a lot.