

Select Committee on Communications

Corrected oral evidence: The Internet: to regulate or not to regulate?

Tuesday 21 May 2019

3.40 pm

[Watch the meeting](#)

Members present: Lord Gilbert of Panteg (Chairman); Baroness Benjamin; Lord Bethell; Baroness Bonham-Carter of Yarnbury; The Lord Bishop of Chelmsford; Baroness Chisholm of Owlpen; Viscount Colville of Culross; Lord Gordon of Strathblane; Baroness Kidron; Baroness McIntosh of Hudnall.

Evidence Session No. 11

Heard in Public

Questions 102 - 107

Witnesses

I: Jasmine Dotiwala, Head of Youth Engagement and Media, Media Trust; Jonathan Kaye, Disability Accessibility and Inclusion Consultant; Deborah Williams, Chief Executive Officer, Creative Diversity Network.

USE OF THE TRANSCRIPT

This is a corrected transcript of evidence taken in public and webcast on www.parliamentlive.tv.

Examination of witnesses

Jasmine Dotiwala, Jonathan Kaye and Deborah Williams.

Q102 The Chairman: Welcome to this sitting of the House of Lords Select Committee on Communications. We are examining the future of PSB broadcasting in a fragmented media age. Today our focus is on diversity in the industry. Our witnesses are Jonathan Kaye, Deborah Williams and Jasmine Dotiwala. Thank you very much for joining us and taking the time to be with us. The session today will be broadcast online and a transcript will be taken. What I would like to do first, Jonathan, Deborah and Jasmine, is ask you to introduce yourselves briefly and tell us a little bit about your background. In your introduction perhaps you could tell us how you think public service broadcasting should be defined and whether

the concept of public service broadcasting is still relevant in today's media environment. Jonathan Kaye, can we start with you?

Jonathan Kaye: Thank you for inviting me. I have been involved in the media for about 20 years,¹ both professionally and personally. Media has always been very hard to crack for disabled people and this is something I wanted to put on record within the inquiry because so often disabled people are missed when talking about media. I have a range of backgrounds and I have done other work in the travel industry, including having fought for 17 years with the hotel industry. We ended up developing the first ever global disability accessibility accommodation standards which now allow disabled people to book hotels online and via websites,² and I am credited with having started that process, but the media has completely ignored this.

Public service broadcasting is vital because there is no other way of ensuring that niche audiences are heard. However, in the VOD era I think it is going to be more of a challenge for the entertainment sector because there is a considerable opportunity for Netflix, Amazon and others to take over that whole genre. I do not think that this will result in public service broadcasting dying because as long as there is a niche there will always be a need for public service broadcasting.

The Chairman: Thank you and thank you also for the written evidence you have given us.

Deborah Williams: I am the executive director of the Creative Diversity Network, which is the membership body for UK broadcasting. Our members are all the UK broadcasters: ScreenSkills, PACT, ITN, BAFTA and S4C. I think there is one more but I cannot remember it. We look at whole-industry responses and solutions to inclusion and diversity on and off screen. We manage Project Diamond, which is the world's first and only—to date—online monitoring system, which gathers data on who makes television and who is on television and whether audiences perceive themselves as being represented on television.

My background is as an artist and a practitioner. I was an actor, director and producer for a considerable amount of time. I moved into policy and I worked at the Arts Council and did some work around its public sector equality duty and its equality analysis. I then moved to the BFI and designed the BFI diversity standards and now I am working with CDN to look after Diamond and think about where we go next in the industry.

Public service broadcasting is absolutely relevant and it always will be. There is some shape-shifting that needs to happen because the landscape

¹ Note by witness: My first media experience may have actually been earlier than this as I started campaigning on local disability accessibility issues while a teenager.

² Note by witness: To clarify, the standards developed focused on electronic data held by and processed within hotel reservation and booking systems worldwide. This involved working with hoteliers and a number of predominantly US and UK based multinational travel distribution system operators, as well as global industry trade associations, the Hotel Electronic Data Network Association (www.hedna.org) and the OpenTravel Alliance (www.opentravel.org) respectively. This work also involved the tireless efforts of hundreds of colleagues and friends throughout the hotel and travel distribution industries who have similarly never been acknowledged by the media, but without whom what we achieved together wouldn't have been possible.

is changing, but the landscape is not changing as fast as we are told and people perceive that it is. I would urge not rushing but absolutely trying to figure out the best way to shape-shift what we have at the moment to ensure that it maintains quality and relevance, and fundamentally, as Jonathan mentioned, it looks after the niche audiences and those whom no one else looks after in terms of content creation and training and production on the production side.

Jasmine Dotiwala: Good afternoon. I am the head of youth engagement and media at Media Trust, but, for transparency, I am also a multimedia broadcaster at PSBs. I have been invited here today through my role at Media Trust but much of what informs my information comes from my work over 20 years in the broadcasting industry as a TV reporter, producer and director in the UK. For those who are not familiar with it, Media Trust is a company which sits at the crossroads of where TV broadcasters, big digital tech companies and advertising companies meet communities, charities and young people. We help skill up communities, charities and young people. We give them a voice in media and connect the public service broadcasters with these communities, charities and young people to get them into employment. I also host a weekly arts and culture show on BBC Radio. I am an arts and culture reporter for "Channel 4 News". I have vlogged for the *Metro* newspaper and the *Huffington Post*. I am also an RTS committee member, a BRITs diversity committee member, on the MOBO awards and the MTV diversity committees.

Throughout my work at Media Trust, as well as for multiple TV stations and digital programmes across the UK for 20 years, it is my personal experience and understanding, coupled with research and evidence, that has led me to inform all the various training programmes that we have set up at Media Trust. I can talk you through some of them in a while if you would like. As a broadcaster and diversity champion, I have had a bird's-eye view across diversity and television for the past 20 years, so I connect the past, present and the future.

Finally, with our work at Media Trust we have made impactful change across a wide sector of UK media. We must be doing something right because recently PSBs have been funding indie TV companies to make their own versions and blueprints of the programmes that we set up at Media Trust. Media Trust's youth programmes train and give a voice to just under 2,000 young people annually across the UK.

I think public service broadcasting is more relevant and important than ever. However, often the PSBs are not delivering to audiences' expectations and are not felt to be in touch with modern-day Britain. Without our PSBs, though, we risk becoming more like America with 10 seasons of "Game of Thrones" and Disney Television everywhere. Its news, of course, is very poor. You will have all the different voices languishing on YouTube vlogs buried among all the ranting conspiracy videos. PSBs should help nurture and grow these different opinions on to a platform that helps more mainstream viewers.

What we have in the UK is not ideal or perfect, but it should be renewed in new and exciting ways for the younger generation rather than seen as irrelevant. Strong reasons for PSBs include the fact that they are essential for news coverage, of course, as well as big national events that only a PSB could do, such as the FA Cup, royal weddings, the Olympics or even big TV events that bring communities and the nation together—things such as “The Great British Bake Off” and “Line of Duty”, which are a national bringing together of viewers.

An interesting question from my point of view would be: are PSBs about bringing the nation together or are they about competing with the FAANG companies? The FAANG companies are what we call Facebook, Amazon, Apple, Netflix and Google. Additionally, on the positive side PSBs are hugely important to UK producers. Our programmes are watched globally and set blueprints that the rest of the world follows. On the negative side, it tends to be the same producers who have been creating for the PSBs for decades. They are all long-term partners for the PSBs and new indie companies and voices rarely get a look in.

I imagine that the main concern with PSBs currently is that they are dead to young people. Audiences have moved to new platforms where diverse talent and audiences are respected. It is about consumer choice and SVOD companies are giving consumers consumer choice. There are things happening in plain sight of us in real life which do not reflect Britain on the PSB channels. In a country which is increasingly diverse and devolved and which feels more divided than ever before, it is the PSBs’ job to dig even deeper into our communities to reflect all those views and perspectives of the voices that need to be heard.

The Chairman: I will hand over to the Committee and we will pick up on a number of issues that our witnesses have raised, starting with the Lord Bishop.

Q103 The Lord Bishop of Chelmsford: Deborah, you mentioned that perhaps things are not moving as quickly as sometimes people think they are, but nevertheless, particularly when it comes to young people, there is quite a bit of evidence that things are changing. A couple of weeks ago Alastair Fothergill was here saying that the average age of the BBC audience is 60 and the average age of the Netflix audience is less than 30. I have one question, with two parts, to all of you. Why are services such as Netflix increasingly popular with younger generations? There is also the evidence from Ofcom that people are not gravitating back to the BBC in the way they might have done in the past. Why are they so popular? Following on from that, what more could and should the PSBs be doing to appeal to younger audiences?

Deborah Williams: The business models of organisations such as Netflix are agile and very much about disruption, and there is very much a mindset of a younger generation whose focus is on content. We are making content that we believe people want to see, but people are far more selective now than they used to be. I am old enough to remember three channels, never mind four, and your choice was very limited and now it is, exponentially, 50 times greater. Now you can select what you

want and build your playlists and do those sorts of things. With an agile business model you can respond accordingly. If you are advertising or if your figures are telling you that something is not working, you can bin it, reframe it, restructure it or pitch it at particular territories. That is something that the PSBs are not able to do and are not able to do as swiftly as the new organisations.

In terms of what I think PSBs should be doing, it is very much about content. It is about thinking beyond what you normally make and thinking beyond who you normally make it with and for. The word “risk” is often used, but I do not think it is a risk. I call it creativity: creativity and making opportunities available to everybody, thinking beyond the Saturday night hit or the Friday night hit or the Sunday night hit, and thinking about the longevity of these programmes and how we monitor our audiences and look at how people engage with what we are making. For me, that is fundamental. When I look at the content on my Netflix stream versus the iPlayer, or I look at the BBC or Channel 4 and All 4, I am struggling with the latter two to find things that are of interest to me or that I can relate to, whereas if I go on Netflix there is a plethora of things I can dig into.

The Lord Bishop of Chelmsford: Jonathan, do you want to have a go at this question as well?

Jonathan Kaye: I have a little bit of experience with Netflix but mostly I use Amazon Prime. The reason I use that is because I think it has a good package whereby if you put the shopping together with the various content and all sorts of other options,³ it is a very good [personal] independence tool for people with disabilities. One should not forget that there is this belief that disabled people are not online. That is not true because most disabled people have mobile access to the web. For example, I do not know of a single person who does not have a mobile phone. In fact, I think for a disabled person not to have a mobile phone would be a bit dangerous for them from a security point of view. Most disabled people will be online. Even if they do not regard themselves as being connected to the internet every day, they will be using it passively.

As far as Netflix is concerned, the reason people are using it is because there is more choice and diversity compared to what is on TV. It has so much more resources and is so much more flexible for people to dig in. I would like to relay a story about one of my personal assistants who supports me to live independently. When she started I said, “Do you watch television?” and she said, “No”. I said, “Oh, that’s interesting”, and she said, “Oh, but I watch a lot of Netflix”. I laughed and I said, “How much Netflix?” She said, “I watch box sets and box sets every week”. I think part of the issue is that people do not relate Netflix as being television. They relate it to being video which they can watch any time and that is how young people from any kind of background are coming to view media and television.

The Lord Bishop of Chelmsford: Jasmine, do you want to add to it? I

³

Note by witness: Such as the Amazon Alexa voice assistant.

was interested that in your introductory remarks you spoke about one of the functions of PSBs as that of bringing people together. I would be interested to know what relevance you think that has for younger people.

Jasmine Dotiwala: Sure. I think young people gravitate towards PSBs when there is a big national event. Young people who we work with at Media Trust will tell us that they will tune in for things such as the FA Cup, royal events, the Olympics, et cetera. Young people at Media Trust tell us the reason SVODs such as Netflix are so popular is because they create content with no barriers, there is no micromanaging of content creators. SVODs allow everyone to be their authentic selves and they create content which is respected by communities without them feeling that their authenticity is being chipped away all the time. I have often developed and nurtured new talent for different TV companies and once you bring them in certain companies will let them be their authentic selves and certain companies will not, because they are trying to tick too many boxes. By the time you have filtered that person out, that content is no good for anyone and no one enjoys it any more.

It is quite simple when you think about it. Young people across the UK now live lives where all their social circles and pop culture content are mixed up, and it reflects everyone, different cultures and diverse communities authentically. If PSBs in the UK do not reflect that reality, of course young people will not be watching their content. Nothing on telly reflects their generation. You mentioned that the BBC's average audience age is 60 and Netflix's is under 30. Why? On a typical weekend—I looked at the listings this weekend, for example—the BBC TV schedule all day is politics, antiques and countryside living. How would any city-dwelling millennial relate to that content and, more importantly, why would they pay for it? The model clearly is not working for everyone and there needs to be a new way of requesting viewers to pay for PSB content and for the PSBs to deliver for all, not the few, as the slogan has gone round recently.

Netflix and SVODs are getting it right because they are always about consumer choice. If you think of the way we grew up watching TV when it was three or four channels, the content now is not appointment to view on SVODs. The viewers are not bound to timetables. The FAANG companies make what they want, when they want. They release it when they want, within reason. Audiences choose when to access the content. They can watch on multiple devices in multiple locations. They have handy customer-friendly things that help you skip intros. The whole series is right there, as Jonathan mentioned. They can watch addictively all weekend. There is respect for the customer and it is all focused on consumer choice. You can go on your own adventure down millions of corridors on SVODs. For too long the PSBs have been like closed fortresses for only the privileged and the connected to infiltrate. Amazon, YouTube and Netflix have opened up the floodgates to all content creators.

The Lord Bishop of Chelmsford: Thank you.

Q104 **Baroness Kidron:** The Lord Bishop asked about young people but in

each of your answers you have answered more generally. I was going to ask about other communities—socioeconomic, BAME, disability and so on—and I would be very interested if you had anything specific to say about any one of those communities; however, I think I heard you loud and clear. What interests me from your responses is that in your opening remarks you were all pretty clear that you thought there was a role for the PSBs and now you have been pretty clear that they are doing it all wrong. Perhaps the bit that we should try to look at is what could the PSBs be doing better that still makes them relevant, because if they just try to copy the SVODs your first argument might be down the drain. Perhaps each of you could just think about what elements of PSB you are trying to hang on to and how they could do better.

Jasmine Dotiwala: As I mentioned, it is the appointment-to-view stuff that young people or diverse communities are not really into at the moment. PSBs need to stop confusing their audience in trying to be like the SVODs, which is what you have just mentioned. For example, they do not know whether they want to be box-set heavy or not. When you look at “Fleabag”, series one was a whole box-set season on PSB but, because it proved to be so popular, for series two they took it back to be just appointment to view. That confuses audiences, younger people and the industry.

Also, I think PSBs need to learn how to nurture new talent because often new talent can fall through the cracks. An example would be someone such as Charlie Covell. She is a writer who adapted “The End of the F***ing World” originally for Channel 4. I do not know what Channel 4 did not see in it or could not do with it, but Netflix picked it up and it was the biggest show of the year for it globally. It was a similar story with the huge Netflix series “Sex Education” by Laurie Nunn. The feedback from content creators is that Netflix nurtures talent and at PSBs it is accidental if you manage to get a commission and if you are commissioned your narrative will be, as I mentioned earlier, sliced away again and again.

To give you a current example, we are filming “Top Boy”. When I say “we”, I mean “Top Boy” is being filmed all across the UK. When “Top Boy” was on Channel 4 it did really well and it has now gone across to Netflix. The way Netflix creates and nurtures new talent is it will bring in young people all the way from finance production to set designers and directors, and the trainees will be mentored by directors on the set of “Top Boy”. When they have finished that training, those trainees end up directing an episode themselves and Netflix rotates them throughout its other content series keeping them in-house.

Baroness Kidron: If they do the talent development and are fantastic at commissioning, my question is: why do we still need the PSBs?

Jasmine Dotiwala: The PSBs have spent millions on diversity commissioning and creation. There are so many diversity schemes out there from PSBs. What I have found from being in front of the camera within the production team and at Media Trust is they often seem like tick-box exercises. It is always about quotas. It is always about percentages and saying, for example, “We have hit our percentage for

this particular minority community". The SVODs' mentoring schemes feel a lot more inclusive and authentic, whereas at the PSBs it feels as if it is not. However, I feel that the content they create brings audiences together nationally. The PSBs can do some great work and they are trying their best, but there are so many challenges, and I feel they are just not listening enough to the audiences which are speaking to them.

Deborah Williams: I am going to softly and gently disagree. I think the work we do at CDN—the Creative Diversity Network—for example, is about industry and is about all the PSBs as well as the commercial broadcasters coming together and looking at what the problems are for industry and seeking ways to resolve them. Diamond was the first one which came out of a committee inquiry such as this six or seven years ago and the answer was, "No one knows so let us go and find out. For example, let us find out how many women over 50 are making television or are on television in the UK". That became a third party organisation to manage that project, which looks after it, which they invest in and which they have built. In that respect, the question around diversity is that PSBs need to be there because they drive the diversity conversation. Everybody I talk to says it is really critical for them that all the broadcasters sit together outside competition and collectively and collaboratively seek to solve problems. That is one thing.

Secondly, when it gets data statistics it does things with them. Most people collect data stats and throw them out, but it is actually doing something with them. The first year we reported and into the second year, when we reported at the end of last year, it was clear there was an issue around disabled people on and off screen in UK broadcasting. There is a massive project now about disabled people working off screen and what that means in all the off-screen roles that you can think of. What is it that we can do, and what they have invested in, to seek to change that, or at least to understand what the problems are, and work with the production community to try to change it? Those are the sorts of enormous things that will make a difference to whether people are on screen and whether people come into a space and want to work within a public service broadcaster. A PSB will always be the first place someone goes because they have the hours. They have more hours than anybody else, if you are looking at regulation and commitment, and they are mandated to do this work.

What I am anxious about is that people who are not mandated to do this work suddenly, when it is done, say, "I have done my bit now so I can move on". We have seen that happen so many times before. When you have PSBs and they are really working well, that is what they are doing. They are doing the things they are mandated to do to the best quality and doing them well for entire countries.

As I said before, content is an issue. If your whole commissioning team thinks one thing is funny, you have a problem, or if your whole commissioning team thinks one thing is sad, you have a problem. You need the voice of dissent in that process, and the voice of dissent is usually somebody who has experienced the world in a different way, who sees the future in a different way and is empowered and enabled to sit in

that room and go, "I don't get it". That opens up conversation and debate. You are then creating work that is challenging and that other people will be able to click on to. The thing they can do so much better is really focus on the niche, because the niche done well and right—as with "Save Me", the Sky programme—transcends every boundary and border you can possibly imagine, or things such as "Chewing Gum". These sorts of things smash through boundaries because everybody can find some way to say, "I am that, I know that" or "I feel that, I understand that".

Baroness Kidron: To be absolutely clear, are you saying the structure is all in place but they do not quite have the content commissioning piece, but when they do the structure allows it to fly? Is that your argument?

Deborah Williams: That goes back to my first answer and the shape-shifting bit about the structure. The structure needs some shape-shifting but if you are shifting the shape and carrying on with the content in the same way you are not going to come out with anything different. You are just going to shift the shape and still produce the same thing. You need the two running in tandem. You need the content and the commissioning question happening as well as the shape-shifting and figuring out what does this look like for the 21st and 22nd century.

Baroness Kidron: Thank you very much. Jonathan?

Jonathan Kaye: Public service broadcasting is a huge opportunity for disabled people. What Deborah has said is correct: there are more disabled people going into television and her figures reflect that. I am not going to be critical of Deborah, because it is not her fault that the disability figures are way down on other groups, but that is going to take considerable time and effort to crack compared with the other minority groups.⁴

However, there is a problem with the PSBs and their recognition of what disabled people actually need, because there is a mindset within British broadcasting as a whole that what disabled people want is to be integrated into mainstream programming and everything is going to be mainstream and for the purpose of trying to get disabled people involved in programming and reflecting their views. I take a different view. This is where I am in a minority, but I think this is very important for the industry to address because I think that there is a need for programming which is of interest to disabled people as disabled people as well as mainstream programming. I think the two can coexist. As a disabled person, I would like to see news and information and all sorts of things which are part of the disability lifestyle which would not necessarily be of interest to an able-bodied person but still needs to reflect our community. We are losing our voice because we do not have that kind of content out there.

Baroness Kidron: May I drag you back to your own evidence? You said something very interesting. You said the Government should

4

Note by witness: For a TV diversity comparison with the USA, I refer the Committee to the 2018-19 annual "Where We Are on TV" report, published by GLAAD Media Institute (similar to Project Diamond), at https://glaad.org/files/WWAT/WWAT_GLAAD_2018-2019.pdf

encourage/force the BBC to re-establish its Disability Programmes Unit, et cetera, but then you said that Ofcom should be asked to conduct a viability study into disability content based on a VOD service similar to that. My question concerns the fact that you can say "force the BBC" and "conduct a review into VOD", which is part of the structural difference between PSB and the SVODs. I am really dragging you back to my question about the importance of PSBs and asking whether you are saying that even within your own recommendation it is the force of mandating, as Deborah put it, the fact that there is a voice in there from society as a whole saying, "This community must be represented in an adequate way".

Jonathan Kaye: The reason I advocate a disability programmes unit is because it would be very good as a supporter of Diamond and everything it does. It would be an open door for disabled people who want to get into programming and want to create content for disabled people.⁵

Deborah Williams: Can I just pick up on that point about the DPU? The existence of the DPU and all those units meant that the PSBs had an institutional memory. Because of the way the industry works, the institutional memory has not been shared and not been paid forward. A lot of people grew out of the work that the race unit in Channel 4 and the BBC were doing and are now running their own production companies or working at executive level or working within the industry. That did not happen with the DPU and it is not happening with the Extend scheme. There is something about the institutional memory of work that has been done around disability, in particular off-screen disabled people, and what happens next and where they go next. I think that is a piece of work that the PSBs really could do and that is a piece of work, now that I think about it, I will take on, because one of the core things we need to figure out is how we transition people from wanting to do it to actually doing it. How do we move people into and up in the industry?

Jonathan Kaye: There are two fundamental problems which are currently the main obstacles for disabled people in the industry. The first, which Deborah touched on, is that people get into the industry and get roles but the people at the decision-making end of the chain have a big fear factor. They are the people involved in casting and on-screen presentation and how it looks and there is a big fear factor.

Secondly, I would urge the Committee to look at this because you could make a big change to the industry if you were to address it. There is an abhorrent practice within the industry of giving disabled roles to able-bodied people. This industry needs to get to grips with and recognise that if there is a disabled character involved in a play or a drama, it should be given to a disabled actor and not an able-bodied actor. The same is true of Hollywood.⁶ We need to come down on this and say, "This is wrong.

⁵

Note by witness: Further to my evidence, in hindsight I realised I did not answer Baroness Kidron's question as fully as I would have liked. I believe she may be confused by my written submission. In addition to the re-introduction of the Disability Programming Unit, I and others would like to see the launch of a disability programming "service" or "channel", produced by the new DPU as well as interested independent producers, the content of which could then be made available on an "on demand" basis, hence my suggestion that Ofcom should do a feasibility study into that opportunity.

This is the year 2019". This is also an opportunity for the likes of Netflix and Amazon to tackle it. We should be saying with one united voice, "Enough is enough". Disabled people want to work in this industry and can and are willing to do that but we must be allowed to gain access and we must be allowed to take control.⁷

Deborah Williams: Rest assured that that is what I am doing with my project.

Jasmine Dotiwala: Most PSBs' disability targets are about 8%. In the UK about 20% of people identify with a disability and there is no way that a fifth of our audience is represented or working behind the scenes.

Baroness Bonham-Carter of Yarnbury: Before I ask my question may I ask you, Deborah, about Project Diamond? I seem to remember—and I am sorry I cannot remember who—someone who has come in front of us feeling that the PSBs were not delivering in the way they should be. I just wondered what your view on that was. I cannot remember who said it.

Deborah Williams: Obviously I disagree. I think there is a misconception. When I first came in I described it as a mythical unicorn.

Baroness Bonham-Carter of Yarnbury: Is there any other kind of unicorn?

Deborah Williams: There are real ones. Do not let us go down that road—unicorns are real. People attach all their expectations to something and it will never meet everyone's expectations. One of the things I had to do when I came in was ground it and say, "This is what the project is, this is what it does and this is what it allows us to do in terms of sharing the publishing data and developing projects off the back of it".

From a CDN perspective, it is about industry and the barometer is looking at what society is like from ONS figures and around census figures, and looking at what our industry is like. That is the first thing to figure out and that is what we are doing. The second report has been done and we are in the process of looking at what the third report is. There are elements that other people want that it is not meeting that are beyond the project in terms of scope, capability and delivery, or our focus and our priorities for what we are trying to achieve. I think that is the difference in the conversation around Diamond.

Baroness Bonham-Carter of Yarnbury: It is useful to hear your defence of it.

Jasmine Dotiwala: A lot of us in the industry think the problem with Diamond is we cannot get hold of the stats and the data and, because only 26% of people reply and contribute to that data, it is a quarter of

⁶ Note by witness: I would like to draw the Committee's attention to an article "Here Are 59 Actors Who Landed Oscar Nominations For Portraying Characters With Disabilities", published on IndieWire (US) written by Anne Thompson, published September 25th 2017. See

⁷ <https://www.indiewire.com/2017/09/actors-oscar-nominations-disabilities-afflictions-1201879957/>
 Note by witness: For a similar perspective reflecting a disabled comedy writer's viewpoint, I refer the Committee to "Humour Cuts Through", written for The Guardian by Anna Leszkiewicz, published 24th May 2019: <https://www.theguardian.com/tv-and-radio/2019/may/24/flawed-foul-mouthed-funny-cerebral-palsy-jerk-speechless-tv-comedy-gold>

the industry replying. As a programme maker on the flipside of those TV shows, I know, for example, that when I am delivering a show to a PSB and I say to my production manager, "I am filling in this form for Diamond; can I get the information and data for it?" often they will wave me off and say, "Tick 'yes' to everything; it doesn't matter". What I am saying is while Diamond has a challenge and it is doing some great work, it does not work without the stats being out there and being transparent.

Deborah Williams: The stats are out there and transparent and we have had a long conversation about personal and sensitive data and about what we can share. We are sharing what we are able to share under our remit. "Only 26%" is 44,000 people, which no other industry in the world has ever managed to gather voluntarily by filling in a form. You fill it in once and it lasts for two years. I would say "only" is slightly misrepresentative of what the report is doing.

Jasmine Dotiwala: But if production managers are—

Deborah Williams: That is different because that is about how people work. That is not the data that we have and we share. That is different.

Baroness Bonham-Carter of Yarnbury: I am going to get in trouble if I do not ask my question.

The Chairman: We had better move on. The intricacies of Diamond are interesting and we may want to talk to you further about it.

Q105 **Baroness Bonham-Carter of Yarnbury:** I will now come on to the question I was asked to ask you, which is about the regions and nations of the UK. I was interested in something Jasmine said about it being the same producers and new indies. I am not sure if everyone would agree with that, but there has obviously been some movement, with Channel 4 moving to hubs in Leeds and so on. There was a suggestion, I think by Equity, that that is all very good but that means there are certain areas in the country where there is less investment in production, and it cites particularly the Midlands and the east of England. It is a case of swings and roundabouts when things change, but I think this is probably a question for Deborah as to how the PSBs could improve their regional coverage and their development of talent there.

Deborah Williams: The double-edged sword of regional production is that you need the critical mass in one place, so you need the training and the opportunity, and people need to be at a particular level. That does not always happen on a regional level, whereas it does in London and the south-east because that is where people congregate. How do you transfer that as a PSB? How do you use your influence to transfer that and say, "If we want something made about Norfolk or Colchester or Peterborough, we need to be working with the communities there. We need to at least have an understanding that that is our first port of call". The expectation is that you start there and if you cannot find it or it is not working for you or you do not have enough, you can look elsewhere. Because it is not to do with legislation, because there is no legislation about it, it has to be complementary and you have to find ways to work together for that to happen.

The Channel 4 move is quite interesting because the production industry and PACT have a space in Leeds which hopefully means that the PACT members based in the north of England will be able to galvanise around it. Sky is based in the north of England as well. Regarding the digital and technology areas, there will be quite a good critical mass of people who are able to work in an agile way and in a more regional way and be able to link up with spaces that already exist there.

One of the things I talked about when there was the consultation on Channel 4 was about going to the spaces where culture already sits and exists because people already congregate there. Use your theatres, cinemas and universities, use those spaces as a way to start the conversation at a local level, so people know you are coming and know you are genuine.

Baroness Bonham-Carter of Yarnbury: I can see Jonathan is absolutely desperate to come in.

Jonathan Kaye: Yes, I am, because this is a big issue for me as well because I have some experience of local TV. When local TV launched—and I am talking about London Live and associated broadcasting—I tried to get involved with them, and their attitude was, frankly, absolutely appalling because their attitude was that disabled people were not going to be interested in local TV. I said, “What? Disabled people are going to want to watch local TV. If there is any information out there disabled people are probably going to find it more useful than able-bodied people”, but all the way through the process the attitude from all of them has been that disabled people will not watch local TV, and that attitude is wrong because it could be used in such a positive way to develop skills on a regional basis. I totally endorse what Deborah has said. I think that the local TV companies have it totally wrong.

Jasmine Dotiwala: Research shows that Bristol is the city that most young people are moving to. I talk all over the country at different media colleges and universities.

The Chairman: Is that a generality or do you mean in the industry?

Jasmine Dotiwala: Generally more young people are moving to Bristol than any other city. When I speak to media colleges across the UK, young people always say that they are waiting to graduate so they can make their way to London. As Deborah mentioned, there are local hubs that already exist in the nations and regions and young people need to be told that they do not need to all be coming towards London because we are going out there as TV makers. Production companies need to do more on the ground on marketing to ensure that local people know that.

Deborah Williams: As has been mentioned, a lot of the production companies are the same ones that everyone uses and not just young people but old people like me as well want to start a business. What is wrong with entrepreneurialism? The financing for that is a problem. There is an issue around how you finance and start up a production company, if you think you can create content or if you have been creating content for online platforms and you have a YouTube channel or a big IG following, if

you are talking about fact ent and unscripted, that is where broadcasters and PSBs go to find people for their content. If you have that already that is your IP. We need to be financing and figuring out how we can encourage people to invest more not in start-ups, because that is the wrong word, but in production companies and start building a more diverse production community as well as the PSBs. It is all about how you tell people what is going on.

We are doing some work at the moment with the RTS and we are doing a load of events. The first one is in Wales and the next one is in Leeds and we are driven by their conversations. The RTS and S4C in Wales want to talk about representation and moving beyond tokenism and in Leeds they want to talk about BAME and ethnicity, because people are saying to me, "There are no black people in Leeds", and I am like, "I think you will find that there are just a few black people in Leeds". Let us talk about the history of black and migrant communities in Leeds and have that conversation first, because if you have that conversation you will know which are the spaces you need to be connecting with to ensure that when things arrive and when you are pitching and you get commissions, it is very clear who you go to first.

Jonathan Kaye: Could I make a very crucial point because of what is said about PSBs going to YouTube and Facebook? I am sorry, but I do not want to be in a world that is totally informed by YouTube and Facebook and surely that is where the PSBs come back in. I would much rather give my content, if I was a disabled person, to the BBC, ITV or Channel 4 than I would to YouTube, Google or Facebook.

The Chairman: Thank you. We have two more questions left for our witnesses so if I could ask them to be reasonably brief in their answers to the next set of questions, and it may be that we will contact you later for elaboration in writing if we run short of time. Lord Colville.

Q106 **Viscount Colville of Culross:** I declare an interest as a series producer for Raw TV making content for CNN. Deborah, you talked about how there was a plethora of things on Netflix and they were there for you to dig into. Jasmine, you said that the PSBs had a diversity of programmes but they were not able to harness the content makers properly. Would it help if Ofcom allowed the PSBs to set up a really competitive SVOD themselves which had a variety of attractions to it, including being able to extend the time that those PSB programmes were up to maybe up to 12 months?

Jasmine Dotiwala: Absolutely. Is that not similar to what they are trying to do with BritBox at the moment? Young people tell me they do not quite understand why BritBox will be a success because that content is something they have already paid for and to be able to go back and watch it for 12 months when it has already had an appointment to view, they do not know why it is going to be competitive. I think it is about leaving it up for longer, absolutely. If you look at things such as the BBC iPlayer or BBC Sounds, the content is up for only a month. That does not make sense in today's landscape.

Deborah Williams: I would say similar. We will have to see how BritBox plays out. It may not be as successful as people anticipate because the content they are talking about is not content that whole generations want to see. It is stuff I may watch if I have nothing else to watch. It is not stuff I would immediately leap on. It always comes back to that conversation and question of who is making it, especially in scripted, where content is king and we are looking at high-end television, we are looking at success around scripted work globally, and that is still the bit that needs a lot of work for that concept to succeed.

Jonathan Kaye: I would like to touch on one area which I have some expertise on and that is access to services⁸ because at the moment there is a very weird problem whereby if something has appeared on BBC or ITV [or any other PSBs] and already been broadcast it would have subtitling and audio description and the minute it is shown on another channel or on-demand those services are not there because of the regulations Ofcom has put in place.⁹ I would say that, yes, obviously there need to be regulations, but in terms of the public service broadcasters they already have their content which is subtitled and audio described, so, surely, when it goes on to a different channel, that content could go with it and there is no excuse for those other broadcasters not to have that content subtitled or audio described other than the cost. I would argue that if someone had the ability to have a licence to broadcast, and if you are a bigger broadcasting company,¹⁰ there is no excuse why they cannot have subtitling and audio description.

Jasmine Dotiwala: Also, it is not about how and where audiences access content. Even if there is BritBox for the PSBs, it is not always about that. Ultimately, it is about the content. What the SVODs are getting right that the PSBs are not is that when it comes to minority audiences from various different minorities the content is always stereotypical. For example, the one thing that PSBs do really well is their different seasons, whether it is disability season, mental health, BAME, Indian or African. They do it well, but the talented people who front those programmes often do not transfer across to the mainstream channels. As well as that, all the content is based on stereotypes. For example, the PSBs are obsessed with Indian seasons and there are a million seasons about Indian train lines and Indian food. It is like we are stuck in this colonial era. However, Netflix is bringing in Indian writers and scriptwriters for drama and Indian comedians. African content is all based around series talking about poverty and corruption as if the only things in

⁸ Note by witness: As a founder member of Ofcom's Advisory Committee on Older & Disabled people, I was involved in the original decisions to set criteria by which channels should offer subtitling, audio description and sign language provision. For the record, I have always opposed the need for any channel to have to achieve a minimum level of audience share before having to provide subtitling, the number of beneficiaries being so much larger than in comparison with the other access services.

⁹ Note by witness: Ofcom and the DCMS are currently in the process of drawing up and consulting on new regulations governing the availability of access services on VOD services. However, it is still likely to be some time before these regulations take effect.

¹⁰ Note by witness: For example, A&E Media, Discovery Communications, Disney or WarnerMedia. It should also be noted that in the case of US owned broadcasters, they would be expected to make their content accessible as standard in their home market whatever a particular channel's audience share may be, so why not here too? Netflix and Amazon already provide US style subtitling on most content in UK. Arguments abound as to whether they should have to adopt UK style subtitling.

the continent are those subjects. Netflix is bringing in African scriptwriters and drama producers. It is two completely different worlds and I think audiences are demanding a more authentic set of content.

Viscount Colville of Culross: Ofcom has said that PSBs have to do more to make high-quality distinctive programmes that appeal to young people, people outside London and BAME groups. Bearing in mind what you are saying, it sounds like it is a commissioning problem rather than something the regulators can do. You have already pointed out there is plenty of space at the PSBs for diversity programming.

Deborah Williams: The other thing to remember is that Netflix tailors by territory and by what you put in as a user. What you are seeing, I am not seeing and Jonathan is not seeing; we are all seeing different things based on what it is we have said we are interested in.

Jasmine Dotiwala: It is like going into a library where the librarian knows what you like and directs you across to that section.

Deborah Williams: The content may not necessarily be as robust as people think it is. It may be that it is about what you want to see. Whether you call it an echo chamber or reinforcing your own taste, that space is what you want to watch, how you want to watch it, when you want to watch it. The difference with the PSBs is that it is very much the opposite of that. It is quite regulated and says, "This is what you are watching and this is when you will watch it". It can be successful. "Bake Off" was a classic. I watched season one of "Bake Off" and nobody in my family was interested, by the way. People were not interested in that until season three or four and suddenly I am like, "Seriously?"

Everyone talks about "Line of Duty" now, but for season one of "Line of Duty" you would tune in to BBC on a Sunday night to watch it. PSBs do those sorts of things incredibly well and they can be—and should be much more and I think it is about confidence content-wise—the loss leaders. They can afford to have loss leaders much more than the SVODs can, and they should be investing much more in loss leaders because most of the talented people who work on the VODs will have come through the BBC or Channel 4.

At the very least they will have come through the BBC and that is where they will have learned to do what they do. They were empowered in those spaces, which means that they get poached by the VODs. Once the VODs have poached you, what comes next? What is going to happen when the VODs have finished with you or are fed up with you or you outgrow the space you are in; what happens next, where do you go? Is that investment and development real and does it continue? Can you build a career creating scripted work for a VOD over 10 years? That is a rhetorical question because we do not know, but, even so, Netflix has been around since 2008 in America so it will be interesting to see how some work done on how people have progressed.

The Chairman: We probably need to finish that question. It is very interesting and if any of you want to elaborate with further evidence we would welcome that. We have one final question on the issue of skills.

Lord Gordon.

Q107 Lord Gordon of Strathblane: I should first declare an interest. I am a supporter of Media Trust and hosted a reception for it in the River Room to mark the fact that all the media groups and transmission companies had agreed to support Together TV. I will put one specific point to you—and it is more important that you give your evidence to the Minister than to us—if we look at the apprenticeship levy, everybody gives the Government full marks for creating it but nobody thinks it is doing a good job in the creative sector. Are there any specific ideas you can offer either to the Committee or to the Government as to how it could be run better?

The Chairman: Detailed answers very briefly, please.

Deborah Williams: I will try my best. There are frameworks that exist. We are not allowed to design our frameworks properly and we need to be designing frameworks that are fit for purpose. That is the biggest factor. There needs to be discussion within the Civil Service, within government and within the Committee to think about what those frameworks are and how they work and how we can make them work for our industry.

Jasmine Dotiwala: And make it easier for companies to put them in place. It has not been easy for companies. We get all the forms and people are asked to sign a million things and it ends up becoming too much for the operations part of the company.

Jonathan Kaye: It is an area that has had much said about it, but I can say that there are many companies out there that need to be encouraged. They exist but, as I was saying earlier, disabled people need to have the opportunity to be allowed to go on them and be allowed to take the roles that they want to take. As I said before, if that is not the case we need something like the Disability Programmes Unit to provide the apprenticeship schemes, because if the BBC works on a more concentrated level on schemes for disabled people you will get more disabled people into the industry.^{11 12}

The Chairman: I apologise to Members of the Committee and to the witnesses that we had to gallop through those last few questions, because they were very interesting and you made a number of interesting points, which is very useful to the Committee. If there is anything you would like to elaborate on, please write to us. We would also welcome your thoughts on anything you think we might have asked

¹¹ Note by witness: I would have also have liked to emphasise that the Department for Work & Pensions' Access to Work scheme (together with their partners, including Microlink) plays an absolutely vital role in supporting disabled people to train and work in the broadcasting industry. This enables "reasonable adjustments" to be made to the set or working environment to suit the needs of the employee with Government picking up the costs. Independent producers need to be more aware of AtW. Furthermore, citing "Coronation Street" as an example of which I have heard, the reasonable adjustments that have had to be made to accommodate one wheelchair-using cast member have not just raised awareness, but led to a comprehensive set redesign and new methods of working which have impacted and benefit the entire cast and crew. ITV Studios in turn can now feed lessons from this experience into other productions.

¹² Note by witness: For transparency and the interest of members of the Committee, I have met with the Minister of State for Digital at the DCMS at their request twice in the last 3 years. At each meeting we discussed a range of issues including Public Service Broadcasting and disability, and the further provision of fibre broadband connectivity respectively.

you and did not. Jonathan, you have already sent us written evidence and thank you for that. I thank our witnesses again for their evidence, which has been very useful to the Committee.