

Written evidence submitted by Cymdeithas yr Iaith/ The Welsh Language Society

Ymateb Cymdeithas yr Iaith i Ymchwiliad Pwyllgor Materion Cymreig San Steffan i Ddarlledu yng Nghymru

Mae Cymdeithas yr Iaith yn fudiad sy'n ymgyrchu'n ddi-drais dros y Gymraeg a holl gymunedau Cymru.

Dechreuodd yr ymgyrchu dros sianel deledu Gymraeg â galwad am 'Awdurdod Darlledu Annibynnol i Gymru' ag 'awdurdod llwyr dros ddarlledu yng Nghymru'.¹

Dydy'r alwad honno ddim wedi ei gwireddu o hyd, er i S4C gael ei sefydlu yn 1982.

Yn y cyfnod ers sefydlu S4C, nid yw'r ddarpariaeth Gymraeg sy'n cael ei darlledu wedi symud ymlaen rhyw lawer a phrin fu datblygiad cylch gorchwyl S4C, er gwaethaf datblygiadau sylweddol ar lwyfannau darlledu eraill.

Mae'n amlwg felly, os ydy S4C i ddatblygu a ffynnu, na ellir parhau â'r sefyllfa bresennol ac y dylid datganoli grym rheoleiddio ym maes darlledu, gan gynnwys cyfrifoldeb dros y ffi drwydded, i Senedd Cymru, ac y dylid sefydlu fformiwla ariannol statudol ar gyfer ein sianel a llwyfannau Cymraeg fydd yn cynyddu ar raddfa nad yw'n llai na chwyddiant, er mwyn rhoi sicrwydd ariannol hirdymor i'r darlledwyr a'r maes darlledu Cymraeg.

Rydyn ni'n awgrymu datganoli fesul cam:

1. Datganoli grymoedd i ddeddfu dros reoleiddio'r holl sbectwm darlledu er mwyn galluogi sefydlu cyfundrefn reoleiddio i Gymru;
2. Datganoli arian ffi'r drwydded a grymoedd i godi trethi er mwyn ariannu darlledu cyhoeddus;
3. Trosglwyddo grymoedd dros radio masnachol, cymunedol a theledu lleol.

Sefydlodd Llywodraeth Cymru banel arbenigol i baratoi'r ffordd ar gyfer datganoli pwerau darlledu a chyfathrebu i Gymru. Mae'r cytundeb cydweithio rhwng y Llywodraeth a Phlaid Cymru yn datgan cefnogaeth i ddatganoli darlledu, felly mae'n glir bod awydd i rym gael ei drosglwyddo i Gymru, a'i bod yn bryd i hynny ddigwydd.

Gan mai Plaid Cymru a'r Blaid Lafur yw dwy brif blaid y Senedd yng Nghymru, mae mandad clir ganddynt i baratoi'r ffordd ar gyfer datganoli darlledu.

Ymhellach, dangosodd arolwg barn YouGov yn 2017 bod dros 60% o bobl Cymru o blaid datganoli grymoedd darlledu yn eu cyfanrwydd i Gymru.

Credwn hefyd fod angen creu 'Cyngor Cyfathrebu Cenedlaethol' i reoleiddio'r cyfryngau yng Nghymru yn lle Ofcom. Mae Ofcom wedi methu â gwasanaethu Cymru a'r Gymraeg, ac yn parhau i fethu.

¹ [Darlledu yng Nghymru, Cymdeithas yr Iaith, 1970](#)

Dros y blynyddoedd, caniatawyd i gwmnïau Prydeinig brynu gorsafoedd annibynnol, lleol fel Radio Ceredigion. Caniataodd Ofcom i Radio Ceredigion leihau darpariaeth Gymraeg yr orsaf o 50% o'r cynnwys i 10%.

Prynwyd gorsafoedd radio yr hen Ddyfed gan Nation Radio, a symudodd bresenoldeb y gorsafoedd o'r gorllewin i dde-ddwyrain Cymru a disodlwyd rhaglenni lleol eu naws â darpariaeth gyffredinol sydd i'w chlywed ar orsafoedd eraill Nation Radio ar draws Cymru a Lloegr.

Dydy Ofcom chwaith ddim wedi gwneud dim byd i geisio sicrhau neu gynyddu cynnwys Cymraeg ar sianeli teledu rhanbarthol na chynnwys digidol y sianeli hynny.

Mae'n glir felly bod angen rheoleiddiwr cryfach â chylch gorchwyl sy'n cynnwys sicrhau bod cynnwys gwasanaethau lleol yn lleol ac yn Gymraeg.

Ymhellach, credwn y byddai rheoleiddiwr annibynnol Cymreig mewn lle gwell i amddiffyn darlledu yng Nghymru.

Ers 2010, mae'r sianel Gymraeg wedi bod yn dirywio o flaen ein llygaid, o ganlyniad i doriadau.

Mae toriadau wedi effeithio ar gynnwys S4C, mae llai o gynnwys newydd yn cael ei greu, gan fod ail-ddarlledu cynnwys gymaint yn rhatach.

Mae oriau darlledu S4C wedi cynyddu rywfaint ers 2001 ond bryd hynny, 43% o'r oriau roedd S4C yn eu darlledu oedd yn ail-ddarllediadau o'i chynnwys ei hun a chynnwys a ddarparwyd gan y BBC.

Erbyn 2010, roedd y ganran wedi codi i 54%. Yn 2020/21, roedd hynny wedi cynyddu ymhellach i 67.6%.

Mae'r canrannau yma'n uchel iawn, yn enwedig o gymharu â'r 5% o oriau ailddarllediadau ar brif sianeli BBC (y ganran yn 2015).

Yn 2015, rhybuddiodd Prif Weithredwr S4C un o bwyllgorau'r Senedd y byddai toriadau yn golygu y byddai S4C yn dibynnu'n fwy helaeth ar ail-ddarlledu rhaglenni²; eto i gyd, parhau i wynebu toriadau mae S4C, heb ystyriaeth i fodel cyllido cynaliadwy. Dydy hi'n ddim syndod felly bod y ganran o ailddarllediadau wedi parhau i dyfu.

Rydym yn bell o gael yr egwyddor o 'blwraliaeth' ar yr unig sianel Gymraeg yn y byd, heb sôn am blwraliaeth ar draws darparwyr Cymraeg. Dydy ailddarllediadau fel sydd ar hyn o bryd ddim yn gynaliadwy. Mae comisiynu cynnwys newydd yn hanfodol i iechyd y sianel, i gwmnïau cynhyrchu, a'r arlwy i wylwyr felly mae angen sicrhau cyllideb ddigonol i S4C gomisiynu amrywiaeth o gynnwys newydd.

Yn 2012, cyfeiriodd Cadeirydd Awdurdod S4C at doriadau fel y rheswm y daeth Clirlun i ben³.

² <https://www.bbc.co.uk/cymrufyw/34714360>

³ <https://www.bbc.co.uk/cymrufyw/18800382>

Arwydd arall o broblemau cyllidebol yw'r arfer o greu fersiwn Saesneg ddi-angen o rai dramâu ar y cyd ag ariannwr arall, er bod nifer o actorion amlwg wedi cwestiynu hyn.

Yn ôl Branwen Cennard yn 2021, mae'n: "Bizarre, diangen, hen ffasiwn, hen bryd i ni symud 'mlaen... Pan rydych chi'n rhoi hwnna mewn cyd-destun rhyngwladol mae'n ymddangos yn aruthrol o hen ffasiwn erbyn hyn⁴."

Dramâu sydd fwyaf costus i'w cynhyrchu, felly i arbed costau mae S4C wedi cydweithio â'r BBC i greu sawl drama sy'n cael eu creu yn Gymraeg ac yna yn Saesneg er mwyn eu dangos ar y BBC. Dylai fod cyllid digonol gan S4C i gomisiynu ei dramâu ei hun, yn uniaith Gymraeg.

Ymhellach, mae'r BBC, darlledwyr eraill a gwasanaethau tanysgrifio wedi dangos deunydd uniaith mewn ieithoedd tramor wedi ei is-deitlo yn gyson ers blynyddoedd, a ffigyrau gwyllo yn dyst i boblogrwydd cyfresi fel The Killing. Mae S4C wedi gwerthu dramâu uniaith Gymraeg gydag is-deitlau ac wedi dangos bod modd cyrraedd cynulleidfa eang â deunydd Cymraeg wedi ei is-deitlo, felly mae'n amlwg mai diffyg arian sydd wedi arwain at ffilmio drama yn Gymraeg ac yn Saesneg.

Byddai rheoleiddiwr annibynnol i Gymru hefyd yn diogelu dyfodol S4C fel darparwr darlledu cyhoeddus.

Wrth edrych i'r dyfodol, gallai unrhyw benderfyniad i breifateiddio Channel 4 osod cynsail ar gyfer preifateiddio darlledwyr cyhoeddus eraill. Gan y bydd cyllid S4C yn dod trwy'r ffi drwydded yn llwyr o'r flwyddyn nesaf ymlaen, mae Llywodraeth y Deyrnas Unedig wedi ymbellhau oddi wrth S4C eisoes.

Mae darlledu cyhoeddus yn hanfodol i sicrhau bod cynnwys o bob math yn cyrraedd cynulleidfa eang, ac mae S4C ei hun wedi cyfrannu'n sylweddol at greu a datblygu sector diwydiannau creadigol cryf ers yr 80au, ac sydd wedi parhau'n gymharol gryf.

Wrth roi tystiolaeth mewn cyfarfod o Bwyllgor Diwylliant, Cyfathrebu, y Gymraeg, Chwaraeon a Chysylltiadau Rhyngwladol y Senedd dywedodd Ruth McElroy o Brifysgol De Cymru i dros 90% o'r cynnwys a gomisiynwyd gan gwmnïau bach yng Nghymru yn 2020 ddod gan ddarlledwyr cyhoeddus⁵.

Mae arferion gwyllo pobl wedi newid yn sylweddol yn ystod y blynyddoedd diwethaf, ac maent yn parhau i newid. Mae nifer o gwmnïau a llwyfannau teledu yn cynnig gwasanaethau ar-alw ac mae setiau teledu clyfar wedi'u cysylltu â'r we ac â'n ffonau symudol.

Er y byddent yn gallu cynnig mwy o ddewis ac y byddent yn gallu cyrraedd cynulleidfaoedd yn haws, dydy darlledwyr sector cyhoeddus fel S4C ddim yn amlwg arnynt nac yn hygyrch i wylwyr.

⁴ <https://www.bbc.co.uk/cymrufyw/59523065>

⁵ <https://cofnod.senedd.cymru/Committee/12443>

Mae S4C ei hun wedi nodi bod sicrhau lle amlwg i S4C mewn canllawiau electronig sianeli yn gwneud gwahaniaeth i ffigyrau gwyllo a bod rhoi rhaglenni ar iPlayer yn ogystal â Clic wedi arwain at gynydd yn nifer y gwylwyr, gan fod defnydd mwy helaeth o iPlayer.

Yn wyneb newidiadau i lwyfannau gwyllo, mae angen ehangu adrannau yn Neddf Cyfathrebu 2003 sy'n ymwneud ag amlygrwydd darlledwyr sector cyhoeddus ar lwyfannau teledu poblogaidd er mwyn iddynt gynnwys darpariaeth ar-alw yn ogystal er mwyn cyflawni eu goblygiadau.

Mae'r math o gynnwys sy'n cael ei wyllo yn newid hefyd a chynnwys ar-lein yn unig yn tyfu mewn poblogrwydd, ymysg pobl ifanc yn enwedig. Mae'n bwysig bod y Gymraeg yn weledol ar-lein, gan fod iaith deunydd ar-lein yn effeithio ar ddefnydd iaith yn ein cymunedau. Dylid ehangu cylch gorchwyl S4C felly i gynnwys gwasanaethu ar-lein a gwyllo ar alw. Ar hyn o bryd, ystyrir S4C fel cyfrwng teledu yn unig, does dim rheidrwydd ar y sianel i gynhyrchu cynnwys digidol i gydymffurfio â'i gylch gorchwyl. Dydy cynnwys digidol yn unig ddim chwaith yn cyfrannu at gydymffurfiaeth S4C â'i phwrpas.

Mae'n sefyll i reswm felly ei bod yn anos i'r darlledwr roi cyllid tuag at gynnwys digidol yn unig o dan y cylch gorchwyl presennol.

Byddai ehangu cylch gorchwyl S4C i gynnwys deunydd digidol yn ei dro yn cefnogi diwydiant ac economi greadigol Cymru.

Ar hyn o bryd, mae'r diffyg Cymraeg ar lwyfannau ar-lein yn gweithio yn erbyn defnydd yr iaith yn ein cymunedau. Ond yn fwy na'r prinder deunydd Cymraeg ar-lein, mae'r ychydig ohono sydd ar gael yn cael ei foddï a'i gollï. Rhaid mynd ati i adnabod anghenion megis creu mwy o ddeunydd, hyrwyddo deunydd a chreu llwyfannau newydd sy'n cyfateb â'r rhai sydd ar gael mewn ieithoedd eraill a datblygu syniadau gwreiddiol ar eu cyfer.

Yng nghyd-destun twf llwyfannau ffrydio byd-eang, mae angen adnabod y corfforaethau penodol a'u nodweddion er mwyn cwestiynu pwy yn bennaf sy'n elwa o unrhyw dwf ac elw; pa mor gynaliadwy yw hyn yn y tymor hir, eu diffygion a beth sydd ddim yn cael ei ddarparu ganddynt. Ymhlith y llwyfannau mwyaf amlwg yng Nghymru mae Netflix, YouTube, ac Amazon Prime.

Mae sylwebwyr a gwleidyddion yn aml yn dyrchafu Netflix fel model ar gyfer gwasanaethau cyhoeddus. I'r gwrthwyneb, mae Netflix yn seiliedig ar hapchwarae buddsoddwyr cyfalafol. Fel corfforaeth Americanaidd, mae'n dewis ffafrio comisiynu a dosbarthu cynnwys Americanaidd yn Saesneg yn bennaf. Heblaw am ychydig o is-deitlau dydy'r gorfforaeth ddim wedi comisiynu'r un rhaglen na ffilm yn Gymraeg. Does dim newyddion na materion cyfoes yn rhan o'r arlwy - mae Netflix wedi dewis peidio cynnwys darpariaeth o'r fath. I fuddsoddwyr a chyfranddalwyr y mae cwmnïau o'r fath yn atebol, a chreu elw sy'n eu gyrru.

Mae nifer o arbenigwyr wedi cyfeirio at gwmp tanysgrifwyr Netflix yn ddiweddar fel arwydd bod dyfodol yr arbrawf yn ansicr.⁶

⁶ <https://www.theguardian.com/media/2022/apr/20/why-is-netflix-losing-so-many-subscribers-and-what-can-it-do-about-it>

Dydy'r model ddim yn gynaliadwy ac mae'n dangos pwysigrwydd darlledwyr cyhoeddus.

Dydy YouTube, ar y llaw arall, ddim yn comisiynu llawer o'i gynnwys gwreiddiol ei hun, ac mae'n llwyr ddibynnol ar waith allanol gan y cyhoedd ac endidau eraill. Mewn achosion lle mae unrhyw fideo yn ennill nifer sylweddol o wylwyr, nid y cynhyrchwyr eu hunain sydd ar eu hennill, ond YouTube ei hun. Mae cerddorion proffesiynol yn enghraifft dda o weithwyr sy'n cael eu hecsbloetio gan YouTube.

Nid oes atebolrwydd i gynhyrchwyr na gwylwyr - mae YouTube yn atebol i Google a'i strategaeth gorfforaethol ehangach. Nifer gymharol fach o bobl, sef cyfranddalwyr Google, sy'n elwa'n ariannol o YouTube yn bennaf. Felly mae angen i gynhyrchwyr ganfod ffynonellau eraill o arian yn hytrach nag adeiladu ar 'lwyddiant' ar YouTube i fuddsoddi i gynhyrchu denuydd pellach.

Mae Amazon Prime yn rhannu rhai o nodweddion Netflix a amlinellwyd uchod, y model cyfalafol o gynhyrchu, y pwyslais Americanaidd Saesneg, y diffyg comisiynu Cymraeg, a'r diffyg atebolrwydd i wylwyr. Yn ogystal, mae Amazon fel corfforaeth yn ddrwg-enwog am ei harferion gwael megis anwybyddu hawliau gweithwyr⁷ ac osgoi trethi⁸.

Drwy fanteisio ar ddiffyg rheoleiddio, mae Amazon wedi defnyddio monopoli ar draws sawl categori o fusnes e-fasnach, i geisio sefydlu Prime.

Felly mae'r corfforaethau yma ymhell o fod yn fodolau i unrhyw wasanaeth cyhoeddus anelu at eu hefelychu.

Yn hytrach na dibynnu ar reoleiddiwr a'r farchnad gyfalafol yn unig, credwn fod angen creu Menter Ddigidol Gymraeg fyddai â'r nod o gynyddu cyfleoedd i weld, clywed, creu a defnyddio'r Gymraeg, a normaleiddio a phrif-ffrydio'r Gymraeg, ar draws llwyfannau ar-lein ac yn ddigidol.

Byddai'n adnabod y bylchau cynnwys, yn creu cynnwys ac yn galluogi eraill i greu cynnwys tra hefyd yn sicrhau cyrhaeddiad unrhyw ddeunydd.

Byddai Menter Ddigidol Gymraeg hefyd yn gyfle i ail-ddychmygu defnydd o dechnoleg sydd ddim yn dibynnu'n llwyr ar hysbysebion, sydd ddim yn arwain at orddefnydd, caethiwed i'r corfforaethau, sarhad, hiliaeth, a newyddion ffug ac anghywir. Yn hytrach, byddai'r Fenter yn rhoi blaenoriaeth i dechnoleg sy'n ymateb i anghenion a dyheadau pobl a chymunedau, sy'n parchu preifatrwydd, ac sy'n arwain at greu gofodau diogel a chynhwysol.

Byddai angen buddsoddiad sylweddol i greu Menter Ddigidol Gymraeg; rydyn ni'n argymhell buddsoddiad o £9 miliwn y flwyddyn yn y lle cyntaf.

Ond mater i Lywodraeth Cymru fyddai hyn, wedi i rymoedd dros ddarlledu gael eu datganoli.

⁷ <https://www.forbes.com/sites/jackkelly/2021/10/25/a-hard-hitting-investigative-report-into-amazon-shows-that-workers-needs-were-neglected-in-favor-of-getting-goods-delivered-quickly/>

⁸ <https://www.theguardian.com/technology/2021/may/04/amazon-sales-income-europe-corporation-tax-luxembourg>

Mae mwy am greu menter ddigidol Gymraeg yn ein papur trafod, Menter Ddigidol Gymraeg⁹.

Mae dyfodol y ffi drwydded yn ansicr gan fod Llywodraeth y Deyrnas Unedig wedi codi cwestiynau am 'werth am arian' y ffi drwydded. Gan y bydd S4C yn cael ei hariannu yn uniongyrchol gan y BBC, sy'n ddibynol ar y ffi drwydded, byddai unrhyw newid i'r ffi drwydded yn effeithio ar S4C.

Nodwyd eisoes bod S4C wedi wynebu toriadau ers dros ddegawd. Mae mwy o bwysau nag erioed ar gyllideb y BBC hefyd, felly mae angen ystyried modelau cyllido newydd ar gyfer darlledu cyhoeddus mewn modd cynaliadwy. Yn sicr dydy ariannu sianel drwy sianel arall ddim yn gynaliadwy.

Yn y gorffennol, rydyn ni wedi argymhell cyfuniad o bedwar posibilid ar gyfer ariannu darlledu yng Nghymru:

1. Ariannu'n uniongyrchol gan Lywodraeth Cymru - Fel systemau Gwlad y Basg a Chatalwnia, gallai cyfran statudol o gyllid corfforaeth ddarlledu ddatganoledig i Gymru ddod yn uniongyrchol gan Lywodraeth Cymru.
2. Datganoli'r ffi drwydded - Byddai ffi drwydded Gymreig yn gallu cyfrannu at ariannu rheoleiddiwr darlledu.
3. Treth ar wasanaethau rhyngwyd a chwmnïau telathrebu - Mae darparwyr rhyngwyd a chwmnïau telathrebu yn cynnig llwyfannau eang i wyllo a defnyddio cynnwys cyfryngol ac yn parhau i weld cynnydd sylweddol yn eu helw.
4. Mae Gwlad Pwyl yn trafod gosod ardoll ar gwmni Netflix. Byddai'r arian a godir yn mynd i'r diwydiant teledu. Byddai gosod ardoll ar drosiant neu elw'r darparwyr gwasanaethau rhyngwyd a'r cwmnïau telathrebu yma yng Nghymru yn creu incwm i'w fuddsoddi mewn darlledu cyhoeddus.

Byddai model cyllido newydd yn creu posibiladau ac yn gallu gwneud iawn am y modd y mae darlledu yng Nghymru wedi ei esgeuluso dros y blynyddoedd drwy greu system newydd uchelgeisiol dros amser. Rydyn ni wedi amlinellu model posib â thair sianel deledu a thair gorsaf radio mewn papur trafod, *Yr achos dros bwerau darlledu a chyfathrebu i Gymru*¹⁰.

Mae manylion pellach ac opsiynau eraill yn ein papur, *Ariannu Darlledu Cymraeg: Treth newydd i ariannu darparwr amlgyfryngol Cymraeg newydd*¹¹.

Mae arian o hysbysebu yn dod i S4C hefyd, ac yn hynny o beth mae chwaraeon yn dod â refeniw i mewn.

⁹ <https://cymdeithas.cymru/menterddigidol>

¹⁰ <https://cymdeithas.cymru/dogfen/yr-achos-dros-bwerau-darlledu-chyfathrebu-i-gymru>

¹¹ <https://cymdeithas.cymru/dogfen/ariannu-darlledu-cymraeg-treth-newydd-i-ariannu-darparydd-amlgyfryngol-cymraeg-newydd>

Mae chwaraeon yn bwysig i S4C fel darlledwr, mae'n tynnu pobl at S4C ac yn rhoi cyfle i'r sianel ddangos cynnwys arall er mwyn ceisio denu pobl i wyllo rhaglenni eraill. Mae nifer o bobl na fydden nhw'n ystyried gwyllo rhaglenni Cymraeg ar S4C fel arfer, ond o'u gweld drwy hysbysebion neu ragflas yn ystod chwaraeon mae'n bosibl y byddent yn gwyllo.

Byddai colli hawliau i ddarledu gemau rhyngwladol yn Gymraeg ar S4C yn effeithio ar y Gymraeg hefyd ac yn gam yn ôl o ran normaleiddio'r Gymraeg.

Mae tîm pêl-droed Cymru, er enghraifft, wedi gwneud peth defnydd o'r Gymraeg drwy ddiolch i'w cefnogwyr yn Gymraeg a thrwy fabwysiadu 'Yma o Hyd' yn anthem answyddogol. Mae'n debygol bod y ffaith i gemau gael eu darledu gyda sylwebaeth Gymraeg ar S4C wedi cyfrannu at greu amgylchedd i alluogi hynny a normaleiddio'r Gymraeg yn y gêm.

Petai chwaraeon o Gymru yn cael eu dangos ar sianeli eraill, mae'n debygol na fyddai'r un rhyddid a chwarae teg i wneud pethau o'r fath, sydd, er yn fach, wedi effeithio ar feddylfryd Cymry o bob cefndir.

Yn ogystal, mae rhoi hawliau chwaraeon i wasanaeth tanysgrifio yn rhoi mwy o rym yn nwylo cwmnïau preifat ac yn amddifadu pobl o allu gwyllo chwaraeon. Mae'r enghraifft ddiweddar o S4C yn colli llawer o gemau rygbi i Amazon Prime yn gosod cynsail peryglus.

Mae cost uchel i hawliau chwaraeon, felly mae'n anodd i'r digwyddiadau mwyaf poblogaidd fod ar gael ar wasanaethau cyfryngau gwasanaeth cyhoeddus heb gymhorthdal. Rydym yn argymhell bod y Llywodraeth yn sicrhau swm digonol dan y setliad presennol gyda'r BBC er mwyn i S4C allu cystadlu am hawliau i ddangos chwaraeon, a gallu cynnig sylwebaeth Gymraeg.

Yn sgil newidiadau sylweddol ym maes darlledu, does dim dwywaith na all y system ddarledu yng Nghymru barhau fel y mae, mwy nag y gall system darlledu unrhyw wlad. Mae cyfle felly i gynllunio er mwyn datblygu trefn fydd yn gwasanaethu pobl Cymru yn well ac yn cynllunio ar gyfer y dyfodol.

Grŵp Digidol Cymdeithas yr Iaith
Awst 2022

The Welsh Language Society is a movement which campaigns non-violently for the Welsh language and all the communities of Wales.

It started the campaign for a Welsh-language television channel with a demand for an “Independent Broadcasting Authority for Wales” with “complete authority over broadcasting in Wales”.

That demand has still not been implemented, even though S4C was established in 1982.

In the period since establishing S4C, Welsh-medium provision that is broadcast has not moved on very much and S4C’s terms of reference have hardly been developed, despite substantial developments on other broadcasting platforms.

It is obvious, therefore, if S4C is to develop and thrive, that the current situation cannot continue and that regulatory power over broadcasting should be devolved, including responsibility for the licence fee, to the Welsh Parliament, and that a statutory funding formula should be established for our channel and Welsh-language platforms which will increase by a rate no less than inflation, in order to give long-term financial security to the broadcasters and Welsh-language broadcasting.

We suggest devolution in stages:

1. Devolve powers to legislate for regulation of the whole broadcasting spectrum to enable setting up a regulatory regime for Wales.
2. Devolve licence fee funding and powers to raise taxes in order to fund public broadcasting.
3. Transfer powers over commercial and community radio and local television.

The Welsh Government established an expert panel to prepare the way for devolving broadcasting and communications powers to Wales. The co-operation agreement between the Government and Plaid Cymru declares support for devolving broadcasting, so it is clear that there is a desire for power to be transferred to Wales, and that it is time for that to happen.

Since Plaid Cymru and the Labour Party are the two main parties in the Welsh Parliament, they have a clear mandate to devolve broadcasting.

Furthermore, an opinion poll by YouGov in 2017 showed that over 60% of the people of Wales were in favour of devolving broadcasting powers in their entirety to Wales.

We also believe that it is necessary to create a “National Communications Council” to regulate the media in Wales instead of Ofcom. Ofcom has failed, and continues to fail, to serve Wales and the Welsh language.

Over the years, British companies were allowed to buy local, independent stations such as Radio Ceredigion. Ofcom allowed Radio Ceredigion to reduce its Welsh-language provision from 50% of its content to 10%.

The radio stations in the former Dyfed were bought by Nation Radio, and the stations' presence moved from west to south-east Wales and programmes with a local flavour were replaced with general provision which can be heard on Nation Radio's other stations throughout Wales and England.

Ofcom has not done anything to attempt to safeguard or increase Welsh-language content on regional television channels or those channels' digital content either.

It is clear, therefore, that a stronger regulator is needed, with terms of reference that include ensuring that local service content is local and in Welsh.

Furthermore, we believe that an independent Welsh regulator would be in a better position to defend broadcasting in Wales.

Since 2010, the Welsh-language channel has been withering before our eyes, as a result of cuts.

Cuts have affected S4C's content; less new content is being created, since repeating content is so much cheaper.

S4C's broadcasting hours have increased somewhat since 2001 but at that time 43% of the hours that S4C broadcast were repeats of its own content and content provided by the BBC.

By 2010 the percentage had risen to 54%; in 202/21 it had increased further to 67.6%

These percentages are very high especially in comparison with the 5% of repeated hours on the BBC's main channels (the percentage in 2015).

In 2015 S4C's chief executive warned one of Parliament's committees that cuts would mean that S4C would depend even more heavily on repeating programmes¹². Despite this, S4C continues to face cutbacks, with no consideration of a sustainable funding model. It is no surprise therefore that the percentage of repeats has continued to grow.

We are far from having the principle of 'plurality' on the only Welsh-language channel in the world, let alone plurality across Welsh-language providers. Repeats as at present are not sustainable. Commissioning new content is essential for the health of the channel, for production companies and for the choice for viewers, so adequate funding must be secured so that S4C can commission a variety of new content.

In 2012 the chair of the S4C Authority referred to cutbacks as the reason that Clirlun [S4C's high-definition channel on Freeview] was axed¹³.

¹² <https://www.bbc.co.uk/cymrufyw/34714360>

¹³ <https://www.bbc.co.uk/cymrufyw/18800382>

Another sign of funding problems is the practice of creating unnecessary English versions of some dramas jointly with other funders, even though a number of outstanding actors have questioned this.

According to Branwen Cennard in 2021 it is: “Bizarre, unnecessary, old-fashioned and high time for us to move on...When you put that in an international context it appears extraordinarily old-fashioned in this day and age.”

¹⁴

Drama is the costliest to produce, so to save costs S4C has worked with the BBC to create many dramas which are created in Welsh and in English so that they can be shown on the BBC. There should be sufficient funding for S4C to commission its own dramas, in Welsh only.

Furthermore, the BBC, other broadcasters and subscription services have shown monolingual material in foreign languages with subtitles regularly for years, and viewing figures are testimony to the popularity of series such as The Killing.

S4C has sold monolingual Welsh-language drama with subtitles and shown that it is possible to reach a wide audience with subtitled Welsh language material, so it is obvious that it is a lack of funding which has led to filming dramas in Welsh and in English.

An independent regulator for Wales would also safeguard S4C's future as a public broadcasting provider.

Looking to the future, any decision to privatise Channel 4 could set a precedent for privatising other public broadcasters. Since S4C's funding will come completely via the licence fee from next year onwards, the UK Government has already distanced itself further from S4C.

Public broadcasting is essential to ensure that content of all kinds reaches a wide audience, and S4C itself has contributed substantially to creating and developing a strong creative industry sector since the 1980s, which continues to be comparatively strong.

When she gave evidence in a meeting of the Welsh Parliament's Culture, Communications, Welsh Language, Sport, and International Relations Committee, Ruth McElroy from the University of South Wales, said over 90% of the content commissioned from small companies in Wales in 2020 had come from public broadcasters.¹⁵

People's viewing habits have changed substantially during the last few years, and they continue to change. A number of television companies and platforms offer on-demand services and smart television sets are connected with the web and with our mobile phones.

Although they could offer more choice and reach audiences more easily, public sector broadcasters such as S4C are not conspicuous on them nor accessible to viewers.

¹⁴ <https://www.bbc.co.uk/cymrufyw/59523065>

¹⁵ <https://cofnod.senedd.cymru/Committee/12443>

S4C itself has noted that securing a prominent position for S4C in channels' electronic programme guides makes a difference to viewing figures and putting programmes on iPlayer as well as Clic has led to an increase in the number of viewers since iPlayer is more widely used.

In light of changes to viewing platforms, it is necessary to extend the sections in the Communications Act 2003 which deal with the prominence of public sector broadcasters on popular television platforms so that they can include on-demand provision as well, in order to fulfil their obligations.

The type of content which is watched also changes and online-only content is growing in popularity, especially amongst young people. It is important that the Welsh language is visible online since the language of online material affects the use of language in our communities. S4C's terms of reference should therefore be extended to include online services and on-demand viewing. At present S4C is considered a television medium only; there is no need for the channel to produce digital content in order to comply with its terms of reference. Digital-only content does not contribute to S4C's compliance with its purpose either.

It stands to reason therefore that it is more difficult for the broadcaster to allocate funding for digital-only content within its current terms of reference.

Extending S4C's terms of reference to include digital content would in turn support the Welsh creative industry and economy.

At present, the lack of Welsh on online platforms is working against the use of the language in our communities but, more than the paucity of Welsh-language material online, the little that is available is drowned out and lost. The need to create more material, promote material and create new platforms which correspond to those which are available in other languages - and develop original ideas for them - must be recognised.

In the context of the growth of global streaming platforms, it is necessary to recognise specific corporations and their characteristics in order to question who profits the most from any growth and profit; how sustainable this is in the long term, their failings and what is not being provided by them. Amongst the most conspicuous platforms in Wales are Netflix, YouTube and Amazon Prime.

Commentators and politicians often refer to Netflix as a model for public services. On the contrary, Netflix is based on capitalist investors' gambling. As an American corporation, it chooses to favour commissioning and distributing American content primarily in English. Apart from a few subtitles, the corporation has not commissioned a single programme or film in Welsh. There is no news or current affairs as part of its provision - Netflix has chosen not to include such provision. Companies like this are accountable to their investors and shareholders and they are driven by creating profit.

A number of experts have referred to the drop in Netflix subscribers recently as a sign that the future of this experiment is uncertain.¹⁶

The model is not sustainable and shows the importance of public broadcasters.

YouTube on the other hand does not commission much original content itself and is entirely dependent on external work by the public and other entities. In cases where any video gains a substantial number of viewers, YouTube profits, not the producers themselves. Professional musicians are a good example of workers who are exploited by YouTube.

There is no accountability to producers or viewers - YouTube is accountable to Google and its wider corporate strategy. A comparatively small number of people - namely, Google shareholders - mainly profit financially from YouTube. Producers therefore need to find other sources of funding rather than building on success on YouTube to invest in producing further material.

Amazon Prime shares some of the characteristics of Netflix outlined above: the capital production model; the American emphasis on the English language, the lack of Welsh-language commissioning, and a lack of accountability to viewers. In addition Amazon as a corporation is notorious for its bad practices such as ignoring workers' rights¹⁷ and avoiding taxes¹⁸.

By taking advantage of the lack of regulation, Amazon has used its monopoly across several categories of the e-trading business to try and establish Prime.

So these corporations are far from being models that any public service should aim at imitating.

Rather than depending on the regulator and the capital market alone, we believe it is necessary to create a Menter Ddigidol Gymraeg, a Welsh language digital enterprise, to increase online use and visibility of Welsh, especially for age groups where evidence indicates a fall in the use of the language. It would have the aim of increasing opportunities to see, hear, create and use the Welsh language, and to normalise and mainstream the Welsh language across online and digital platforms.

It would recognise the gaps in content, create content and enable others to create content whilst also safeguarding the reach of any content.

A Menter Ddigidol Gymraeg would also be an opportunity to reimagine the use of technology which does not depend entirely on advertising, does not lead to overconsumption, dependence to corporations, offence, racism, and incorrect and fake news. Rather, the

¹⁶ <https://www.theguardian.com/media/2022/apr/20/why-is-netflix-losing-so-many-subscribers-and-what-can-it-do-about-it>

¹⁷ <https://www.forbes.com/sites/jackkelly/2021/10/25/a-hard-hitting-investigative-report-into-amazon-shows-that-workers-needs-were-neglected-in-favor-of-getting-goods-delivered-quickly/>

¹⁸ <https://www.theguardian.com/technology/2021/may/04/amazon-sales-income-europe-corporation-tax-luxembourg>

Initiative would give priority to technology which responds to the needs and aspirations of people and communities, that respects privacy, and that leads to creating safe and inclusive spaces.

Substantial investment would be needed to create a Menter Ddigidol Gymraeg; we recommend an investment of £9 million a year in the first instance.

But that would be a matter for the Welsh Government, after powers over broadcasting have been devolved.

There is more about creating a Menter Ddigidol Gymraeg in our discussion paper Menter Ddigidol Gymraeg (only available in Welsh)¹⁹.

The future of the licence fee is uncertain since the UK Government has raised questions about the licence fee's 'value for money.' As S4C will be financed directly by the BBC, which is dependent on the licence fee, any change to the licence fee would affect S4C.

It has already been noted but S4C has faced cuts for over a decade. There is more pressure than ever on the BBC's funding too, so new sustainable funding models need to be considered for public broadcasting. Funding one channel through another channel is certainly not sustainable.

In the past, we have recommended a combination of four possibilities for funding broadcasting in Wales:

1. Direct funding by the Welsh Government - like the systems in the Basque country and Catalonia, a statutory proportion of the budget for a devolved broadcasting authority for Wales could come directly from the Welsh Government.

2. Devolve the licence fee - a Welsh licence fee could contribute to funding the broadcasting regulator.

3. A tax on Internet providers and telecommunications companies - Internet providers and telecommunications companies offer extensive platforms to watch and consume media content and continue to see a substantial increase in their profits.

4. Poland is discussing putting a levy on the Netflix company. The money raised would go towards the television industry.

Putting a levy on the turnover or profits of Internet services and on the telecommunications companies here in Wales would create income to be invested in public broadcasting.

A new funding model would create possibilities and enable making up for the way broadcasting in Wales has been neglected over the years by creating a new ambitious system over time. We have outlined a potential model with three television channels and three radio stations in a discussion paper: Yr achos dros bwerau darlledu a chyfathrebu i Gymru²⁰ (only available in Welsh).

¹⁹ <https://cymdeithas.cymru/menterddigidol>

²⁰ <https://cymdeithas.cymru/dogfen/yr-achos-dros-bwerau-darlledu-chyfathrebu-i-gymru>

There are further details and other options in our paper: Funding Welsh language broadcasting: New taxation to fund a new Welsh multimedia provider²¹

Funding from advertising also comes to S4C and sports also bring in revenue.

Sports are important to S4C as a broadcaster. They draw people to S4C and provide an opportunity for the channel to show other content in order to try and attract people to watch other programmes. There are a number of people who would not usually consider watching Welsh-language programmes on S4C but by seeing adverts or trailers during sports may encourage them to watch.

Losing the rights to broadcast international games in Welsh on S4C would affect the Welsh language as well and would be a step backwards in terms of normalising the Welsh language.

The Wales football team, for example, have used some Welsh by thanking its supporters in Welsh and by adopting “Yma o hyd” as its unofficial anthem. It is likely that broadcasting with Welsh commentary on S4C has contributed to creating an atmosphere to enable this and to normalise the Welsh language in the game.

If sports from Wales were broadcast on other channels, it is likely that there would not be the same freedom or fair play to do things like that, which although small, have had an influence on the mindset of Welsh people of every background.

In addition, giving sports rights to subscription services puts more power in the hands of private companies and deprives people of the ability to watch sports. A recent example is S4C losing many rugby games to Amazon Prime, it sets a dangerous precedent.

Sports rights are very costly, so it is difficult for the most popular events to be available on public service media services unless they are subsidised. We recommend that the Government ensures an adequate sum under the current BBC settlement that S4C is able to compete for rights to show sports, and is able to offer Welsh-medium commentary.

Following substantial changes in broadcasting, there is no doubt the broadcasting system in Wales cannot continue as it is, any more than any country's broadcasting system can. There is an opportunity therefore to plan in order to develop a system which will serve the people of Wales better and plan for the future

Cymdeithas yr Iaith's Digital Rights Group

22 August 2022

21

<https://cymdeithas.cymru/sites/default/files/PapurAriannuDarlleduCymraegAilDdarparwrSaesneg.pdf>