

## The Future of Public Service Broadcasting

### *Introduction*

It may fairly be said that Scotland and the UK have given the world the idea and the initial establishment of broadcasting in the service of the public.

For nearly one hundred years, the BBC and later, competitor channels, on radio and television have been required to adhere to codes of practice and values which attempt to define and secure the public interest, the boundaries of what is and is not acceptable in any generation and –most importantly, secure and practice political independence in broadcasting

Every ten years or so, politicians and others such as newspaper owners and their newspapers have used the arrival of yet another inquiry for BBC Charter review to push their own agendas and to influence the resulting settlement

However, the importance of PSB and its values have enabled its continuance through myriad technological, social and cultural changes.

Any inquiry needs to reach back into the past to learn from the success of previous investigations and reports; to remember that radio and television were once, themselves, new technologies and to avoid the perils of technological determinism.

The modern soon becomes the past. **We need to find ways of taking the best of the past into the future.**

However as Murdoch J pointed out in his 2009 McTaggart lecture, just before we discovered the full extent of his company's involvement in phone hacking. Including Milly Dowler's phone, it is true that 'we no longer have a TV market, a newspaper market, a publishing market. We have, indisputably, an all-media market'

In this all-media market we need to ask how we can best ensure the continuation of Public Service Values and Policies.

The Murdoch sound bite that we have 'analogue attitudes in a digital age' does not do justice to the success of British broadcasting and there are many of these so called analogue attitudes- such as a commitment to public service broadcasting and accuracy in reporting which command and will continue to command widespread and deep public support- even in an age of populism and incipient fascism

1

### ***Regulation:***

***Are the current regulations and obligations placed on PSBs, in return for benefits such as prominence and public funding, proportionate?***

**Yes**

In fact, it could be argued that Ofcom has been subject to capture by its licensees, at least to some extent, as it has consistently allowed ITV to reduce its broader PSB commitments such as non news regional programming and to retreat from the kind of full service PSB programming which were the basis of its success in from the 1950s until the 1990's.

This eventually led to Ofcom having to revisit the issue of regional production and output.

[https://www.ofcom.org.uk/\\_data/assets/pdf\\_file/0015/130911/Review-of-Regional-TV-Production-and-Programming-Guidance.pdf](https://www.ofcom.org.uk/_data/assets/pdf_file/0015/130911/Review-of-Regional-TV-Production-and-Programming-Guidance.pdf)

Another example was Ofcom allowing ITV to reduce output of original UK content for children. In due course the BBC ended up with greater market dominance for which they were blamed.

Ofcom's failure to maintain and support this aspect of PSB eventually resulted in the government establishing a dedicated childrens fund of 60 million GBP over three years.

Ofcom was granted further powers in Section 90 of the Digital Economy Act 2017 which could have allowed them, for example, to set and enforce quotas but it is by no means apparent how well they have used this power.

It appears that the economic arguments of the broadcasters count for more than the wider citizen interest. In both these cases, Ofcom did not uphold the citizen interest and was forced, in later years, to try to find ways of addressing their regulatory failure

**Ofcom needs to better apply and deploy the powers it already enjoys.**

***What (if any regulation) should be introduced for SVoDs and other streaming services?***

Convergence in communication technologies has widened what we understand as broadcasting. They contain video and sound- that is broadcasting not regulated by Ofcom and which are subjected to what – is in my judgement and that of many others- a very light and cursory form of self regulation.

As we saw when the Daily Mail called judges '*The Enemies of the People*' accuracy, balance and impartiality count for next to nothing when there is an opportunity for propaganda and disinformation

I presume that we have a consensus that such a headline would not have been acceptable in broadcasting so it should not appear in online broadcasting.

On line broadcasting requires to be regulated when it falls below the standards applied to other broadcasters. We need both trust and a level playing field. We do not need the values and performance of Fox News in our society.

Journalists are often mistrusted but when they work for a broadcaster which is able to assess and judge the integrity of their output, the public then affords them higher levels of trust.

This is important and –give the crisis of trust claimed by Murdoch back in 2009 and apparently much worse now, we need to support ways of maintaining this trust which is, in part, a result of regulation.

Those who see current regulation as ‘excessive’ eg James Murdoch et al who wish to roll back regulation and apply the standards and regulation of newspaper to broadcasting will fight to maintain their ability to influence public opinion and the political agenda

Many wish to see SVoDs and other streaming services eg online newspapers raised to the reporting standards of public service broadcasting.

Politicians acknowledged – in the run up to Leveson and in evidence to the inquiry- that they had been too in awe of the power of the tabloid press and had also been too close to newspaper proprietors such as the Murdochs.

We might well ask what has changed, if anything?

**There is no reason why online newspapers should be exempt from the standards which apply to PSB**

There is reason why content which is streamed and/or available on demand via SVoDs should be exempt from Ofcom regulations on harm and offence and that goes also for accuracy etc

Media regulation needs to catch up with technological and market change and ensure the highest standards of accuracy in the reporting of news and current affairs –wherever.

**Twitter is adding health warnings to the tweets of Donald Trump so that we can more easily be provided with access to factual information.**

We need support to have a way of better understanding if there are lies and misinformation in his communications.

There is no reason why Ofcom should not require the BBC and other broadcasters , including online, to do likewise.

**Surely one would not wish PSB in the UK to adopt lower standards than Twitter and other social media**

**Recommendation:**

In the putative successor legislation to the Communications Act (2003), Online newspapers and SVODs and streaming services should be brought under the auspices of Ofcom and its broadcasting codes

**2**

***Representation:***

***How would representation be protected if changes were made to the PSB model?***

***How would the nations and regions be affected by changes to the PSB model?***

These questions are difficult to answer in the abstract because it is not immediately apparent what changes are envisaged and it is always best to examine on a case by case basis.

We can see from the film industry which more closely approximates to a full market model- dominated, of course by global Hollywood products, that representation and portrayal which avoids reinforcing stereotypes is a problem.

This is not to say that working within the available discourses of culture and representation cannot give the audience great enjoyment.

To take a recent example; the excellent film '*The Rocket Post*' largely disappeared from view despite being similar in some ways to great successes such as '*Whisky Galore*' (1949 -the original of course) and '*Local Hero*'

There are two reasons, amongst others, that have contributed to British broadcasting being, on the whole, more appreciated by the audience than British film- despite some wonderful British movies.

a)

The investment in the UK creative economy guaranteed by the BBC licence fee

b)

Programmes made which speak to, for and about the lives of the viewers and listeners. The regional companies in ITV were once good at giving a voice to their localities but this was largely lost when ITV was allowed to consolidate

**S4C and very successful BBC Alba and recently the BBC Scotland channel are examples of the kind of PSB provision which must be protected and if anything receive further investment in any new settlement.**

But we cannot rely on the BBC alone to make up for deficiencies and mistakes in the media policies promulgated by Ofcom

***Is the 'quota' system the most efficient way to maintain and improve representation in broadcasting?***

It has strengths and weaknesses but it does deliver quantity and can deliver quality. The hangover in reputation from the quota quickie regime in film in the nineteen thirties fails to take account of the fact that the training thus provided led to the golden age of British film making in the forties and fifties.

In the days when ITV licenses were for a set number of years and needed to be renewed, it was noticeable that the possibility of losing the licence seemed to mean closer attention to and compliance with both the spirit and the letter of the PSB requirements of the then regulators.

Perhaps this system should be reintroduced?

We need competition for quality and to make the good popular and the popular good. That was the genius of PSB in the past and we need to find ways of continuing this. Quotas helped in this regard.

The BBC annual-plan-2020-21.pdf states that

***"We are keen to work further with Ofcom to examine how we might***

*reshape the current quota-based regime towards a more outcome-based and online-first regime that both reflects how audiences consume content today but continues to provide support and certainty for the wider creative sector.”*

*Page 52*

It is by no means clear as to what an ‘outcome based’ regime might look like. The term is too nebulous and much more detail is needed.

**The Committee should explore this in detail with both the BBC and Ofcom and evaluate the potential for both good and bad consequences**

3

***Accessibility:***

***How would changes to the PSB model affect the accessibility of services?***

***How would a wholly internet-based service compare to the current PSB model?***

We have seen the transfer of newspaper advertising revenue to the internet thus damaging the business model of the press with on-going and severe consequences for the fourth estate and its role in democracy.

A move towards subscription television or IPTV as a whole would have a minimum of at least four negative consequences

3.1

Further income going to the broadband and tele-communications companies rather than the creative economy and content creation.

Think of this, as Lord Carter had it, as money going to the pipes rather than the poetry

3.2

The lack of a common public space and the unacceptable introduction of a pay-wall in public space –with all the negative results for democracy (M Thompson 2010)

### 3.3

The poor and disadvantaged being cut off from society and information as a result of having their access cut off for non payment etc. Access to PSB should not depend on ability to pay or availability of a broadband signal or technical literacy.

<https://www.create.ac.uk/blog/2020/06/02/new-working-paper-streaming-culture/>

also states that “The data does not, therefore, support a narrative that everyone will become a digital streamer.”

## 4

### ***Impact:***

***What value, if any, do PSBs bring to the UK in terms of economic (local and national), cultural and societal impact?***

Why ask ‘if any’ when there are reports after reports –over the decades – providing evidence of substantial impacts in each and all of these categories.

PSB and the BBC in particular are exemplars of British soft power and have enriched and enhanced the lives of citizens over many decades.

In fact

*The culture secretary, Oliver Dowden, said trusted news outlets are a “fourth emergency service at this time because they provide independent, verifiable news and information to the public” and need to be saved, according to a letter seen by the Guardian.*

*Guardian 08/04/2020*

In addition, the BBC’s ‘Out of London’ strategy has attempted to spread more fairly –across the UK- the expenditure from the licence fee on the basis that most licence fee payers do not live in London and the South East.

**This investment in the creative economy of the nations and regions is absolutely necessary and should be increased.** It is, not incidentally, another example of the BBC filling a gap left by the consolidation of ITV PLC

It is not sufficiently understood that far from holding up innovation and choice, regulation has played a significant part in ensuring the success of the UK's creative industries.

The PSBs have provided a forum for a public conversation and contributed to the democratic accountability of governments and held up policies and politicians to the light.

But not least has been the ways in which our lives have been enhanced and enriched by so many good programmes on radio and television and now online and via the iplayer and Britbox

On a personal note, the BBC has provided me with a deeper education over so many subjects than any university I have attended

For example, the wonderful TV series '37 days' was an extraordinary insight into the diplomatic developments between June 28<sup>th</sup> 1914 and the outbreak of the First World War,

It informed, educated and entertained and was a beacon of excellence.

5

***Looking ahead:***

***What should a PSB look like in a digital age?***

*'UK audiences want original, UK-produced and UK-specific programmes. Ofcom's data shows that the PSBs delivered over 32,000 hours of UK-made original content across their channels in 2018. In comparison, the vast majority of SVoD programmes are US-made productions, designed to play out in multiple countries: only 221 hours of the SVoD original productions available in 2018 were made in the UK.'*

<https://www.bbc.com/aboutthebbc/reports/annualplan>

page 53

Apart from the upholding the values of PSB and being, in effect, a cultural health service, PSB should continue whatever the technology.

For nearly one hundred years, firstly via wireless, then television, then online, the BBC and PSB has kept pace with enormous cultural, social, economic and technological change. It is a proven success story and its underlying values and performance are as necessary in the future as they have been in the past.

What is required is for Parliament and the government to help it to modernise its delivery, the pipes- without losing sight of the underlying principles and values

***What services should they provide, and to whom?***

As in the past; as now and as in the future: excellence in all genres and content and available to all

BBC licence fee payers- in good standing- should be provided with a pin number to enable them to access BBC content and channels when overseas

***In what way, and to whom, should they be accountable?***

Johnston and Robertson (2019) BBC World Service Palgrave Macmillan argue that the BBC exists in a state of “*managed autonomy*”

The independence of the BBC needs further protection for its independence especially vis a vis the current UK government.

The licence fee needs to be assessed and agreed by an independent commission.

The process needs to be more transparent and accountable, especially to and for licence fee payers.

**The Westminster Parliament needs to respond to and respect the findings of its select committees. eg in October 2019:**

*‘Both the BBC and the Government are criticised for holding the 2015 negotiations over future funding and the licence fee concession “behind closed doors.” While the Committee shared concerns raised by the BBC that this was a “flawed process” that gave no opportunity for consultation with licence fee payers, it was wrong that the then government sought to bounce the BBC into accepting the measures.’*

- *Recommendation:  
Government and the BBC should set out what steps they are taking to ensure the 2021 licence fee negotiations are conducted in a wholly different way with a sensible timescale allowing parliamentary oversight and involvement of licence fee payers*

<https://www.parliament.uk/business/committees/committees-a-z/commons-select/digital-culture-media-and-sport-committee/news/bbc-annual-report-report-17-19>

It is noteworthy that previous reports made much the same criticisms and the problems continued. It is time for Parliament to develop some self-respect and remove the BBC from the places where they can be bullied by governments of whatever party.

The BBC is too important to the health of our democracy for governments to be allowed to damage and undermine it.

Its existence is as important as the rule of law and just as conventions have, in recent times, been unfit for purpose and been ignored by those in power, so too must the BBC’s role and responsibilities be protected

In relation to other broadcasters, including social media, these must be held accountable by an independent and robust regulator which places greater importance on the citizen and public interest than Ofcom has done up to the present.

***Is the term ‘public service broadcasting’ still relevant and, if not, what is a suitable alternative?***

**YES - it is still relevant.**

**In conclusion, the UK gave PSB to the world: it is a media ecology which serves the public interest, not just the interest of the public.**

**If we say public interest broadcasting is no longer relevant, then are we saying that public service and the public interest are irrelevant?**

**It would take someone with no knowledge of history or appreciation of culture and how well the UK has been served by its distinctive approach to broadcasting policy to make such an assertion**

**It would take someone who had no regard for the public interest but only their own narrow advantage**

**Public Service and its values and principles will survive**

**It is the duty of this inquiry and committee to play its part in ensuring that this is so**

**Professor Robert Beveridge  
Edinburgh  
June 01 2020**