

"Working for quality  
and diversity in  
British broadcasting"



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## **VLV's Response to DCMS Free-to-Air Events Review**

Voice of the Listener & Viewer (VLV) is an independent, non-profit-making association, free from political, commercial and sectarian affiliations, working for quality and diversity in British broadcasting and new media. VLV represents the interests of listeners and viewers as citizens and consumers across the full range of broadcasting issues. VLV is concerned with the structures, regulation, funding and institutions that underpin the British Broadcasting system.

### **Introduction**

With the advent of Terrestrial Digital Television there are now many more TV channels than when the list was last reviewed. There is much more spectrum to cover events. The number of homes paying for subscription services has greatly increased. However in multi-channel homes 70% of the viewing share is still to free-to-view PSB stations. (Ofcom UK communications market 2008 page 221)

We consider that the listing of events should continue; that the current criteria do not need major changes; that there should be one list with the distinction between live and delayed coverage removed. In addition we suggest a list of non-sporting events that should be added to the present list of sporting events. We make suggestions about how the list should be regulated and monitored.

**Q1. Do you think that the UK should continue to protect certain major events through live or deferred coverage on free to air television? Please give a reason for your response.**

Yes. There are events in the life of a nation or federation of nations that many citizens and consumers want to enjoy as they happen. Since the 1960s the live broadcasting of these occasions on television has been the medium where the United Kingdom has come together to share these events. This is particularly important for those members of society who are isolated by age, infirmity or income and can only join in these events if they are broadcast free-to-air. It is also important that the geographically isolated communities are included in these moments of importance to the whole of the UK.

**Q2. Do you think that events other than sporting events should be listed? If so, please give your reason. You will have an opportunity to suggest appropriate events at a later stage in this consultation document and do not need to do so now.**

Yes. There are key events in the UK that are so significant that their coverage on free-to-air television must be guaranteed rather than be at the whim of a television station scheduler or available on the pay to view service that made the highest bid.

**Q3. Do you agree that this should remain the essential criterion test? If you do not agree, please explain why and please indicate what you consider should be the essential criterion in a sporting context.**

Yes - We consider that there should be a good mix of events that involve teams and events that involve individual sporting prowess.

**Q4. If your answer to Q2 was that non-sporting events should also be considered for listing, what might an essential criterion be?**

The event has a special national resonance, it is a significant anniversary in the history of the UK, it is an important event in the life of the Royal Family, a cultural event that has a national significance, an event which serves to unite the nation, a shared point on the national calendar.

**Q5. Do you consider that these characteristics remain appropriate? If you do not, or consider that additional characteristics should be included, please explain why.**

These are too restrictive. Some events will be broadcast at off-peak times so "a large television audience" may not always be a necessary characteristic. The characteristic of having a history of live free-to-air could keep the list static; both the life of the UK and our broadcasting are evolving.

**Q6. Are these the appropriate other factors that the Secretary of State should take into account when considering whether or not to list an event? If not, or you consider that additional factors should be taken into account, please explain why.**

We support all but the last of these criteria. The availability of the event as a delayed relay or on radio means that the timing and length of the TV broadcast will be at the whim of the broadcaster. If an event is worth broadcasting then it should be live, the availability of viewing highlights or a delayed broadcast should be a bonus not a substitute for the live action.

**Q7. Do you agree that both an A and B list should be maintained? If not, please explain why.**

We do not consider that there should be an A and B list. Ten years ago there was limited spectrum and few free-to-air channels. With the advent of digital television there are potentially enough free-to-air channels to enable all the listed events to be shown live. Also the two lists could indicate a hierarchy of sports. We consider that over a period of time all the sports will be of equal importance and deserve to be on one list if they have "*a special national resonance, not simply a significance to those who ordinarily follow the sport concerned; or be an event which serves to unite the nation*". We note that the Public Service Broadcasters are facing threats to the income that might fund these programmes but consider that this list should not be driven by the short-term financial problems of the broadcaster but by the will to give the widest coverage of our national sports to all sections of society as outlined in our answer to question 1, consonant with the survival and continuance of the relevant sport. There is no substitute for the excitement of live coverage as unpredictable events unfold.

**Q8. Are there any issues that you would wish to bring to our attention in regard to the way in which the listing arrangements are given practical effect by Ofcom?**

Yes. We do not believe that Ofcom is the best organisation to regulate this process. Ofcom has become a regulator of the market place funded by the players in the market. This listing procedure is about the *key events in the UK and so significant that their coverage on free-to-air television must be guaranteed*. We consider that this is too important to be left to an

industry regulator and a Public Service Broadcasting Council (PSBC) should be charged with compiling regulating and monitoring the list. We do not think that this is a matter for the Secretary of State and should be removed from the political arena. We understand that this list can be changed by a statutory instrument. We do not consider that this will necessarily result in adequate consultation or public debate. The formation of a PSBC should ensure an open and transparent process.

### **What events should be listed?**

#### **Q9. Do you think that the Secretary of State should:**

##### **leave the current arrangements unchanged;**

- No, our response above provides the reasons

##### **move existing events between the A- and B- lists;**

- No, see our response to question seven above, there should be one list.

##### **add any entirely new events;**

Yes, the first three following are suggestions for new sports along with two adjustments to the existing coverage.

- The Oxford and Cambridge Boat Race;
- The UK formula 1 Grand Prix;
- The preliminary rounds of Wimbledon - when a UK player is playing as a minimum.
- We consider that, in line with some other European countries, the arrangements for covering international football matches could be more general rather than competition - specific. The list could state: "all matches involving the National Football teams, at home and away, in official competitions."
- Cricket competitions are also evolving and the list could state; "all matches involving the England cricket teams, at home, in official competitions."

**Or**

##### **- remove any events that are currently listed?**

No – The list is already too limited.

#### **Q10. If you have suggested that live coverage of any such tournaments should be listed do you think that:**

- the entire tournament should be listed; or
- only selected stages, events or matches involving national teams or representatives.

**Please give reasons for your view and, if you favour selected listing, please specify which tournaments and which stages, events or matches.**

We are not sufficiently well-informed about the whole range of tournaments or complex sporting events to comment in detail. Also it is not clear what event or part of a major event will attract viewers. The audiences for the 2008 Olympics were an example of this. We therefore suggest that the list should be over-prescriptive for the first cycle of fixtures /events so that most of a tournament should be listed and the broadcasters and sports bodies can

appeal to the regulatory authorities for changes. (See our recommendation on the regulator at 8 above.)

**Q11. Please suggest which non-sporting events you would like to see listed and why.**

In our response to questions one and two we stated

*There are events in the life of a nation that many citizens and consumers want to enjoy as they happen. Since the 1960s the live broadcasting of these occasions on television has been the medium where the United Kingdom has come together to share these events. These are key events in the rich tapestry of life in the UK and so significant that their coverage on free to air television must be guaranteed.*

Therefore we suggest the following non-sporting events might form part of a free-to-air list:

- State funerals
- The weddings of senior members of the Royal Family
- The State opening of Parliament
- The UK national election results
- The European election results
- Key events in the cultural life of the country; such as Cardiff singer of the world; Last night or the Proms; major visual arts and literature awards; and one-off happenings like the celebration of the fourth plinth in Trafalgar Square.

This list is not exhaustive and we consider that there should be a much wider consultation of national organisations, citizens and viewers to compile a representative list of non-sporting events that should be free-to-air.

**Q12. Do you have any other issues that you would like the Panel to take into account in considering what its recommendations should be?**

We are aware that many sporting authorities are very dependant on the income derived from the payments made for the right to broadcast an event. Many are able to fund coaching and other activities, often for the underprivileged, from this income.

However we consider that this is a very short-term strategy. The subscription television audience for a sport can be much smaller than on free-to-view channels. We understand that when Sky and Channel Four shared cricket test match coverage the subscription audience was one fifth of the free-to-view audience. This means that in the short term the sport will increase income but the interest generated will be severely diminished as it will have a much more limited exposure to the general viewing public. Certain sports, of national significance, are held in an almost exclusive grip under current arrangements. Listing more sporting events could be a way of releasing that grip to the benefit of both viewer and the sport. The sport benefits by the substantially higher exposure it gets on these occasions whilst also getting revenue from the competitive process through free to air broadcasters. Revenue may not suffer overly but the trade-off is hugely increased exposure for the sport at relatively small cost. Test cricket is one of several sports lost to many viewers. Additionally the money put into supporting underprivileged young players will only be effective if there is an opportunity for them to see their role models and their sport regularly on a freely accessible television channel.

**Conclusion and Summary**

The Voice of the Listener and Viewer fully supports the listing of major sporting and other events in the life of the United Kingdom so that they are free to view. There are key events in the rich tapestry of life in the UK that are so significant that their coverage on free-to-air television must be guaranteed. It is particularly important for those members of society who are isolated by age, infirmity or income and can only join in these events if they are broadcast free-to-air. It is also important that the geographically isolated communities are included in these moments of importance to the whole of the UK.

We make three recommendations about the current list of sporting events.

- The A and B lists should be merged as with the advent of digital television there is no longer a shortage of spectrum to provide air time.
- We also suggest new sports that might be added to the list; and
- A change in the selection of international events.

We suggest that both Ofcom and the Secretary of State be removed from the listing process as this is too important to be left to a regulator or the political process.

We support the extension of the list to non-sporting events but consider that there is a need for a much wider consultation before that list is finalised.

We are aware that many sports organisations are dependant on income from broadcasting rights but the increased exposure to an audience drawn from all sections of UK society by broadcasting on free-to-air channels will in the long term be beneficial to both the income of the sports organisations and participation in these activities. It will also enable the whole of society to come together for key events in the life of the United Kingdom.

Saturday 18 July 2009