

Notes from Ofcom Session at the VLV Spring Conference 2021

Speaker: Lord Terry Burns

Chair: Dame Colette Bowe

- Lord Burns shares the importance of PSB aim with VLV.
- He remembered seeing trends begin in 2004, when digital switchover was in our minds, which have come to dominate sector – the decline in linear audiences; competition for advertising; films/sport going elsewhere; shift in power to content providers; recording devices designing your own schedule. In 2010 younger audiences were already moving to digital. In 2015 we were aware of how much damage was coming from internet and new devices/subscription services.
- After being Chairman of Channel 4 he moved to OFCOM. His three main objectives while at Ofcom were roll out of broadband/mobile as much as possible; taking on the regulation of BBC and strengthening PSB; as well as assessing internet harms if asked to do so. The results of PSB consultation will come out soon. OFCOM will now have responsibility for internet harms.
- On **broadband** he is optimistic: implementation is almost there now but it must be universal. It is a utility. Facilities must be available to all parts of country.
- On Ofcom regulating **internet harms**: there are some similar principles to broadcasting regulation. A law that provides a remit is required. Codes of conduct need to be developed on how it is to meet the law. It must get buy in from the companies or it won't work. Illegal harms is easier than the other harms which are considered harmful but which clash with the principles of freedom of speech. That area of regulation will be more challenging.
- On **the next Chairman of Ofcom**: it is not his job to give advice who should be Chair of OFCOM. It is important that the chair has a deep interest in tech infrastructure and helping maintain vibrant creative sector. You must want to be a non-exec Chair. You must be ready to spend time with lawyers. It is odd to see government having opinion on who should have the job.
- On **BBC regulation**: It's gone well so far. The BBC regrets being held up sometimes. There is a dividing line in the BBC Charter between the BBC Board and Ofcom role. It is the BBC Board's responsibility to deliver the Charter and not Ofcom's. Complaints come to Ofcom after they have been dealt with by the BBC.
- On **Ofcom's independence**: Ofcom has operational independence with its remit set by Parliament. It is independent when we put out consultation papers. There is no government involvement. Government sets out some priorities. There is no interference in how Ofcom handles the complaints side of BBC. Where they have to discuss issues with Government, for example, more mobile coverage of hard-to-reach areas involves finance and so the two parties work together. There is a tension over internet regulation. What is the nature of that legislation? What can Ofcom make work?
- He said that market pressures on local radio from digital have been an issue. De-regulation of commercial radio has led to some unhappiness.
- On **diversity of genre**: Diversity of genre is a strength of PSB. It is one of reasons why PSB is an important part of national culture. If you look at the streaming platforms there is little diversity of genre. On the contrary Channel 4 has a diversity remit. Audience size and reach trade off with commercial imperatives. There will always be a tension here. We must be careful not to give PSB too wide a remit or that will be limiting. Compared with other countries we have a greater variety of genres. We get more appreciation from our viewers than other EU countries get from theirs according to research.