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Dear Dougal

I am writing to you in your capacity as Project Director for the PSB Review. We have been studying the terms of reference for the Review published earlier this month, and thought we would respond to the invitation to comment on them.

The document is clear and comprehensive and sets out a coherent way of addressing the many interlocking issues that the Review will need to address over the next 18 months. The Review is of crucial importance to Five's business and we are generally pleased at the way Ofcom will be addressing such issues.

However, I would like some clarification about the scope of the Review, as we are not sure this has been drawn sufficiently clearly. The Act says the Review must be into "the extent to which the public service broadcasters have...provided relevant television services", but the terms of reference suggest that in fact the Review will look into the existence of audio-visual content way beyond linear television.

We recognise that the world has moved on considerably in the four years since the Act was finalised. But the danger of looking too closely at how "new forms of content and methods of delivery have the potential to help deliver the purposes of public service broadcasting in new ways" is that the Review does not focus sufficiently clearly on how such content is delivered on linear television. It may well be that "the distinctions between 'TV' and 'non-TV' services are becoming blurred and will become more so", but we believe that what is provided on linear television needs to be the central focus of the Review.

Of course we agree the Review should look at the wider media context in which public service television operates. But we are concerned that it may focus on

only some of those other media. For example, the terms of reference suggest that “user-generated content, video file sharing services, video games, interactive services and social networking” might be included in it. We think it would be just as (or more) relevant for Ofcom to look at some other examples of relevant audio-visual media, such as:

- newspaper websites, which are hosting an increasing amount of audio-visual material and hence are extremely relevant to any consideration of the core PSB genre of national and international news;
- the movie distribution business (including cinema, DVD sales and rental, and movie downloads), whose role in the dissemination of feature films might be examined alongside the obligation of the PSBs to show feature films;
- the provision of television-like services by publicly-funded organisations, which deliver information and explanation in audio-visual form to citizens without using television channels as an interlocutor.

To summarise, our main concern is that the Review should focus *primarily* on linear television and that in so far as it looks at public service broadcasting in a wider media context, that context should embrace all relevant forms of audio-visual distribution in an even handed way.

I hope you will be able to take these thoughts on board in developing work on the Review.

Best Wishes

Sue Robertson
Director of Corporate Affairs
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