

CONSULTATION RESPONSE

SCOTTISH GOVERNMENT

OFCOM CONSULTATION

RENEWAL OF THE CHANNEL 4 LICENCE – OUT OF ENGLAND QUOTE

Do you agree that our proposed quota of 9% from 2020 appropriately balances the costs and benefits of the out of England production quota for stakeholders? Please provide reasons for your view and any supporting evidence you may have.

The Scottish Government recognises the diligence with which Ofcom is pursuing renewal of the Channel 4 licence and welcomes the opportunity to further comment on the out of England production quota.

In responding to the original consultation on renewal of Channel 4's licence, we made clear that it has been long-held Scottish Government policy that Channel 4 should have a higher quota for network production commissioned from Scotland. To repeat our comments, it was a recommendation of the Scottish Broadcasting Commission that Channel 4, as all UK-wide public service broadcasters, should have a mandatory target for production from Scotland of 8.6% in line with its share of UK population. This was endorsed by a unanimous vote of the Scottish Parliament and remains Scottish Government policy.

Re-visiting Channel 4's record in Scotland, once again we would remind Ofcom that Channel's level of commissioning has been ad hoc and patchy in recent years, as listed below.

2006 – 2.6%

2007 – 1.7%

2008 – 1.4%

2009 – 2.5%

2010 – 4.1%

2011 – 2.9%

2012 – 3.2%

(Source: Ofcom Communications Market Reports)

Point 2.92 of the consultation document comments that 'a quota of 9% as proposed by C4C, would triple the existing quota level'. In practice, however, the actual increase would be less than this as Channel 4 has already increased its Out of England quota to 5.4%, thus already exceeding its minimum quota of 3%. Rising to 9% by 2020, as Channel 4 Corporation (C4C) suggest, would not be even a doubling of current output.

Drawing on this observation, the Scottish Government strongly advocates that greater optimism is warranted in Channel 4's capacity to demonstrate greater ambition, than the 9% quota proposed. The Scottish Government maintains the view that the level of Out of England production should be set, over time, at population share.

The Scottish Government contests the implication in point 2.70 that increasing the out of England quota may cause a redistribution of production away from other geographic areas and in point 2.89 that potentially viewers across the UK would be deprived of a more diverse viewing experience.

On the first, a population share quota for the devolved nations would still leave over 80% of programming available for commissioning from England. The concentration of some 95% of commissioning from England and particularly the south east of England does seem excessive.

The Scottish Government does not feel that it is its place to suggest measures in relation to the English regions, but would certainly have no difficulty with such an approach.

On the second, Ofcom's annual Public Service Broadcasting Reviews (2013) suggest an ambivalence of viewers in regards to Channel 4's ability to show diversity. Only half of viewers feel Channel 4 shows different kind of cultures across the UK, while only a third of viewers feel Channel 4 portrays the Nations and Regions fairly to the rest of the UK. In its privileged position as a holder of a public service broadcasting licence, this is a challenge to Channel 4 that it must take seriously.

Channel 4 has argued there is a lack of capacity for producers in the Nations to quickly build-up and supply ongoing programming. The Scottish Government believes this is not an accurate characterisation. Glasgow's *Raise the Roof* productions were able to supply four network series to Channel 4 in the first year of start-up. Matchlight too, established in 2009, has a very strong track record of supplying high quality programming to range of broadcasters.

Channel 4 has also argued that several of its programmes aimed at reflecting and appealing to culturally diverse communities are made in England, citing examples of *Top Boy*, *Youngers*, *Make Bradford British* and *4Ramadan*. Without disputing the excellence of these programmes, we note that the first two are set in London, the third – obviously – in Bradford, and that of the programmes comprising the fourth. The longest, *A Very British Ramadan* presented by the star of *Make Bradford British*, and the three minute call to prayer *The Adhan* was broadcast from London, Birmingham and Bradford. Of the *Ramadan Diaries* whose geographical location is clear from the Channel 4 website, four came from London, one from Bristol, one from Afghanistan and only one – two minutes, three seconds - from Aberdeen.

Culturally diverse populations are however not only found in English cities - between the 2001 and the 2011 census, the ethnic minority population doubled in Scotland (as per the link below). The Scottish Government welcomes Scotland's growing ethnic cultural diversity and believes that this should be reflected by our public service broadcasters.

<http://www.scotlandscensus.gov.uk/en/news/articles/release2a.html>

Recommendations

In closing, the Scottish Government would make the following recommendations:

1. that network programming should represent population share by 2020
2. this commitment could be averaged out over the last four years of Channel 4's licence
3. that Channel 4 publishes a strategic plan on how it plans to promote producer talent in the Nations
4. that Channel 4 commits to its undertaking to hold formal annual discussions with stakeholders.

**SCOTTISH GOVERNMENT
JANUARY 2014**