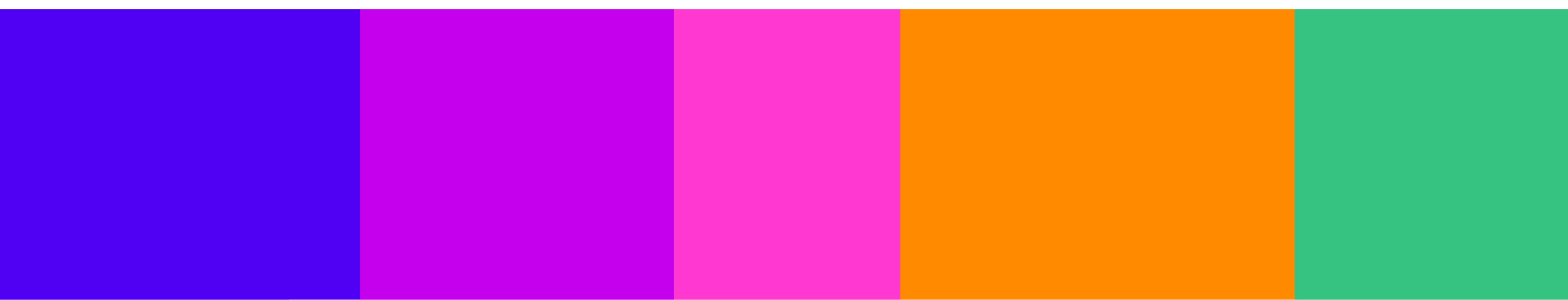


Consultation response form

Stephen Temple CBE

Your response

Question	Your response
<p>Question 1: Do you agree with our approach to considering appropriate prominence and our analytical framework? Please provide your reasoning, and if possible, any supporting evidence.</p>	<p>Confidential? – N</p> <p>Question 1: Do you agree with our analytical framework? If not, what would you change?</p> <p>I disagree. The analytical framework is incomplete because it omits the context of critical <u>global</u> market dynamics.</p> <p>Ofcom's stated objective focuses on ensuring that public service content can be "found and discovered easily" as viewing migrates online. While this captures an important part of the problem, it omits a critical contextual factor that should shape the analytical framework: in an open, global streaming market characterised by winner-takes-all, prominence is effectively the only remaining regulatory lever available to sustain the reach and viability of UK public service broadcasters. In this context, prominence is not merely a matter of discoverability, but a necessary condition for PSBs to remain economically viable and competitive as content choices for UK audiences.</p> <p>This incomplete framework causes Ofcom to overlook two distinct market failures that determine PSB viability (survivability) in practice:</p> <p>Market Failure 1: Default Bias and Position Economics</p> <p>Ofcom's own evidence acknowledges that PSBs face "significant challenges" and "financial pressure," and that platforms "monetise prominent spots" favouring "larger</p>



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	<p>content providers with greater financial resources" (para 3.19). Yet the proposed framework treats tile position 1 as functionally equivalent to positions 2-9, provided all are "findable."</p> <p>This overlooks well-established behavioural evidence: not all prominent positions are equivalent. Research on default bias in digital interfaces consistently shows that first or default positions attract a disproportionate share of attention and repeat use, with effects that compound over time through habit formation. Platforms understand this reality, which is why they sell tile 1 to the highest bidder—typically Netflix or Amazon, who can outbid any UK PSB for that default position.</p> <p>Once global services occupy the primary default position and capture habitual viewing, PSBs, already the economically weakest players, occupying positions 2-9 become structurally disadvantaged regardless of their visibility. They remain findable in theory but economically disadvantaged in practice. If prominence is the only regulatory lever protecting PSB viability, then allowing platforms to auction the default position to global giants nullifies that protection entirely.</p> <p>The ultimate outcome risks users encountering the globally-resourced service in Slot 1, engaging with it, <i>and never reaching the economically weaker PSBs positioned further down</i>—the digital equivalent of placing a hypermarket at the high street entrance where most shoppers never make it to the local shops beyond. Under these conditions, not all PSBs will survive financially, making their designated tile positions irrelevant. Or costing the taxpayer billions to pull them out of a doom-loop.</p> <p>Market Failure 2: Interface Architecture and Navigation Friction</p> <p>Ofcom's framework does not adequately address how interface architecture creates switching costs that fragment PSB viewing. In linear television, PSBs benefited from extremely low friction: moving between BBC and</p>

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	<p>ITV channels required a single button press. On connected TVs, this has changed dramatically due to interface design choices.</p> <p>On my own LG smart TV purchased in 2025, navigating from BBC 1 to Channel 3 required up to seven remote control clicks. However, if I could return immediately to the home screen—where PSB tiles are displayed—I could get to Channel3 in three clicks. The problem is not primarily the arrangement of tiles on the home screen, but rather that platforms do not provide persistent, immediate access to that home screen from all navigation states.</p> <p>When users are deep within an app or navigating sub-menus, they often cannot return to the home screen in a single action. Instead, they must navigate backwards through multiple intermediary screens. This architectural design choice bleeds away discovery of alternative PSB content. The switching friction doesn't affect Netflix or Amazon so much—users navigate within their ecosystems—but it ensures that even when PSBs are grouped on the home screen, viewers cannot easily move between them.</p> <p>What a Complete Analysis Framework Would Require:</p> <p>If Ofcom's analytical framework properly accounted for prominence as <u>the only remaining regulatory lever</u>, and explicitly tested whether prominence arrangements overcome default bias and navigation friction in practice, it would conclude that "appropriate prominence" must mean:</p> <p>First tile position for at least one designated PSB - to prevent platforms from selling the default position to the highest bidder and consigning all PSBs to structurally disadvantaged positions that cannot capture habitual viewing</p> <p>Persistent access to the home screen from all navigation states - to minimize switching costs between PSB services by ensuring that from any point in the interface, users can immediately return to the home screen where</p>

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	<p>designated PSB services are displayed, rather than navigating through multiple intermediary screens</p> <p>Without both elements, the framework permits the very default bias and architectural friction that Ofcom's own evidence shows threaten PSB survival. This erosion is precisely what prominence regulation is intended to prevent. Yet the framework creates a likely self-reinforcing doom loop: declining viewership reduces advertising revenue, forcing content budget cuts, which further reduces competitiveness. Reversing such a cycle could cost billions in annual public subsidy, when mandating these two structural protections costs taxpayers nothing.</p>
<p>Question 2: Do you agree with our proposals on app menus, and our assessment of their associated impacts? Please provide your reasoning, and if possible, any supporting evidence.</p>	<p>Confidential? – Y / N</p>
<p>Question 3: Do you agree with our proposals on primary content areas, and our assessment of their associated impacts? Please provide your reasoning, and if possible, any supporting evidence.</p>	<p>Confidential? – Y / N</p>
<p>Question 4: Do you agree with our proposals on search, and our assessment of their associated impacts? Please provide your reasoning, and if possible, any supporting evidence.</p>	<p>Confidential? – Y / N</p>
<p>Question 5: Do you agree with our proposals on listed channels, and our assessment of their associated impacts? Please provide your reasoning, and if possible, any supporting evidence.</p>	<p>Confidential? – Y / N</p>

Question	Your response
<p>Question 6: Do you agree with our proposals on attribution, and our assessment of their associated impacts? Please provide your reasoning, and if possible, any supporting evidence.</p>	<p>Confidential? – Y / N</p>
<p>Question 7: Do you agree with our proposal on alternatives to visual information, and our assessment of its associated impacts? Please provide your reasoning, and if possible, any supporting evidence.</p>	<p>Confidential? – Y / N</p>
<p>Question 8: Do you agree with our proposal on text and image enlargement, and our assessment of its associated impacts? Please provide your reasoning, and if possible, any supporting evidence.</p>	<p>Confidential? – Y / N</p>
<p>Question 9: Do you agree with our proposal on distinguishable text and images, and our assessment of its associated impacts? Please provide your reasoning, and if possible, any supporting evidence.</p>	<p>Confidential? – Y / N</p>
<p>Question 10: Do you agree with our proposal on information on accessibility features, and our assessment of its associated impacts? Please provide your reasoning, and if possible, any supporting evidence.</p>	<p>Confidential? – Y / N</p>
<p>Question 11: Do you agree with our proposal on labelling of accessible content, and our assessment of its associated impacts? Please provide your reasoning, and if possible, any supporting evidence.</p>	<p>Confidential? – Y / N</p>

Question	Your response
<p>Question 12: Do you agree with our proposal on enabling use of the available accessibility features, and our assessment of its associated impacts? Please provide your reasoning, and if possible, any supporting evidence.</p>	<p>Confidential? – Y / N</p>
<p>Question 13: Do you have any views or evidence on the effectiveness or impact of any other actions in relation to making use of the RTSS and finding/making use of accessible programming? Please provide your reasoning, and if possible, any supporting evidence.</p>	<p>Confidential? – Y / N</p>
<p>Question 14: Do you agree with our proposed draft Guidance, and our assessment of its associated impacts? Please provide your reasoning and, where relevant, any supporting evidence.</p>	<p>Confidential? – Y / N</p>
<p>Question 15: Do you agree with the assessment of the combined impact of our proposals when considered as a package? Please provide any relevant evidence that supports your position.</p>	<p>Confidential? – Y / N</p>
<p>Question 16: Do you agree that 12 months is a reasonable period for all providers to bring themselves into compliance? Please provide your reasoning, and if possible, any supporting evidence.</p>	<p>Confidential? – Y / N</p>