

Title:

Mr

Forename:

Christopher

Surname:

Sharpe

Name and title under which you would like this response to appear:

Christopher Sharpe

Representing:

Self

What do you want Ofcom to keep confidential?:

Keep part of the response confidential

If you want part of your response kept confidential, which parts?:

Email address

Ofcom may publish a response summary:

Yes

I confirm that I have read the declaration:

Yes

Ofcom should only publish this response after the consultation has ended:

You may publish my response on receipt

Question 1: To what extent do you consider that DTT, DSat, cable and IPTV are in competition with one another for subscribers of pay TV services ? either at present or in the future?:

This question has little relevance for me - that is the flaw in this 'consultation'; it does not allow for the opinions of those who believe that the introduction in the UK of 'market forces' and 'commercial competition' into broadcasting has reduced

television broadcasting from something that was once a source of pride for the nation to little more than a vulgar 'market place' for the sale of shoddy products.

If there is a perceived demand for these products, then the 'newer' technologies of 'DSat, cable and IPTV' are of sufficient capacity and coverage to allow for this 'market place' - DTT, using the existing 'spectrum', should be reserved exclusively for 'free-to-air' broadcasting of the highest technical, intellectual and cultural standards.

Question 2: To what extent do you consider the Proposal is likely to deliver benefits to the consumer?:

I can see no benefits whatsoever to the 'consumer'.

Ofcom's use of the word 'consumer' shows that its view of broadcasting is as a commodity to be 'sold' to the 'consumer'.

When the UK had a regulator (and governments) who better understood the purpose of broadcasting, and thus enhanced the vastly superior system that operated in this country until the late 1980s, this question would have been concerned with the benefits to the viewer and listener and the contribution of broadcasting to the intellectual and cultural well-being of the nation.

These standards and aspirations have plummeted over the past couple of decades - the body that has been mainly responsible for this decline is, in my view, British Sky Broadcasting Ltd; a company that has ruthlessly sought to change the culture of the UK for its own financial gain using the seemingly bottomless financial support of News Corp. and the political influence of the Executive Chairman.

The tiny saving grace in this cultural catastrophe is that that company, willingly, provided a small contribution to the 'Freeview' concept with its provision of a general service, a general news service and a specific news service. If that company is not prepared to continue with this then it should be barred from the DTT 'platform'.

If, as a result of this Proposal, there should only be one provider a 'free to air' news service then there are profound implications for the impartial dissemination of information in a democracy.

Question 3: To what extent do you consider that there is scope for sustainable competition in pay TV on the DTT platform and, more broadly, across all pay TV platforms?:

I have no interest in 'sustainable competition' for 'pay TV' 'across all platforms'.

My only concern is that there remains in the UK universally accessible television and radio broadcasting, funded on a universal basis, that is of the highest technical, intellectual and cultural standards.

Question 4: What are likely to be the key aspects of competition between providers of retail pay TV services on the DTT platform? E.g. what is the role of premium sports and movies content?:

The purpose of competition is to find which profit-motivated commercial broadcaster can extract the maximum amount of cash from a gullible audience - the whole concept of 'premium content' is simply a marketing ploy used to raise the expectations of that audience.

There is nothing 'premium' about many of the currently produced 'movies', especially those imported from the US, they are simply new but have little, if any, intellectual or artistic merit. The implication of this is that imported 'movies' are in some way superior and any UK produced film is of less merit and not 'premium'. Those who peddle this nonsense should think long and hard about the damage being caused to creative activity in the UK.

I presume that the words 'premium sports content' mean, for example, the live television coverage of Test Cricket.

These games are played in the name of the country, on behalf of the country, and as an international representation of the country.

The recent disgraceful actions of Ofcom, BSkyB, the ECB and government (and the DCMS in particular) are a prime example of the obsessive belief in 'market forces' having damaged the sporting culture of this nation.

It would have once been unthinkable that a major national event could have been 'hijacked' by a commercial company in pursuit of profit - under the intellectually challenged thinking of recent governments it would seem that anything can be sold to the highest bidder regardless of any cultural impact and loss of 'national cohesion'.

This action is even more scandalous as it happened in a country where all television viewers are obliged, by law, to pay directly for the provision of public service broadcasting and, additionally, have no way of avoiding the surcharge on their purchase of goods and services that funds 'spot advertising' on commercial providers of public service broadcasting (and, for that matter, the partial funding of subscription based services).

Only if there is the political courage to abolish the TV Licence, and acceptance of the consequential exclusion of a huge part of the population from the possibility of viewing any such national events, can the obsessive belief in 'commercial competition' be justified.

No government has yet shown that courage.

Until a government shows that courage, and is prepared to account for this cultural shift, then it is my view that any 'competition between providers of retail pay TV services' should be peripheral, and be so strongly regulated that it cannot impinge on any 'premium sport' that is the 'property of the nation'.

This BSkyB Proposal raises the prospect of a further cultural shift that is against the long term interests of the nation.

Question 5: Do you consider that if Sky were to become the only provider of pay TV on the DTT platform it would be likely to have a significant detrimental effect on competition in the long term? How might this affect the development of other platforms for the delivery of pay TV services?:

I am opposed to any provider of pay TV on the DTT platform.

It is a shallow pretence for Ofcom to pretend that BSkyB may become the only provider of pay TV on the DTT platform - I have no doubt that it would become so if the Proposal were allowed - that is BSkyB's intention - history tells us so.

BSkyB dominates satellite broadcasting to such an extent that it effectively runs a monopoly, a weak regulator allowed Sky Television to destroy and then take-over British Satellite Broadcasting; no regulatory concerns about competition there.

BSkyB has recently attempted to destroy the cable platform through its twofold attack on Virgin Media; no regulatory concerns about competition there either.

Yet Ofcom seemingly cannot see the warning signs and reject, out of hand, this Proposal that will not only destroy any hope of competition on the DTT platform for those that expound this view, but also significantly damage the Freeview concept.

Question 6: To what extent, if at all, do you consider that the Proposal would be likely to lead to any of the public policy concerns outlined at Section 4?:

In my answer to Question 2 I say

These standards and aspirations have plummeted over the past couple of decades - the body that has been mainly responsible for this decline is, in my view, British Sky Broadcasting Ltd; a company that has ruthlessly sought to change the culture of the UK for its own financial gain using the seemingly bottomless financial support of News Corp. and the political influence of the Executive Chairman.

Over the past two decades Sky Television and BSkyB has used this financial and political influence not only to change the cultural heritage of broadcasting in the UK, but has also used its vast resources and influence to place in the mind of the British public the idea that Sky and satellite broadcasting are one and the same thing.

Because of the political influence exerted by the Executive Chairman, the governments of the time have done nothing to challenge this misconception and failed in a basic duty towards its electorate by not doing so.

Established public service broadcasters, including the BBC (to its shame), have done

little to educate the population that the two concepts are quite different and, thus, have failed catastrophically in one of their most fundamental duties to the national. The BBC's 'FreeSat' proposal is too late in the day; the damage has already been done by BSkyB in its own financial interests.

There is anecdotal evidence that BSkyB is actively pursuing new subscribers by spreading the misinformation that, come 'digital switch over', there will be no broadcast television service available to those who have their analogue terrestrial services withdrawn other than the subscription services offered by BSkyB.

Such behaviour is reprehensible, but seemingly goes challenged.

Should this proposal be allowed, I can see nothing to stop BSkyB seeking to establish a similar misconception that associates Sky DTT subscription services with the process of 'DSO'.

I do not trust BSkyB - the possibility that that company could 'hijack' the process of 'DSO' for its own commercial ends is by far the most serious public policy concern that I have.

For Ofcom, and the government, to allow this Proposal would indicate that either they are not aware of this concern, or they are aware of the concern but are inclined to put the political influence of the Executive Chairman of BSkyB before their duties and accountability to the country.

Question 7: Specifically, to what extent do you consider that the Proposal would be likely to lead to consumer confusion?:

I am already dealing with a high level of confusion, and fear, regarding the closure of existing broadcasting services in my area.

My answers and reassurances are not fully understood, particularly amongst the older people I talk to.

This BSkyB Proposal would not 'lead to consumer confusion' - it would further exacerbate an existing problem.

But then it is clear from my previous answers that I believe that this Proposal, and the timing of the Proposal, is a cynical ploy by BSkyB to exploit the inevitable 'consumer confusion' surrounding 'DSO' to line their own pockets;

'putting the frighteners' on old people is the action of a thug.

Question 8: To what extent do you consider that it is beneficial for consumers to be able to obtain Sky and existing DTT pay TV content without having to purchase separate STBs?:

As I am totally opposed to the concept of 'existing DTT pay TV content', this question has no relevance.

Question 9: Do you consider that the Proposal might lead to any additional public policy concerns:

See answer to Question 6

Question 10: If Sky becoming the only provider of pay TV services on the DTT platform were likely to have a significant detrimental effect on competition, do you consider that it is possible to address this through a set of additional conditions and/or directions? If so, what form should those conditions/directions take?:

This question makes no sense.

It seems to suggest that if BSkyB had a monopoly of provision of pay TV services on the DTT platform there is a possibility that this might not have a detrimental effect on competitors.

By the definition of monopoly there would be no competitors.

If Ofcom really wants to consult on matters of this nature then surely it can ask succinct questions that make sense.

This question simply confirms that this is a flawed consultation, not just because it limits the questions to concerns about competition but it does so by asking incomprehensible and illogical questions.

Additional comments:

This consultation is deeply flawed in that it is only concerned with the impact of change to competition in the tv broadcasting market.

It thus excludes those who think that the obsessive belief in the market that has been expounded over the past two decades, and the belief that market forces deliver the best outcome for the consumer, are misguided.

The use of this market model in broadcasting must be severely regulated if the country is to continue to benefit from the cultural, educational and informative aspects of broadcasting.

There are many who believe that the television broadcasting of the 2000s is a poor substitute for that which we enjoyed until the late 1980s, an era of development, innovation and expectation.

The recent phone-in scandals are symptomatic of the decline in cultural and moral standards - they are indicative of the contempt that many broadcasters hold for their existing and potential audiences. The broadcasters' interest now seems to be only the bottom-line of the balance sheet, not the purposes of broadcasting and benefits that it can bring to the nation.

It is no coincidence that the decline in standards in British television broadcasting started at the time of Thatcher's 'economic experiment' and the first transmissions of 'Sky Television'.

This consultation should be much more basic - it should concern itself with the role of broadcasting in the UK and whether the damage already done could be reversed - but while the Titanic of quality broadcasting sinks, this Ofcom 'consultation' is concerned only with rearranging the deck chairs of competition.

'Light-touch' regulation has not served the viewer well, it has already lost the viewer much of the basic purpose of broadcasting - to join the country in the understanding and sharing of a wide range of differing experiences.

'Light-touch' regulation is allowing the near destruction of centuries of British culture and tradition and letting the broadcasters offer a narrow 'choice' of imported, much repeated, US 'content' that is beginning to be perceived as the native culture of this land. The obsession with 'choice' for its own sake, without concern for the reduced range and breadth from which the television viewer can choose shows paucity of intellect in both the regulator, and the government which should hold that regulator to account.

A strong regulator would not begin to consider this BSkyB Proposal and the likely outcome that BSkyB (and News Corp.) gain further control and influence over all aspects of life in the UK. While Ofcom remains in the pay of the industry it regulates and has no statutory duty to account to the electorate, (and thus cannot be removed by that electorate), the only option open to the population is to respond to 'consultations' such as this by widening the scope of the questions within that 'consultation'.

....

This is a part of a report on the view expressed by BSkyB two years ago to a commons select committee - representatives of the people:

'BSkyB today said Freeview was not fit to lead Britain into the digital TV future, describing it as "an analogue platform with not very convincing go faster stripes".....

Mike Darcey, the BSkyB group director of strategy, said Freeview was "simply not up to the job" as the government {sought} to convert every home to digital before the analogue TV signal is switched off in 2012.

"Freeview will be the platform for the elderly and economically inactive," he told the culture, media and sport committee on analogue switch-off.?

The insult and contempt shown by the last quote have remained with me because of the arrogance shown by this man.

'The elderly' have built up a huge stake holding in broadcasting in the UK by virtue of their payment of the TV Licence Fee over many decades - to be dismissed so contemptuously is beyond belief.

What Mr Darcey means by the 'economically inactive' is open to interpretation - he could include those who simply wish to live within their means and not run up debt and live on credit - I find it to be an unforgivably socially divisive comment.

A better 'pitch' for BSkyB's Proposal and their unopposed dominance of broadcasting would be hard to imagine;

but this exchange took place earlier this year - the same Mr Darcey to the same select committee:

Q468 Mr Evans:I am just wondering. Do you think you have any moral duty at all to allow Sky News, for instance, to be broadcast free of charge? It has got advertising in it, after all, has it not?

Mr Darcey: No, I do not think we do see a moral duty for it to be free of charge. I guess at Sky we are a little perplexed about the apparent preoccupation with: "It all must be free."

Q469 Mr Evans: It is what people thought they were getting when they had Freeview?

Mr Darcey: I doubt really that it was really heavily in people's minds actually.

Q471 Mr Evans: No. As part of the package when they were buying Freeview, Sky News was part of that, and then all of a sudden they are being---

Mr Darcey: I do not think it was a major element in people's decision to take Freeview.

We, regretfully, have to look at that situation and admit that, after five years of trying, we have not really done that well in the Freeview environment.

Yes, there is some advertising revenue from Sky News, it is pretty modest to tell you the truth, and we have had to have a good, hard look about what is the right way to deploy that Sky News asset of which we are very proud and in which we continue to invest greater and greater amounts. We have taken the view that giving it away head-to-head with BBC News 24 is not the best thing we can do with it and that it is a quality product and we think that a better approach is to look for it to make a greater contribution to persuading people of the merits of taking a pay television service, and you cannot do that when you are giving it away for free somewhere else.?

In my answer to Question 4 I point out that, in this country all television viewers are obliged, by law, to pay directly for the provision of public service broadcasting and, additionally, have no way of avoiding the surcharge on their purchase of goods and services that funds 'spot advertising' on commercial providers of public service broadcasting (and, for that matter, the partial funding of subscription based services).

Mr Darcey is thus mischievous to seek to suggest that there is an 'apparent preoccupation with: "It all must be free."?

He does show BSkyB's true colours - seemingly that company has no understanding that the dissemination of news as a 'loss leader' for 'the merits of taking a pay

television service? is morally repugnant. This is the fundamental moral reason why this Proposal must be rejected - if Ofcom wishes to claim that it acts on behalf of the television viewer then it has no option but to reject this Proposal.

.....

The final comments of my submission address my concerns about ?DTT?, ?DSO?, ?Freeview? and the costs born by the public.

Digital television is ?sold? to the public as a technological revolution that offers better quality, more choice and overall improvements in broadcast television in the UK. This is the view put forward by those who benefit from the marketing of the concept and is accepted by a portion of the population that is more influenced by a ?sales pitch? than by facts.

Digitised television transmission cannot produce better quality images than its analogue equivalent, it can only produce a perceived improvement if handled with great care.

It may under some circumstances overcome transmission errors in the analogue system, but it introduces transmission errors of its own that are disregarded by the proponents of the system.

Ofcom seemingly allows low quality transmission because it is interested only in packing as much ?economic activity? into the system as possible regardless of picture quality.

Ofcom allows some broadcasters to transmit pictures at a resolution lower than that of 405 - line television;

Ofcom allows some broadcasters to transmit pictures with a level of compression that renders the reproduction of a fast-moving image as little more than a vaguely coloured blur;

Ofcom fails to insist that the 16:9 capability of the digital system is always used where appropriate, it is happy to sit back and allow 16:9 originated material to be transmitted in a compromise ?letterbox? format within in 4:3 frame;

Ofcom fails in its fundamental duty to ensure that the television viewer receives the best possible picture quality in this replacement system;

and yet the public is buying wide screen receivers in a belief that that is what is being universally transmitted when it is not - it is only the traditional ?terrestrial? broadcaster that seem to care - not the regulator.

But then it is that very viewer, that is being so badly ?short-changed? by Ofcom that is bearing the cost of this technological change.

Ofcom once published a figure of around £135 per household to 'convert' to 'Freeview'.

There are some 25 million television households (from the TV Licence figures). That conversion cost is then in excess of £3 billion.

The government has announced that it intends to divert £0.6 billion (with no undertaking that that will be the final figure) from the Licence Fee to further its policy of 'DSO', but has never seemingly put this policy to the electorate at an election.

So the British public are, without consultation on policy, being forced to pay at least £4 billion pound so that the government can achieve this end.

I find it hard to agree with the Ofcom figure of £135 given the huge advertising pressure currently on the television viewer to replace existing working receivers, and no one mentions the monetary and environmental costs of the disposal of such a large amount of working electronic equipment.

So the British public are picking up a bill that could well be in excess of £5 billion pounds for a 'product' that is supposed to be superior, yet Ofcom fails to regulate on technical detail to ensure that the quality of the 'product' even matches that of the system that is to be abolished -

yet this is the same British public that is running their household on the biggest level of debt ever.

If this country were to live within its means, this project of DSO would never have been floated, and now there is a Proposal that a company that has already shown its thirst for monopoly is seeking to subvert a public policy, funded by a population that can only manage to do it on credit, for its own financial gain.

Preposterous - not only are the Philistines well and truly through the gate, they have found that the lunatics are running the asylum.

But then this avoids the real reason for the change -

we are told that this superior digital transmission system is so efficient that a third of the currently used 'spectrum' will be 'released' and that 'digital dividend' can be used for other purposes - there is no 'dividend' for those who have financed this scheme, they simply face a future of more commercial pressure to subscribe to services using the 'released spectrum' while the treasury picks up the VAT on those subscriptions.

The average British household is living on a large amount of credit, a banking system trading in that debt is falling apart, the Thatcher 'economic experiment' is coming home to roost, Ofcom fiddles while Britain burns, the spivs at BSkyB try to make even more money out of a gullible public.

Refuse this application for a variation of licence,

kill of BSkyB's proposal,

give quality broadcasting back to the people of Britain.