



## **3WE submission to Ofcom's review of public service television**

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**Third World & Environment  
Broadcasting Project**

[www.ePolitix.com/forum/3WE](http://www.ePolitix.com/forum/3WE)

19 Akeman St, Combe  
Witney, Oxon OX29 8NZ

Tel: 077 865 42615  
[dredding@ntlworld.com](mailto:dredding@ntlworld.com)

### **‘MATTERS OF INTERNATIONAL SIGNIFICANCE OR INTEREST’**

#### **Introduction**

1. 3WE is a coalition of the UK's leading international development, environment and human rights charities, which campaigns for high quality, innovative broadcasting on international issues. 3WE was established in 1989.
2. 3WE campaigned successfully for the inclusion, in the ‘purposes of public service television’ as laid out in the Communications Act 2003, of a requirement for ‘a suitable quantity and range of programmes dealing with... matters of international significance or interest’ [264(6)(f)].
3. 3WE also has a strong interest in whether the public service television channels properly provide ‘a comprehensive and authoritative coverage of news and current affairs in, and in the different parts of, the United Kingdom and from around the world’ [264(6)(c)].
4. With regard to Tier 3 international programming, 3WE's views are based on authoritative empirical evidence from its own monitoring research project. Since 1989-90 this research has tracked the quantity and type of non-news-and-current-affairs programming filmed wholly or mainly outside the British Isles on the public service TV channels 1-5. We refer to this as ‘factual international programming’; but it equates to the category of programming mentioned in 264(6)(f) of the Act.
5. Within this overall category 3WE also tracks the amount of factual programming specifically filmed in developing countries – ‘developing country factual programming’. Developing countries are home to the majority of the world's population as well as the majority of its biodiversity, and therefore the coverage of developing countries is a useful indicator of the performance of the broadcasters in providing a range and depth of coverage of

the wider world. The most recent research, 'Losing Reality', covers 2000-01, is enclosed.

6. A new study, commissioned from the University of Westminster and monitoring the calendar year 2003, is now in preparation. Early indicative data from this study was used privately in the full submission to Ofcom. This data is not for publication, and has been edited out of this version.
7. In 2003 3WE analysed the programme policy statements of the public service TV channels, and submitted this analysis to the Independent Television Commission. Excerpts from that submission are used here.

### **Key points: tier 3 international programming**

8. *Public service failure*  
**3WE's conclusion, based on its empirical research from 1989 to 2001, and on analysis of programming in 2003, is that the main five TV channels 'taken together' are failing to provide an adequate public service with regard to Tier 3 programming on 'matters of international significance or interest' [Communications Act 2003, Section 264(6)(f)].**
9. *A case for enforcement action*  
3WE believes the channels' failure in this area is both serious and sustained. We have previously urged corrective action by the regulators, and will continue to do so for as long as the failures persist. Notably:
  - in 2002, having made representations to the chair of the governors, 3WE met executive directors of the BBC to make the case for raising the amount and quality of factual international programming, particularly on BBC2
  - in 2003, having noted that ITV1 did not promise a single Tier 3 programme on 'matters of international significance or interest', 3WE urged the ITC to take enforcement action, which it declined to do
  - further, while 3WE did not judge Channel 4 to be individually failing in this area, it did find that its programme policy statement for 2003 showed Channel 4's level of programming on 'global and international issues' (as the Channel 4 licence expresses it) hovering at the minimum acceptable level, and urged the ITC to keep raising the matter at its regular meetings with the broadcaster.
10. *A case representing wider Tier 3 failures?*  
3WE believes that the channels' failure to provide a full public service with regard to Tier 3 programmes on international issues may be representative of a wider failure by the channels 'taken together' to provide the full range, quantity and quality of programmes that the 'purposes of public service television' specify. This is based upon indicators such as:
  - The ITC's response to 3WE research – that it shows a picture true of other areas of factual programming

- Research for the ITC showing that the peak time offering of public service television had narrowed in range and innovation in the late 1990s
- ITV research, presented at the Oxford Media Convention in January 2003, showing that the numbers of new programme titles on the public service channels had declined markedly

3WE's monitoring research is unique – no other area of public service provision outside news has been tracked over time using a consistent methodology in this way. Therefore we urge Ofcom to seek to compare trends in 3WE's research against trends in other areas of Tier 3 factual programming.

We also urge Ofcom to consider the need to fund and commission similar research series to track other areas of programming.

#### *11. Failure across all channels*

Factual international programming declined on channels 1-4 between 1989-90 and 2000-01. Channels 1 to 4, which have been broadcasting throughout our research period (1989 to 2001) allowed total hours of factual international programming to fall by one quarter from 1989-90 to 2000-01.

Channel Five only came into being in 1996. Its record is detailed in the next section. Here we note that while it may have added some hours of factual international programming to the overall totals, it has not added to the range of available programmes.

#### *12. Contribution of individual channels*

While the review covers the main public service TV channels 'taken together', it is nevertheless important to assess the contribution of specific channels to the overall success or failure with regard to the purposes of public service television. From its research and analysis, 3WE details the following records:

- **BBC1** up to 2000-01 had a better record than the other channels in maintaining a consistent level of factual international programming, with a significant proportion in peak time – but with a narrow mix of programme subjects.
- **BBC2 and Channel 4**, despite having remits and reputations for high quality informative and educational factual programming, have in fact reduced, marginalised and narrowed the range of their factual international programmes.
- **ITV1's** public service failure is the most stark. From 1989-90 to 1998-99 its factual international programming fell by two thirds, and its developing country factual programming fell by 74%. Although there was some recovery in the number of hours in 2000-01 this was confined to a very narrow programme mix – mainly reality TV and other 'travel, 'wildlife' and 'light human interest'. In 2003 its

programme policy statement promised not a single serious factual programme on ‘matters of international significance or interest’.

- **Channel Five** has at times provided large numbers of hours of factual international programming, but these have been disproportionately acquired programmes and disproportionately concentrated in a small number of subject areas. For example, in 1998-99, 95 of its 128 hours of factual international programming was wildlife, much of it acquired archive series. In 2000-01, 28% of its factual international output consisted of crime and police shows, mainly acquired from the United States. Channel Five has invested very little in developing country factual programmes. In 2000-01 its developing country factual programmes consisted almost entirely of travel and wildlife (72 out of 77 programmes).

## Evidence in detail

13. In 1989-90 the public service TV channels 1-4 broadcast 1037 hours of factual international programmes. In 2000-01 they broadcast 786.3 hours – a recovery from the 600.8 hours in 1998-99, but still one quarter lower than in 1989-90.
14. Within these totals the amount of developing country factual programming also fell. In 1989-90 channels 1-4 broadcast 387 hours of developing country factual programming; by 2000-01 this was down to 256.2 hours.
15. These comparisons do not include Channel 5, which debuted in 1996. In 2000-01 it provided its highest level so far of factual international programming. However, one quarter of this consisted of ‘crime and policing’, overwhelmingly made up of imported US programmes, and another large segment was reality TV. Its developing country factual programmes fell to their lowest levels since the channel began.
16. ‘Losing Reality’ identified a number of trends within factual international programming in 2000-01, compared to previous years. In 2000-01 factual international programming and developing country factual programming had risen compared to the historic lows of 1998-99. 3WE’s research showed that these rises were due to an expansion of holiday travel programmes, and the ‘internationalisation’ of entertainment programme formats that had previously been filmed domestically. For example:
  - ‘docu-soaps’ following Britons abroad caused the ‘Miscellaneous’ category to more than double compared to 1998-99 (almost 100 extra programme hours)
  - ‘reality TV’ series filmed overseas appeared for the first time, and accounted for almost 10% of the commercial channels’ factual international output
  - ITV1 doubled its travel output; BBC1 provided 45 hours of holiday travel programmes;

17. Similar trends were also evident in developing country factual programming, although 'docu-soaps' and crime series were less likely to be filmed in developing countries. The principal formats that created a rise in developing country factual programming compared to 1998-99 were the holiday programme and the reality TV show. As 'reality TV' is included within 3WE's overall 'travel' category, 'travel' programmes accounted for 35% of developing country factual programming.
18. A further trend was a significant increase in programming in the 'religion, culture and the arts' (RCA) category. Analysis showed that this was not due to any increase in straight religious or anthropological programmes, but to two factors: a) an attempt to make other societies 'accessible' and entertaining to viewers by using light-hearted 'cultural' perspectives on them (such as 'Louis Theroux's Weird Weekends' or 'Bombay Blush'); and b) the internationalisation of youth culture, with many of the RCA programmes featuring, for example, club culture around the world.
19. The use of 'cultural' formats to view the rest of the world was overwhelmingly a BBC2 and Channel 4 phenomenon. Channel 4's developing country factual programmes in this category tripled between 1998-99 and 2000-01; BBC2's doubled.
20. The final trend evidenced in factual international programming in 2000-01 was the decreasing interest of broadcasters in showing programmes that cover 'hard', serious, in-depth issues. In the overall mix of 'factual international programmes' – equating to the Act's requirement for programmes on 'matters of international significance or interest':
  - BBC1 and ITV1 showed no rise in such 'harder' programming
  - BBC2 cut its coverage of international 'conflict and disaster', 'history' and 'politics';
  - Channel 4 cut by half its coverage of international 'conflict and disaster', 'politics' and 'development, environment and human rights'
21. Despite a rise of 20% in total hours of 'developing country factual programming' compared to 1998-99, programmes in the 'hard' issue categories actually fell:
  - There were fewer developing country programmes in each of the categories: 'history', 'politics', 'development, environment and human rights' and 'conflict and disaster'
  - These categories taken together accounted for only 16% of developing country factual coverage (72 programmes in the year)
  - Channel 5 provided no programmes in these categories
  - While in 1989-90 'development, environment and human rights' formed 30% of developing country factual programmes, by 2000-01 it was only 6% of a total which was one quarter lower
  - Only four programmes in the year touched on the politics of developing countries – and three of these were on one channel

(BBC2). BBC1, ITV1 and Channel 5 showed no programmes in this category.

22. The consequences of these trends could be seen in the ‘programme mix’ available on the public service TV channels, which had both narrowed and moved to the lighter, entertainment end and away from informative and educational programming. Looking at the programme mix of the two mass audience channels:
- BBC1 showed 240 factual international programmes, 203 of which were in the travel, wildlife or ‘miscellaneous’ categories<sup>1</sup>
  - ITV1 also showed 240 factual international programmes, 180 of which were in the travel, wildlife or ‘miscellaneous’ categories
  - ITV1 showed nearly 30 hours of peak time factual programming filmed in developing countries – more than half of which was ‘*Survivor*’, and the rest holiday travel, wildlife and a docu-soap on British people trying sex tourism in Jamaica
  - BBC1 showed nearly 26 hours of peak time factual programming filmed in developing countries, its highest level in 3WE’s research – 19 hours of which were wildlife, holiday travel or docu-soap – though it also showed a three-part series on ‘*The State of the Planet*’ and a Comic Relief programme on Rwanda
23. Of particular concern was the programme mix on the two specialised ‘minority’ channels, BBC2 and Channel 4:
- Travel and wildlife still dominated their developing country factual programming, with two fifths of the total
  - Both channels cut their programming in the ‘harder’ programme categories – though these remain better represented than on the mass channels, with one quarter of the two channels’ developing country factual programmes covering history, politics, conflict and disaster, and development, environment and human rights
  - Both channels significantly increased their ‘cultural’ programming at the expense of the ‘harder’ programmes. ‘Cultural’ programmes were almost one quarter of Channel 4’s developing country factual programmes (59 out of the total 256 programmes).

### **Current affairs: developing countries**

24. Historically 3WE’s principal concern has been with non-news-and-current-affairs programming. However, in its research reports it has noted the quantity and range of current affairs coverage of developing countries. As these are the location for the majority of the world’s population and biodiversity, but somewhat expensive and difficult to access, they are a good test case for the commitment of the channels to a wide range of international current affairs coverage.

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<sup>1</sup> ‘miscellaneous’ includes ‘lightweight human interest’ such as ‘docu-soaps

25. In 2000-01 the five public service TV channels provided 27.8 hours of current affairs coverage of developing countries. This compared well to four years previously (1996-97) and was an increase on the low year of 1998-99. BBC1, BBC2 and Channel Four either matched or exceeded their 1996-97 level.
26. BBC2 provided more current affairs coverage of developing countries than the other four channels combined. This was entirely due to the bespoke international strand, 'Correspondent'. Where channels had only generic current affairs series, their level of developing country coverage was much lower. We note that 'Correspondent' has recently been retitled 'This World', with bigger budgets and a better (peak time) schedule slot, though with a shorter run. First indications after three programmes in 2004 are that it has moved more towards 'documentary' than 'current affairs'.
27. The public service failures in this category were ITV1 and Channel Five. ITV1 in 1996-97 showed 7.2 hours of current affairs coverage of developing countries, 4.5 hours of which was in peak time slots, thanks to 'World in Action'. In 1998-99, following the demise of 'World in Action' it showed only 1.4 hours of such programming. In 2000-01 the quantity had half recovered, at 5.8 hours – but this was principally due to a daytime series, 'Back to the Front with Mike Nicholson'. ITV1's flagship peak time current affairs programme, 'Tonight with Trevor Macdonald', showed only two items classifiable as 'developing country'. 3WE did note to the ITC that, judging from its own evidence in its statements of programme policy, in the two years since our last research ITV1 appeared to have begun to revive its international current affairs commitment. However, we would urge the regulator to continue to put pressure on ITV1 for a wide range of current affairs 'from the UK and around the world' including in peak and off-peak (c.f. the requirements of Section 264 of the Communications Act).
28. Channel Five in its original licence conditions was required to produce at least one hour per week of current affairs programmes of high quality and dealing with both national and international issues. It is not clear that this condition has ever been either fulfilled by the channel or enforced by the regulator. With regard to current affairs coverage of developing countries, Channel 5 broadcast none in either 1996-7 or 1998-9. In 2000-01 3WE found possibly three international current affairs programmes in Channel Five's schedules, of which two were filmed in developing countries (0.9 hours) and which examined cruelty to animals. It appears that Channel Five is in clear breach of its licence condition and of the requirement of Section 264(6)(c) of the Communications Act. As a mature channel which has been able to grow its audience and secure investment, Channel 5 should now face enforcement action on this part of its public service obligations.

## **Maintaining and strengthening public service television**

29. *Enforcing the requirements of the Communications Act 2003 must precede any further renegotiation of those requirements*

In our view the first priority for Ofcom with regard to maintaining public service television should be to ensure that the TV channels that it regulates are fulfilling the obligations specified in the Communications Act 2003. Only following an investigation of failures, the use of corrective action, and a further period of trialling the Act's provisions, will it become clear whether the Act's requirements are properly balanced, or whether there is a case for renegotiating those requirements. In particular, we wish to see Ofcom's review investigate the degree to which the failures identified in programming on 'matters of international significance or interest' are matched in other areas.

30. *Enforcement action on channels 3 and 5*

Having fought successfully for an improved and strengthened definition of the 'purposes' of public service television in the Communications Act, 3WE now wishes to see those purposes enforced by the regulator. We have highlighted the poor performance of Channels 3 and 5 with regard to Tier 3 programming on 'matters of international significance or interest'; and with regard to current affairs 'from around the world'. Lord MacIntosh confirmed in debates on the Communications Bill that it is open to Ofcom at any time to use the enforcement powers in Section 270. We urge Ofcom to do so in these cases. Section 270(4) is particularly relevant.

31. *Pressure on Channel 4*

As noted in our submission to the ITC in 2003 and again here, the regulator should keep up pressure on Channel 4 to increase its commitment to 'global and international issues'; to extend the range of formats and schedule slots devoted to them; and to revive a serious documentary strand. 3WE's indicative figures for 2003 show Channel 4's hours of factual international programming falling significantly compared to 2000-01. Ofcom may need to direct Channel 4 to improve its promises in its statement of programme policy for 2004.

32. *BBC channels*

The architecture of the Communications Act 2003 and its accompanying policy is based upon the expectation that the BBC will be the cornerstone provider, contributing to all of the 'purposes' of public service TV. 3WE's evidence shows that the performance of its main channels remains below the satisfactory level. While BBC1 has in general kept up a consistent level of factual international programming, albeit with a limited programme mix, latest figures show this has declined. BBC2's performance is good with regard to news and current affairs but is now very poor with regard to factual international programming in general, where the numbers of programme hours commissioned by the channel<sup>2</sup> continued to fall in 2003, and there was no

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<sup>2</sup> That is, not including programmes promoted from the digital channel BBC4. The BBC has said that one of its remedies for the acknowledged deficit in factual international programming on BBC2 is to promote more programmes from BBC4. It promised 100 hours of BBC4 on BBC2 in 2003 (not all of

single documentary strand capable of covering ‘matters of international significance’. At the very least, Ofcom’s review should recommend that the governors take effective action to ensure that the remits they have given to BBC1 and BBC2 – which emphasise, respectively, ‘making serious subjects accessible and relevant’, and ‘serious subjects are given further regular coverage at the heart of prime time’ – are fulfilled.

33. *No case for rapid change in the ps TV requirements*

The Communications Act 2003 in itself represents a new bargain between the government and the broadcasters. With regard to Tier 3 programming in particular, the so-called ‘regulatory burdens’ were eased at the request of the commercial channels. The very light remits given to channels 3 and 5, the easing of strict Tier 3 content requirements and quotas, the movement towards self-regulation, and the relaxation of certain ownership rules, are all new features of the television landscape. Ofcom itself, as the converged regulator with oversight and enforcement powers, is also new.

While the television ecology is changing, with the rise of multi-channel TV and of other competition for audience attention, it is not changing as rapidly as some vested interests like to maintain. In terms of audience, around 80% of the total audience remains with the five public service broadcasters, as does the lion’s share of TV advertising and sponsorship. Moreover, while the channels have changed their programme mix – ruthlessly narrowing the range and depth of what is offered, and failing to innovate<sup>3</sup> -- the public view of what is valuable in television has remained remarkably constant, emphasising serious factual programming in news, current affairs and ‘Tier 3’<sup>4</sup>. At this stage, therefore, we see no argument for renegotiating, or for recommending statutory change to, the public service requirements on the main five channels. As noted above (par 32), 3WE believes the priority for at least the next three years is to make the Communications Act 2003 work, and to ensure that the broadcasters are held to account against the defined purposes of public service television.

34. *Would more independent commissions extend innovation?*

As a final note, 3WE opposes the proposal, said to have circulated within Ofcom, that the BBC should commission 50% of its programmes from independent companies, as a way of increasing innovation. We welcome the fact that Ofcom has clearly identified this problem of lack of ‘range’. With regard to factual international programmes, however, the idea of more

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them being factual international programmes). 3WE is still analysing how this mechanism worked and whether it was to the benefit or the detriment overall of international programming on BBC2. We will contribute our analysis to the forthcoming review of BBC digital channels. Meantime we note here that all of the BBC4 programmes have been shown in the ‘difficult’ post-‘Newsnight’ slot, which is notoriously difficult for BBC2 to fill, and which inherits an audience of around one to one and a half million people. We also note that many of the promoted programmes use the authored report format that we have criticised Channel 4 for over-using.

<sup>3</sup> C.f. Stephen Carter’s presentation of initial work on the review at the Oxford Media Convention, January 2004

<sup>4</sup> *ibid*, and all previous ITC surveys of public opinion

outhousing is unlikely to solve the problem. Indeed it may secure precisely the opposite effect. The lack of innovation and creativity in UK TV is due to the conservative behaviour of channel controllers, schedulers and commissioning editors who are continually terrified of losing audience share, and therefore go for predictable, often imitative programme brands and formats. At the same time, while programmes which are innovative and of high quality may still be commissioned, schedulers marginalise them into 'graveyard' slots because they represent 'risk': for example, Channel 4's two recent programmes on 'Islam Unveiled', which were shown after midnight. For the same controllers and editors to out-house their programmes might result in the programmes being made more cheaply, but would not in itself generate a greater number of new ideas, nor would it ensure that innovative commissions secured good slots in the schedule. At the Oxford Media Convention, Ofcom discussants were suggesting the need for an established, stable layer of independent production companies within the media economy. This may be in itself desirable, but again would not necessarily lead to innovation. Indeed, the current state of the independent sector suggests that a small number of large indies have squeezed out what used to be a large number of small ones that used to live hand-to-mouth from one commission to the next. These larger companies are seeking 'banker' commissions that allow them to grow their companies and keep jobs secure while new ideas are developed. Therefore they will pitch predominantly safe, formatted programmes that they know the commissioning editors will like. Occasionally, they may be able to use the profits generated to invest in developing a more innovative programme. Specifically with regard to factual international programmes, more out-sourcing would be likely to reduce programme budgets, thereby having a direct effect on the ambition and quality of programmes that involve travel and access to far-flung locations and people. It may also reduce the level of in-house skills and expertise that are often necessary for the best international programmes. Ostensibly the BBC should be free, with its large amount of resources (both financial and in terms of its huge staff of knowledgeable international journalists) to make more international programmes and to show them at risky times. The fact that they have failed to do so will not be solved by contracting out more light-format programmes! Finally, it should be noted that there was political consensus and strength of feeling, during debates on the Communications Bill, in support of the BBC's role as a training house for the whole of the UK broadcasting sector – a role that can only be reduced by greater contracting out.