

Education and Culture Committee

Scotland's Educational and Cultural Future

Submission from Professor Robert Beveridge

THEME 3: BROADCASTING AND CULTURE

Scotland's Future

contains proposals to create a new public service broadcaster, the 'Scottish Broadcasting Service' (SBS)

It states that the SBS "will start broadcasting when the current BBC charter comes to an end on 31 December 2016".

Scotland's Future also says that "there should be an increase in production opportunities for Scottish producers".

Scotland's Future states that an independent Scotland would have new powers over the economy to encourage Scottish culture and creative sectors. It also states that developing a Scottish overseas diplomatic and trade network would provide an opportunity to promote and share Scottish culture across the world.

The Committee is interested to hear your views on some or all of the following issues—

The practical, legislative, technical and financial arrangements that would be required to establish an SBS:

The establishment of an SBS could involve the adoption and - as appropriate - amending the existing framework which underpins and informs the BBC.

However, the BBC has taken decades – and many conflicts with governments of the day- to establish the levels of legitimacy and trust with the public necessary to support and maintain its political and editorial independence. Such achievements are precious and the SBS would have, at its outset, only a very limited claim on its inheritance from the BBC.

It would also need to manage expectations that there would be- with immediate effect- much more and better programming in and for Scotland.

Legislative and Governance

Any governance arrangements would need to be robust and command respect from the outset.

Consideration would need to be given to whether or not the model of governance was statutory or Royal Charter and whether or not there would be a *Sofcom* and the division of responsibilities and terms of reference of each body.

Adopting a Royal Charter would be a good way of carrying on the existing strengths of the BBC's tradition, experience and reputation and helping to deflect potential complaints that the new broadcaster was too beholden- in a small country- to the political establishment.

There would be close press scrutiny of the appointments to any governing body or regulator and there would be a strong need for geographical, demographic and gender representation in the appointments, subject to Nolan principles

Finance and Technical

This might be the right time to consider whether or not a licence fee system-proven to be successful and flexible for nearly a century- should not become- rather than a television licence fee- a computer/tv/radio licence fee.

Given that the platform for consuming content will become online as a norm over the next ten years, this would seem to make sense. Arrangements for transferring ownership of and footprints of transmitters would be negotiated with some ease although- as ever- for political, historical and technical reasons- there would need to be a redrawing of the franchise areas for ITV Border.

The migration from television to internet viewing will also affect the relationship with the Ruk's BBC (which will- for political, historical and brand reputational and marketing reasons retain the name BBC.)

It might be worthwhile for the Scottish Government to negotiate financial compensation or a settlement based on Scotland giving up its share of the asset/brand name for international sales etc of the BBC.

A precedent already exists in that STV was compensated for allowing ITV south of the Border to take full ownership of the name ITV which had previously come under shared ownership

The impact on other broadcasters of establishing an SBS:

This has the potential to be problematic on a number of levels.

Firstly, as we saw in the debate about independently funded news consortia, there is concern about how ones defines a broadcaster in the digital and online news era and newspapers have a strong interest in protecting their market share and even more so as changes in the market are placing in jeopardy the very existence of some titles.

This places further pressure on the political and public support for state intervention for a BBC type broadcaster since it can be argued that the other model of public service broadcasting - i.e. advertiser funded and quango regulated- such as STV also provides a good service.

The impact on STV of the establishment of an SBS might be much less than the impact on STV of the extent to which ITV south of the border then re-negotiates its relations with an independent company in an independent country.

The potential ramifications of this require considerable thought and attention – the more so given the fact that some 90 plus per cent of programming broadcast by STV comes from ITV

It is difficult- at this stage - to establish at what price RBBC and ITV would be willing to sell programming or services.

It is not at all clear what would happen to Channel 4 were Scotland to become independent. It does not have assets in the way the BBC does but again, it would seem reasonable for the Scottish Government to negotiate a settlement in return for ceding its investment and ownership of what is a British public corporation or Trust.

However, it might be worth exploring- for both the BBC and Channel 4 a federal governance structure to be adopted whether there be a yes or a no vote and in line with devolution plus.

I should be happy to elaborate on this.

How broadcasting would be regulated in the event of Scotland becoming an independent country;

Broadcasting regulation in Scotland would come under the auspices of Sofcom ie a Scottish Ofcom. However, my view is that this would be better named and work as a **Scottish Media Development Authority**.

The terms of reference and objectives of this new body would be modelled on that of the Singapore Media Development Authority whose work I have followed. This body has been very successful in establishing Singapore as a creative media hub in economic and cultural terms and there is no reason why Scotland cannot adopt this and succeed in similar terms.

Creative Scotland might have to be folded into this new body.

The current capacity of Scottish producers, and whether any planning and investment would be required to increase opportunities for this sector.

See Ofcom data for this. However, the economic law of 'follow the money' means that investment in the independent production sector would pay dividends if of a sufficient scale to cover some necessary losses. Success cannot be guaranteed but if there are enough productions and programmes- there should be one or two which are so successful they cover the losses of the others.

The benefits that could derive to Scotland if its cultural and creative output were promoted more widely;

Substantial; see the work of Richard Florida amongst others and of course Platform for Success: the final report of the Scottish Broadcasting Commission

How new powers over the economy and an overseas diplomatic and trade network could encourage the Scottish cultural and creative sectors;

The abolition of the UK Film Council gives a new opportunity to Scotland to take forward- and long overdue- further investment in promoting Scotland as a location for talent and creativity not only locations for filming.

The Scottish government could offer distinctive tax incentives which differed from south of the border –to attract investment from the creative industries. The Singapore example is instructive here.

How Scottish cultural bodies currently work together with their counterpart bodies in the rest of the UK, and whether this relationship may change;

No comment at present

The likely future role for UK bodies that have some cultural or creative function in Scotland

No comment at present

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