

# CITIZENS' PSM FORUM

## BRIEFING NOTE

### MEDIA ACT

June 2024



The Citizens' PSM Forum comprises British civil society organisations which believe that high quality media, and Public Service Broadcasting specifically, make a valuable contribution to UK democracy, society, culture and the welfare of its citizens. More information about the membership of the Forum can be found [here](#). The Forum welcomed the Media Act but we have some concerns. This briefing provides an overview of these concerns.

The Government's Media Bill was rushed through Parliament during 'wash up', following the announcement of the General Election in May 2024, and was passed into law on May 24th 2024.

Since 2022 the PSM Forum has worked hard to ensure that citizens' interests were represented in the debate around this new legislation. On the final day of debates, before Parliament was prorogued, the Government accepted an amendment suggested by the PSM Forum, sponsored by Baroness Bull in the Lords, which reintroduced the 'Reithian' principles into the Bill that PSB should educate, inform and entertain.

The Media Act's new provisions include:

- Ensuring that the apps of public service broadcasters (BBC, ITV, Channel 4 and Channel 5) are easy to find on smart TVs and other streaming devices
- Requiring video-on-demand services such as Netflix to be covered by the Ofcom content code
- The repeal of Section 40 of the Crime and Courts Act, removing what many see as the threat of Government-backed press regulation
- The listed events regime is updated to ensure major sporting events such as the Olympic Games, FIFA World Cup and Wimbledon remain free to air via a public service broadcaster
- New rules to ensure the BBC, commercial and community radio stations are available via smart speakers

While the PSM Forum supports many of the provisions in the Act, we are concerned that the range and volume of high quality broadcasting which benefits citizens in the UK could decline as a result of the new legislation. The Act no longer requires the Public Service Broadcasters to provide what has traditionally been considered societally valuable content, such as arts, religion, education and science programming.

The Act allows Ofcom significant discretion in deciding what 'appropriate' means in the context of PSB prominence on on-demand platforms and the range of genres provided by the PSBs.

## The PSB Remit

The Forum's primary concern about the wording of the Media Act is that it removes existing provisions in Section 264 of the 2003 Communications Act which require the Public Service Broadcasters to provide content in specified genres which is considered societally valuable. While we welcomed the Government's addition of a clause to require a 'range of appropriate genres' from the Public Service Broadcasters, we are concerned that it will not be adequate to ensure proper understanding of what constitutes Public Service Media or ensure it is monitored properly by Ofcom. We recommended that much of the wording from Section 264 of the Communications Act should be retained, specifying genres and other societally valuable aspects of content, however this suggestion was not accepted by Government.

## Additional Concerns

### Discoverability of PSB content

We recommended that greater clarification was required regarding PSB content being 'made available' and 'easily discoverable'. We considered a 'significant' or 'substantial' prominence would have been better than 'appropriate prominence' to indicate Parliament's wish to ensure prominence for PSB.

### Channel 4 Support for SMEs

While we welcomed the increase in Channel 4's independent production quota to 35% we believe that Channel 4's founding mission to support new and emerging independent producers should have been reinforced in legislation.

### On-Demand Coverage of Listed Events

We believe the Listed Events regime should include digital rights, so that citizens will have guaranteed access to time-shifted content on the PSB VOD platforms. This recommendation was made by the Culture, Media and Sport Committee but was not accepted by the Government which is still considering this issue.

### Workplace Diversity

The Forum considers that greater efforts should be made to ensure workforce diversity and equal opportunities. We welcomed the [Amendment by Baroness Bonham Carter](#) to introduce a requirement for the PSBs to publish objectives on the promotion of diversity and equality among the workforce and for Ofcom to monitor and report on PSB performance on meeting this requirement, however the Government rejected these proposals.

### Children's content

Children's content is required in the Bill, however we welcome [Baroness Benjamin's Amendment](#) at Report Stage in the Lords which would have required that Government to conduct a review into how to ensure children have access to culturally relevant and age-appropriate original UK content. This is especially important given that the next generation of adults viewing habits are changing more quickly than any other age group. The Government rejected this proposal, saying that Ofcom's upcoming PSB Review would consider this issue.

### Signatories

Better Media	<a href="https://bettermedia.uk/">https://bettermedia.uk/</a>
Decentered Media	<a href="https://decentered.co.uk/">https://decentered.co.uk/</a>
The British Broadcasting Challenge	<a href="https://britishbroadcastingchallenge.com/">https://britishbroadcastingchallenge.com/</a>
The Campaign for the Arts	<a href="https://www.campaignforthearts.org/">https://www.campaignforthearts.org/</a>
The Children's Media Foundation	<a href="https://www.thechildrensmediafoundation.org/">https://www.thechildrensmediafoundation.org/</a>
The International Broadcasting Trust	<a href="https://www.ibt.org.uk/">https://www.ibt.org.uk/</a>
The Media Reform Coalition	<a href="https://www.mediareform.org.uk/">https://www.mediareform.org.uk/</a>
The National Council of Women	<a href="https://ncwgb.org/">https://ncwgb.org/</a>
The Sandford St Martin Trust	<a href="https://sandfordawards.org.uk/">https://sandfordawards.org.uk/</a>
The UK Coalition for Cultural Diversity	<a href="https://ukccd.org/">https://ukccd.org/</a>
The Voice of the Listener & Viewer	<a href="https://www.vlv.org.uk/">https://www.vlv.org.uk/</a>

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