

SCOTTISH BROADCASTING COMMISSION

BACKGROUND

This paper provides information on the Scottish Broadcasting Commission. Details include the remit, objectives and timescale of the Commission's investigations into broadcasting in Scotland.

THE SCOTTISH BROADCASTING COMMITTEE

On 8 August 2007, The First Minister of the Scottish Parliament Alex Salmond announced the creation of a Scottish Broadcasting Commission to define a strategic way forward for television production and broadcasting in Scotland¹. The Scottish Broadcasting Commission held its first meeting on Friday 26th October when it agreed the following remit and work programme. The Commission published its final report in 2008.

DEVOLVED POWERS

The devolved regions of Northern Ireland, Scotland and Wales, do not presently have broadcasting powers devolved to them, these powers rest with Westminster².

UNDERTAKINGS OF THE SCOTTISH BROADCASTING COMMISSION

The following is a list of the undertakings agreed by the Scottish Broadcasting Commission³;

- The Commission has been tasked with carrying out an independent investigation into television production and broadcasting;
- The Commission will consider evidence relating to Gaelic where and when it appears in the course of the inquiries. The first oral evidence taking session was held on 16 November 2007;
- The Commission has been established by the Scottish Government to examine the value of the Scottish broadcasting to viewers and as a creative industry in Scotland;
- The Commission will consider whether the current structures and framework for broadcasting in Scotland are appropriate to deliver strategic direction;
- The Commission will not look specifically at whether elements of broadcasting should be devolved to the Scottish Parliament. The Commission will report to

¹ The Scottish Broadcasting Commission, <http://www.scottishbroadcastingcommission.gov.uk/faqs>

² Department of Culture, Media and Sport, *A public service for all: The BBC in the digital age*, http://www.bbccharterreview.org.uk/have_your_say/white_paper/bbc-whitepaper_march06.pdf

³ The Scottish Broadcasting Commission, <http://www.scottishbroadcastingcommission.gov.uk/faqs>

Scottish Ministers and it will be for them and others to consider the implications of their findings and recommendations for government policy;

- Members do not receive any salary or fee, although expenses, such as travel costs are paid;
- The Commission will look at the current editorial challenges in producing UK television news bulletins that are appropriate, accurate and relevant for the whole of the UK; and
- It is not the remit of the Commission to set any quotas. The Commission will report to Scottish Ministers and make recommendations for increasing production and strengthening broadcasting in Scotland.

REMIT OF THE SCOTTISH BROADCASTING COMMISSION

The Scottish Broadcasting Commission has been established by the First Minister to conduct,

“an independent investigation into the current state of television production and broadcasting in Scotland and define a strategic way forward for the industry⁴”.

The Commission was to take account of the economic, cultural and democratic importance of broadcasting to a modern, outward looking Scotland and its creative industries, the Commission will⁵:

- (1) Make recommendations for Scottish government action in those areas that lie within the scope of the powers currently devolved to the Scottish Parliament
- (2) Focus attention on issues where other organisations have responsibility and encourage action to address these issues
- (3) Identify matters for further consideration and debate in the Scottish parliament

COMPONENTS OF THE INVESTIGATION

The Scottish Broadcasting Commission undertook its investigations with the use of three reports; the reports included;

- The Economic Imperative
- The Cultural Imperative
- The Democratic Imperative

Details of the information contained in these three reports is recorded below.

THE ECONOMIC IMPERATIVE

This part of the investigation largely relates to television production for the UK and international markets⁶.

Areas the Commission's attention focused on included⁷;

⁴ The Scottish Broadcasting Commission, <http://www.scottishbroadcastingcommission.gov.uk/about>

⁵ The Scottish Broadcasting Commission, <http://www.scottishbroadcastingcommission.gov.uk/Resource/doc/4/0000269.pdf>

⁶ The Scottish Broadcasting Commission, <http://www.scottishbroadcastingcommission.gov.uk/Resource/doc/4/0000269.pdf>

- (1) Defining a strategic way forward for the industry
- (2) Verifying commitments to Scotland by the UK broadcasters
- (3) Identifying what legitimately counts as a “Scottish” production
- (4) Assessing issues of mandatory quotas for Scotland
- (5) Stating the importance of network commissioning editors being based in Scotland
- (6) Examining links between television production companies and the wider digital media sector
- (7) Identifying benefits of a talent and training strategy
- (8) Clarifying roles and responsibilities from the main support agencies

THE CULTURAL IMPERATIVE

This phase considered the differing role Scotland’s regions have to play in broadcasting and the communication between Scotland and the wider world⁸.

The Commission considered the commercial value of domestic content, especially with those countries that Scotland has close historic and cultural links.

The Commission also recognised that Scottish broadcasters should commission content for Scottish audiences which is outward-looking and deals with international issues or indeed subject matter from other parts of the world⁹.

Areas the Commission focused upon¹⁰;

- (1) Plurality of Public Service Broadcasting provision in Scottish Television and Border Television
- (2) Defining the appropriate range, volume and quality of BBC Scotland content
- (3) Setting a higher standard for Scottish programmes and services
- (4) Exploring how the new Gaelic channel might be affected by the addition of other Scottish cultural content
- (5) Assessing the level and possible sources of funding for a new Scottish digital channel
- (6) Ensuring a rich source of programme reflecting creativity and diversity
- (7) Understanding the impact and potential of new digital platforms

THE DEMOCRATIC IMPERATIVE

This third stage of the inquiry looked at broadcast journalism in Scotland; assessing what improvements need to be made¹¹.

The Commission focused on the following areas¹²;

⁷ Scottish Broadcasting Commission, *Interim Report on Economic Phase*,

<http://www.scottishbroadcastingcommission.gov.uk/resource/doc/0000314.pdf>

⁸ The Scottish Broadcasting Commission,

<http://www.scottishbroadcastingcommission.gov.uk/Resource/doc/4/0000269.pdf>

⁹ The Scottish Broadcasting Commission,

<http://www.scottishbroadcastingcommission.gov.uk/Resource/doc/4/0000269.pdf>

¹⁰ The Scottish Broadcasting Commission, *Interim Report on Cultural Phase*,

<http://www.scottishbroadcastingcommission.gov.uk/resource/doc/4/0000359.pdf>

¹¹ The Scottish Broadcasting Commission,

<http://www.scottishbroadcastingcommission.gov.uk/Resource/doc/4/0000269.pdf>

- Assessing the findings of the King Review¹³
- Examining proposals from broadcasters in relation to the delivery of network television news for Scotland
- Gathering information on how the public utilise online news and current affairs
- Exploring the nature of the 'funding gap' for Scottish Television and what it means for its news and current affairs obligations and the services to Scottish audiences
- Looking at the options for Scottish news provision in the Border Television area
- Establishing the position in relation to the decline in news and current affairs spending in Scotland

TIMESCALE

This is the indicative time plan used for the Commission; providing a flavour of the type and volume of evidence heard and meetings held by the Commission¹⁴.

Phase	Key Tasks	Timescale
Setting up phase	Establish secretariat, office etc	By mid October
1st Meeting	Submit agreed remit and work plan to Ministers for approval	Friday 26 th October
	Launch website and issue general call for written evidence – 3 months to respond (i.e. not do the specific phases)	By end November
2nd Meeting		28 November 2007
Economic Phase		
	Gather evidence and engage with stakeholders: - Call for written evidence – 1 month to respond - Public workshops and other events - Oral evidence taking sessions	Mid November to mid December w/b 3 or 10 December w/b 3 or 10 December
3rd Meeting		w/b 7 January 2008
Milestone	Chair updates Ministers	w/b 14 January
	Agree and publish interim findings report on Economic phase	

¹² The Scottish Broadcasting Commission, *Interim Report on Democratic Phase*, <http://www.scottishbroadcastingcommission.gov.uk/resource/doc/4/0000393.pdf>

¹³ The BBC Trust, *King Review*, <http://www.bbc.co.uk/bbctrust/research/impartiality/nations.html>

¹⁴ The Scottish Broadcasting Commission, <http://www.scottishbroadcastingcommission.gov.uk/Resource/doc/4/0000269.pdf>

Cultural Phase	Gather evidence and engage with stakeholders: - Call for written evidence-1 month to respond - Public workshops and other events - Oral evidence taking sessions	Mid January – mid February w/b 28 January or 4 February w/b 28 January or 4 February
4th Meeting		w/b 3 March 2008
Milestone	Chair updates Ministers	w/b 10 March
	Agree and publish interim findings report on Cultural phase	
Democratic phase		
(Note: 21/24 March Easter)	Gather evidence and engage with stakeholders: - Call for written evidence-1 month to respond - Public workshops and other events - Oral evidence taking sessions	Mid March – end April w/b 7 or 14 April w/b 7 or 14 April
5th Meeting		w/b 12 May 2008
Milestone	Chair updates Ministers	w/b 19 May

	Agree and publish interim findings report on Democratic phase	
Final phase	Follow up outstanding issues	By mid June
6th Meeting		w/b 9 or 16 June
	Draft and sign off final report	By end summer
Milestone	Submit final report to Ministers	By end of summer

MEMBERSHIP OF THE SCOTTISH BROADCASTING COMMISSION¹⁵

Blair Jenkins: Chair

Blair Jenkins is one of the most experienced figures in Scottish broadcasting;

- Director of Broadcasting at Scottish Television and Head of News and Current Affairs at BBC Scotland;
- 1998 to 2003 was Chairman of BAFTA Scotland;

¹⁵ The Scottish Broadcasting Commission: Membership,
<http://www.scottishbroadcastingcommission.gov.uk/about/Membership>

- A member of the Royal Television Society's steering group on current affairs;
- Head of News and Current Affairs of Scottish Television in 1990;
- In 1993 was appointed Head of Regional Programmes and in 1994 joined the main board of Scottish Television as Director of Broadcasting;
- A member of the Broadcasting Board of the ITV network; and
- In 2000 moved to BBC Scotland as Head of News and Current Affairs. He resigned in 2006

Chris Balance

- From 1990 he has been an award-winning playwright;
- Taught a part-time course in writing for theatre and film at the Crichton University Campus in Dumfries; and
- 1997-99, was the Manager of Survivors' Poetry in Scotland, an arts and mental health charity in Glasgow.

Norman Drummond

- Former BBC National Governor and Chairman of the Broadcasting Council for Scotland;
- Chairman of BBC Children in Need;
- Experienced a wide range of public leadership roles within his Church, the Services, Secondary and Tertiary Education, Public Service within the Media;
- An Executive Coach and as a Social Entrepreneur;
- In 1999 set up Drummond International, a business consultancy which specialises in Inspirational Executive Coaching, Motivational Public Speaking, Inter-Personal Skills, Mediation, Presentation Skills and Media Management across the sectors;
- Since 2003 Norman has been Chairman of Lloyds TSB Foundation for Scotland; and
- Founder and Chairman Columba 1400, the Community and International Leadership Centre

The Rt Hon The Lord Fraser of Carmyllie QC

Peter Fraser was called to the Scottish Bar in 1969 and in 1972 he lectured part-time in constitutional law at Heriot-Watt University.

- Appointed Standing Junior Counsel for the Foreign and Commonwealth Office in 1979;
- Became a Queen's Counsel in 1982;
- Elected as a Conservative MP for Angus in 1979;
- Was Parliamentary Private Secretary to the Secretary of State for Scotland;
- In 1982 appointed Solicitor-General for Scotland;
- Became Lord Advocate in 1989; having ultimate responsibility for the Pan Am 103 Lockerbie investigations;
- Made a life peer and a member of the Privy Council;
- Has appeared for the United Kingdom in both the European Court of Justice in Luxembourg and the Court of Human Rights in Strasbourg;
- From 1992 to 1995 he was Minister of State at the Scottish Office covering Home Affairs and Health; and

- In 2003 asked to head an inquiry into the cost over-run of the new Scottish Parliament at Holyrood

Murray Grigor

- Directed the award winning film on Charles Rennie Mackintosh;
- Directed over 60 films on all aspects of culture;
- For the opening of Channel Four in 1982 he directed Scotch Myths;
- Directed and co-produced the 8 part PBS (US Public Broadcasting Service) series Pride of Place;
- The first film-maker to be honored by the American Institute of Architects and the first recipient of the Royal Television Society Reith Award for 'consistent and innovative effort in television';
- Director of the Edinburgh Film Festival 1967 to 72 - chaired 1985-90; and
- Director of Channel 4 1995-99

Henry Mc Leish

The Right Honorable Henry McLeish,

- Became First Minister of Scotland in 2000;
- Member of the Privy Council - an honor bestowed by Her Majesty the Queen;
- Elected to the United Kingdom Parliament in 1987; and
- Became a member of the Government in 1997

He played a role in the process of devolution, which returned key aspects of Parliamentary power and Government authority to Scotland. After 30 years in elected office, Mr. McLeish retired from public service in 2003.

Baroness Michie of Gallanach

Baroness Michie, passed away on May 6, 2008.

Lady Michie was -

- Chairperson of the Scottish Liberal Democrats from 1991-1993;
- Liberal Democrat spokesperson on Scottish Affairs;
- Member of An Comunn Gaidhealach, the National Farmers' Union of Scotland and the Scottish Crofters Union;
- A participant of the Constitutional Convention;
- Member of the House of Commons Select Committee on Scottish Affairs from 1992-1997;
- In 2001 became a member of the House of Lords; and
- The first Peer to pledge their oath of allegiance in Gaelic when being introduced to the Lords.

Seona Reid

Seona Reid has experience of the following posts -

- Director of Glasgow School of Art;
- Director of the Scottish Arts Council for 9 years;
- Assistant Director (Strategy and Regional Development) of Greater London Arts;
- Director of Shape, (arts and disability organisation);
- Head of Press and Publicity for Ballet Rambert and for Northern Dance Theatre;
- Business Manager of Lincoln Theatre Royal; and

Freelance arts consultant working with the Arts Council of Great Britain and the London Contemporary Dance Trust. Reid is currently Vice Chair of the Lighthouse Centre for Architecture, Design and the City; a member of the Scottish Committee of the British Council; a member of the Knowledge and Evaluation Committee of the Arts and Humanities Research Council; member of the Executive Committee of Universities Scotland and on the Board of Cove Park Artists Retreat.

Elaine C. Smith

Elaine is an actress and comedian. She taught for three years in Firrhill Hugh School in Edinburgh before becoming a professional actress.

- Elaine is probably best known for her role as Mary Nesbitt in the BBC sitcom *Rab C. Nesbitt*;
- Now engaged as the Glasgow's King's Theatre's Creative Producer;
- Writes a weekly column in the Sunday Mail newspaper;
- Patron of many charities throughout Scotland; and
- Runs a small theatre and TV production company with her husband

David Wightman

David Wightman is an experienced technologist and entrepreneur with a strong track record in games, research development and media sectors;

- Founder and former CEO of Creative Edge Software; and
- the spin off consultancy business Edgies

One of his main areas of interest continues to be the opportunities in both the entertainment and business sectors by the convergence of emerging technology, evolving publishing models and new media channels.

Commission members are supported by a Secretariat. The Secretariat staffs were¹⁶:

- Project Manager - Wendy Wilkinson

¹⁶ The Scottish Broadcasting Commission: Membership,
<http://www.scottishbroadcastingcommission.gov.uk/about/Membership>

- Business Manager - Dominic Curran
- Office Manager - Marie-Claire Farmer
- Communications Manager - Samantha Fiander

ANNEX

Recommendations of the Commission¹⁷

- The Commission recommends the creation of a new Scottish Network: a digital public service television channel and an extensive and innovative online platform. The network should be funded out of the new UK settlement for PSB plurality and should be licensed and given full regulatory support by Ofcom. (page 38)
- The Commission recommends that the remit for the new network should include a commitment to high-quality information and entertainment, including news and current affairs covering Scottish and international issues, and innovative and ambitious cultural content. (page 38)
- The Commission recommends that the new network should seek to maximise its educational and economic impact, through partnerships with further and higher education and with Scotland's creative industries, and by promoting Scottish content in the UK and overseas. (page 38)
- The Commission recommends that BBC Scotland should review its television commissioning policy and funding for Scottish programmes to address concerns about ambition and range. (page 22)
- The Commission recommends that Ofcom seeks to maintain the current non-news programme obligations in the two Scottish Television licences, but is clear that maintaining Scottish news and current affairs on those services is an absolute requirement of any new settlement. (page 24)
- The Commission recommends that the BBC Trust ensures better news coverage of the devolved nations and requires that services in future are more fully aligned with the needs and wishes of viewers in Scotland. Options to be considered should include models for fully integrated news programmes from Scotland combining Scottish, UK and international news. (page 28)
- The Commission further recommends that all broadcasters in the UK should review the performance of their news services in reporting the four nations in a manner that is accurate and relevant for all. (page 29)
- The Commission recommends that the BBC reviews the role, remit and funding of Radio Scotland in light of its unique national status and importance to Scottish cultural life. (page 30)
- The Commission recommends that regulation and support for community radio should be reviewed by Ofcom in Scotland to strengthen this form of broadcasting and its benefits to the public. (page 31)
- The Commission recommends that the BBC Trust and Executive should fulfill the commitment to secure 8.6% of network television production from Scotland (under the Ofcom definition) by the end of 2012; and maintain that level, in line with population share, as a minimum thereafter. (page 43)
- The Commission recommends that the BBC should establish and maintain a substantial network commissioning presence in Scotland and transfer the management of one of its four national television channels to Scotland. (page 43)
- The Commission recommends that Channel 4 should have a mandatory target for production from Scotland of 8.6% in line with share of population, and that the Channel should base one of its commissioning departments in Scotland. (page 44)

¹⁷ Platform for Success – Executive Summary,
<http://www.scottishbroadcastingcommission.gov.uk/about/Final-Report/reportexec>

- The Commission recommends that the BBC and Channel 4, and the new Scottish Network once established, work together (with the public agencies) on delivering the strategic aims of strengthening and diversifying the independent production base in Scotland. (page 45)
- The Commission recommends that Scottish Enterprise produces the economic development strategy for the sector by the end of December 2008, together with an action plan for how this is to be delivered, taking full account of this Commission's report. (page 47)
- The Commission recommends that Creative Scotland takes the leadership role in bringing together broadcasters, production companies, economic development bodies, skills agencies and further and higher education to work collaboratively in delivering what is required to ensure a thriving creative content sector. (page 48)
- The Commission recommends that Skills Development Scotland, Skillset and the further and higher education sectors ensure they are positioned to anticipate changes in the skills requirement in the fast-moving broadcasting environment and realign their activities accordingly to avoid skills gaps in Scotland. (page 50)
- The Commission recommends that the Scottish Parliament takes an active role in considering the broadcasting industry and services audiences in Scotland receive, in order to provide a visible and public forum for debate. (page 53)
- The Commission recommends that Scottish Ministers should have greater responsibility, within the UK framework, for those operational functions of broadcasting directly affecting Scotland. (page 53)
- The Commission recommends that the relevant public agencies in Scotland, the BBC Trust and Ofcom monitor and report annually on the broadcasting industry and services to audiences in Scotland, in line with their respective responsibilities. (page 54)
- The Commission recommends that the influence and responsibilities of Ofcom Scotland should be strengthened and there should be specific representation for Scotland on the main Ofcom Board (at UK level). (page 54)
- The Commission recommends that Scottish Ministers report overall progress on implementing our report to the Scottish Parliament in September 2009, 2010 and 2011. (page 55)

The Economic Imperative

Could encompass the following questions¹⁸:

- How are the licensed terrestrial broadcasters performing against their mandatory and voluntary targets for production from Scotland? What are their plans for future spending?
- What would be the impact on our television production industry of a growth in network commissions to a level more consistent with Scotland's share of the UK population?
- Similarly, what would be the benefits of the wider cultural sector and creative industries in Scotland?
- What actions could the Scottish Government take to stimulate and strengthen the television production base in Scotland?
- What has been the impact of current and previous public spending in support of the sector?
- Are there lessons to be learned from other parts of the UK, and indeed from other countries, in how television production can be developed for national networks and international markets?
- Does Scotland have the business framework, innovation support and research links necessary to grasp new opportunities to take high-quality Scottish content onto new and emerging digital platforms with global reach?

¹⁸ The Scottish Broadcasting Commission,
<http://www.scottishbroadcastingcommission.gov.uk/Resource/doc/4/0000269.pdf>

The Cultural Imperative

Key strategic questions might include¹⁹:

- What is the appropriate volume and nature of programmes and services to be provided by the Scottish broadcasters for audiences in Scotland?
- Does Scotland have a requirement for public broadcasting which is different in scale and scope from other parts of the UK?
- What kind of programmes would Scottish viewers wish to be produced for their information or entertainment and are there important gaps in the current offerings?
- Are changes required to the structure and funding of the ITV licensees in Scotland?
- Is there a requirement or appetite for a new digital channel devoted to Scottish content?
- What will be the wider benefits for the English-speaking services in Scotland from the new Gaelic digital channel?
- If more distinctive and high-quality Scottish content is to be produced, will we have the necessary distribution networks to ensure universal availability? For example, will there be high-capacity broadband connections in rural areas as well as urban areas?

The Democratic Imperative

The range of key questions might include the following²⁰:

- What changes if any do Scottish audiences wish to see in the provision of news and current affairs services?
- What proposals do the broadcasters have to use the new opportunities of digital television and other platforms to provide Scottish audiences with greater range and choice in high-quality news and current affairs?
- Do broadcasters feel that the current arrangements for the provision of network news programmes are able to adequately reflect the new political and legislative structures of the UK and provide news that is appropriate, accurate and relevant for Scottish audiences?
- How can broadcast journalism and other forms of programming contribute to a more informed and engaged electorate?
- Should there be a more distinctive Scottish dimension in the continuous news services, such as the BBC's News 24?

November 2008

¹⁹ The Scottish Broadcasting Commission,
<http://www.scottishbroadcastingcommission.gov.uk/Resource/doc/4/0000269.pdf>

²⁰ The Scottish Broadcasting Commission,
<http://www.scottishbroadcastingcommission.gov.uk/Resource/doc/4/0000269.pdf>