

Dafydd Elis-Thomas MS
Deputy Minister for Culture, Sport and Tourism

11 December 2021

Dear Dafydd,

Inquiry into devolution of broadcasting

The Culture, Welsh Language and Communications Committee is looking into whether broadcasting should be devolved to Wales.

Since the 2014 Silk Commission on Devolution in Wales published its report into the legislative powers of the National Assembly in Wales, which included a chapter on broadcasting, there have been a number of key changes to the regulation of broadcasting as it relates to Wales. Given that the broadcasting landscape is rapidly changing, as viewing and listening habits are adjusting to the widespread availability of digital media content, the Committee found it appropriate to gather new evidence.

As part of our inquiry I was hoping to invite you to discuss the following questions with Members at a Committee meeting. However, we have had to substantially alter our work programme to accommodate work on the effect of the pandemic on organisations in our remit. We no longer have time during this Senedd to do this work in the way that we planned.

We have been consulting our stakeholders on whether Wales should have greater powers in this area and how that might be achieved.

I would like to include the Welsh Government's position in our report, I would be grateful if you could reply to let the Committee know:

What, if any, aspects of broadcasting should be devolved to Wales, and how would this benefit Wales and Welsh audiences. Areas you may like to give attention to include:

- The BBC, including its governance and funding.
- S4C, including its governance and funding.
- Other public service broadcasters (ITV, Channel 4 and Channel 5).
- Regulatory functions currently carried out by Ofcom.
- Commercial and community radio services.



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- How any changes proposed align with the shift to digital media consumption.
- How any changes proposed would impact on the media production sector.

In addition, we would be grateful if you could set out how you think media provision for Wales should be improved. In order to progress our report, please can you respond by 15 January 2021.

Yours sincerely,



Helen Mary Jones

Chair of the Culture, Welsh Language and Communications Committee



Yr Arglwydd Elis-Thomas AS/MS
Y Dirprwy Weinidog Diwylliant, Chwaraeon a Thwristiaeth
Deputy Minister for Culture, Sport and Tourism



Llywodraeth Cymru
Welsh Government

Eich cyf/Your ref
Ein cyf/Our ref

Helen Mary Jones MS
Chair
Culture, Welsh Language and Communications
Committee

22 January 2021

Dear Helen,

Thank you for your letter of 11 December 2020 regarding your inquiry into the devolution of broadcasting.

Devolution of broadcasting

The view of the Welsh Government remains that broadcasting or elements of broadcasting should not be devolved. We recognise the fundamental shift in the broadcasting landscape and the pace at which changes to viewer habits and content consumption are taking place. As the broadcasting environment and digital innovations continue to rapidly evolve, we do not believe the system would be strengthened at present by dividing up the overall responsibility for broadcasting. A UK approach enables joint consideration of the significant challenges facing broadcasters. It supports coordination and a strength in approach to identifying solutions to global issues and a consistency for those operating across the four nations. Retaining responsibility at the UK level also provides greater financial stability, with no guarantee that budgets would be transferred alongside responsibilities.

The Welsh Government recognises the importance of broadcasting to Wales. The crucial role that public service broadcasters play in informing, entertaining, educating and creating a common cultural citizenship has been particularly apparent during the COVID-19 pandemic. Broadcasters are also vital contributors to the growth of our creative industries and the Welsh economy, sustaining the development of content in Wales by our independent production companies. In addition, effective broadcasting is essential to devolution and sustaining and growing the Welsh language.

We are clear, therefore, that although overall regulation of broadcasting should remain with the UK Government, this does not mean that there should not be greater accountability to

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Rydym yn croesawu derbyn gohebiaeth yn Gymraeg. Byddwn yn ateb gohebiaeth a dderbynnir yn Gymraeg yn Gymraeg ac ni fydd gohebu yn Gymraeg yn arwain at oedi.

We welcome receiving correspondence in Welsh. Any correspondence received in Welsh will be answered in Welsh and corresponding in Welsh will not lead to a delay in responding.

Wales. Wales must have a strong and compelling voice in any debate on broadcasting issues so that we can protect, maintain and further Welsh cultural, linguistic, social, economic and democratic interests.

In recent years there have been significant developments. The current BBC Charter, as a result of the WG involvement in the Charter process, gives the BBC a much stronger public purpose to reflect, represent and serve the diverse communities of Wales and provides greater accountability for the BBC to the Senedd. Subsequently, as a result, the WG has a direct role in the appointment of a Non-Executive Director for Wales to the BBC's unitary Board. The appointment of a member for Wales to the Ofcom Board in 2019 by the Welsh Government introduces for the first time a voice for Wales on the main Ofcom Board, and improves the Board's ability to represent the voices of people in Wales. The WG continues to be represented on the selection panel for S4C Unitary Board members. Given the significance of broadcasting to our devolved circumstances we must maintain momentum and build on these developments.

There is little doubt that broadcasting structures are experiencing a fundamental evolution. Many of the challenges facing PSBs are highlighted in Ofcom's *Small Screen; Big Debate* consultation document published in December, alongside options for modernizing the current framework. We must establish structures that give Wales an adequate voice in these developments so that we can be proactive in this debate and ensure that any changes proposed to the current regulatory arrangements protect and serve the best interests of the people of Wales.

As government responds to upcoming key developments, we will seek to influence governance arrangements and promote Welsh interests. This includes our response to the Small Screen: Big Debate consultation this year and championing Welsh circumstances as part of any associated proposed changes to legislation and regulatory arrangements. The BBC mid-Charter Review in 2023, the end of the current licencing period for Channels 3, 4 and 5 in 2024 and developments relating to the funding of broadcasters such as discussions on new business models and on the future of the TV licence fee are also hugely important to the delivery of services for Wales. With broadcasters facing significant budgetary and revenue cuts there is a risk that economic considerations will take precedence over content and policy considerations, compromising the ability of PSBs to understand, represent and address Wales' interests.

The establishment of Creative Wales in 2020 presents an opportunity to build on our relationships across the four nations and with stakeholders on broadcasting issues, with both the media policy and screen sector development functions embedded in its structure. A key role of Creative Wales is to develop a positive and constructive dialogue with officials both in the UK Government and the devolved nations on key issues related to broadcasting, to influence greater accountability to Wales in UK policy decisions. This will support a coherent approach to increasing awareness of the needs of Wales at a UK level. Creative Wales is also building on the good relationships the Welsh Government has with the PSBs in Wales and is exploring options to develop Memorandums of Understanding to help to maximise economic, cultural, linguistic, social and democratic advantages to Wales from PSB activity.

We will continue to work closely with Ofcom to consider more directly the demands and the needs of the people of Wales. We will be shortly writing to the Senedd regarding opportunities to strengthen the MOU with Ofcom as part of the planned review of the document.

Media provision for Wales

Broadcasters in Wales play an essential role in the provision of news. Given Wales' relatively weak indigenous infrastructure for news via print media, coupled with a lack of significant coverage in UK media, there is an over-reliance on TV news services in Wales relative to other parts of the UK. This is highlighted in the Media Nation 2020 Wales report, which shows TV Channels BBC One and ITV Wales are the most used news sources for the people of Wales.

As noted in my recent response to your letter of 11 December on support for news media, stakeholder feedback from discussions with Creative Wales on this matter has highlighted issues related to both a lack of plurality of news and examples of misreporting of Wales circumstances.

It is essential that Wales has its fair share of news coverage by public service broadcasters and that our distinct language, culture, identity and politics are given sufficient prominence. Steps should be taken to protect existing news services, increase the provision for Welsh news where possible and ensure the accuracy reporting of the Wales context in UK wide news reporting.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'P. Elis-Thomas'.

Yr Arglwydd Elis-Thomas AS/MS

Y Dirprwy Weinidog Diwylliant, Chwaraeon a Thwristiaeth
Deputy Minister for Culture, Sport and Tourism