

Ofcom

Citizens, Communications and Convergence

A response from the UK Film Council

October 2008

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1. Executive summary

The UK Film Council holds that the rights, responsibilities, characteristics and nature involved in 'being citizen' is primary, whereas persons acting as consumers is of a secondary nature and in a subordinate category to that primary role of citizen.

Consequently the UK Film Council argues that media literacy should be a higher priority for Ofcom since it forms a much more significant and wide-ranging aspect of a citizen's rights than those which pertain only to activities that relate to being a consumer. Media Literacy is in fact essential to empowering the citizen to be able to participate in all the debates and demands that relate to Communications and Convergence including Access and Protection, currently listed in Figure 4.1 as higher priorities.

Media literacy, the UK Film Council maintains, is a combination of creative, cultural and critical competencies and one, integral part of a fuller and more accurate definition of 'literacy' in the C21st. It should not be seen as a separate set of skills or competencies but as essential to all citizens' confident engagement with the contemporary world.

2. About the UK Film Council

The UK Film Council is the Government-backed lead agency for film in the UK. Its goal is to help make the UK a global hub for film in the digital age, with the world's most imaginative, diverse and vibrant film culture, underpinned by a flourishing, competitive film industry.

The UK Film Council welcomes the opportunity to comment on the Consultation Paper, 'Citizens, Communications and Convergence'.

3. Citizen and Consumer

3.1 *"Ofcom's responsibilities towards citizens are derived from the Communications Act 2003. We have a principal duty to further the interests of both citizens and consumers. We recognise that these interests are often different and that it may be necessary to resolve tensions between them. Furthering citizen rather than consumer interests may also involve distinct regulatory approaches"*

The UK Film Council holds that the rights and responsibilities, the characteristics and nature, involved in the concept of 'being citizen' is primary and that the experience and rights of persons acting as consumers is of a secondary nature. The former relates to personal and collective identity, to rightful participation in society. The latter relates to a sub-section of the citizen's legal mode of activity where the individual enters into voluntary and commercial contracts, of varying length and formality, in order to effect commercial transactions and acquire property, services or goods.

To that extent, the UK Film Council would suggest, the statement on the needs of the citizen as the principal driver of Ofcom's activity (1.3), being met,

'by promoting widespread access to communications services, ensuring plurality in the supply of radio and TV services, promoting media literacy and ensuring that disadvantaged groups of consumers are protected against market failures'

is deficient. The statement fails to acknowledge that citizens' primary rights as to freedoms of activity, movement, opinion, religion and protection from discrimination, for example, are of a higher order than that to the provision of services and supply. It also promotes the activity of consumption to an equivalent role to that of being a citizen, whereas this is but one role (the other most obviously being the citizen acting as a 'producer') which the citizen adopts as a citizen in order to undertake and participate in activities under the law. It is acknowledged that Ofcom could argue that the provisions of the Communications Act 2003 may seem to justify this parity of esteem but the UK Film Council nonetheless believes that its point is a valid and substantial one.

3.2 The UK Film Council therefore strongly disagrees with, and opposes, the notion expressed:

'that there is no practical difference between consumer and citizen interests and that it is not necessary to distinguish between them'.

3.3 It is the UK Film Council's view that Ofcom should at the start of this document indicate the different 'nature' of the categories citizen and consumer and indicate that the former is above, and takes precedence over, the latter as being but one category, or role that the citizen may adopt at his or her will, under the law.

3.4 The statement in 1.6 that:

'In practice, the citizen focus has constantly informed Ofcom's thinking since the organisation's inception'

is not sufficiently strong, in the Council's view, nor indeed sufficiently a statement 'in principle'. Such a principle – of the primacy of the citizen - should be separately stated in order adequately to acknowledge the proper relationship of the citizen to Ofcom, and then of the secondary activity of the citizen acting as consumer in relationship to the work of Ofcom.

While we accept the historical development of Ofcom's position (at 2.5 and 2.11) a clear commitment to the principle of the primacy of the citizen would situate the whole document, and statements such as that at 2.4., into their true context and relationship.

4. The Citizen and Media Literacy

4.1 Thus, and for all the above reasons, the 'duty to promote media literacy' as an aspect of meeting the needs of citizens noted in Section 3.8 should be placed at the head of Section 3 rather than separately, since it is the principal means (enjoined as a duty to Ofcom) of achieving the fulfilment of the outcomes noted in 3.2.

4.2 Citizens will only be fully protected, for example, from harmful content when they are sufficiently informed, confident with and experienced in engaging with communications media. The issue is how can this be best achieved and is Ofcom doing all that it can to encourage, support and initiate a media literate population.

4.3 It should also be noted that the definition of media literacy in 3.8 as being 'to promote inclusion', whilst not inappropriate as one aspect of the benefits of media literacy, might nonetheless be understood as limiting this basic right of the citizen to a particular outcome of social polity and not, as is the case in the view of the UK Film Council, as a basic entitlement in its own right for all citizens.

4.4 In all this, therefore, there is an issue of emphasis and ranking in relation to media literacy in this document that concerns the UK Film Council. Having a media literate population, properly supported by education, information and other means of empowerment, is an essential pre-requisite of fully meeting the rights and needs of the citizen today.

4.5 While in Figure 4.1 the priorities are defined as being first of Access and then Protection, the Council would argue strongly that media literacy, currently listed in the third category as an aspect of inclusion, ought to be seen as a much more significant aspect of citizen's rights, and as an essential part of the citizen being able adequately to participate in the very debates and demands of the elements listed under Access and Protection. It needs, in other words, to be given a higher priority in this chart.

4.6 Without the continual development and maintenance of a media literate population, it could be argued that the appropriate provision of goods and services in ways which reflect the rights and demands of citizens acting as consumers, users and producers is not actually possible.

5. The Media Literacy Task Force and the Charter for Media Literacy

5.1 The UK Film Council is a member of the Media Literacy Task Force and makes its comments from a perspective which encompasses this membership as well as in the light of its own commitment to the development of media literacy for all.

5.2 Given that the aim of the Council is to help make the UK a global hub for film in the digital age, with the world's most imaginative, diverse and vibrant film culture, underpinned by a flourishing, competitive film industry – the development of a media literate population is of very great importance to it.

5.3 The Media Literacy Task Force was set up in 2004 with the support of the then Secretary of State for Culture, Media and Sport in 2004. It is chaired by Alex Graham, CEO of Wall to Wall Productions. It comprises senior representatives of the BBC, the British Board of Film Classification, the British Film Institute, Channel Four, ITV, the Media Education Association, Skillset and the UK Film Council. DCMS, Ofcom, the Broadband Stakeholder Group and Andrea Millwood-Hargrave sit as observers. The UK Film Council was a founder member of the group and therefore has a particular interest in this field

and in the issues raised by this Consultation in relation to it and to the questions it poses more generally.

5.4 In November 2005, James Purnell MP (then Minister for Creative Industries and Tourism) together with a number of leading figures from the Nations and Regions in education, the film, television and media industries, launched a Charter for Media Literacy.

5.5 The Charter explains what being media literate today means, as well as priorities for developing this, particularly in relation to moving image media and content. The text of the Charter was widely consulted upon, both within the UK and Europe, and many individuals and agencies in education, cultural organisations, the media and communications industries have since pledged their support (for the full text of the Charter, its context, and a list of current signatories see www.medialiteracy.org.uk). The Charter is also championed across Europe by a further group and has signatories from at least 19 other countries (see www.euromedialiteracy.eu for information).

6. Summary:

The UK Film Council, and the Council acting as a member of the Media Literacy Task Force:

- Sees 'media literacy' as part of a wider definition of 'literacy' in the C21st and not as a separate set of skills or competencies
- Is committed to ensuring a combination of creative, cultural and critical competencies (the Charter's 3 C's of Creative use of media; critical engagement with media; and awareness of the cultural dimensions of media) for all users in relation to their full and productive use of media
- Believes these competencies and skills should be an entitlement, not a privilege, and available to all throughout their lives
- Aims to encourage full, purposeful and creative use of the internet and media, including the confidence and competence to respond or question, complain about or object to, content or services on behalf of themselves, their families or communities - whether geographic, cultural or related to disability, age, gender or sexuality
- Maintains that collaboration between government, educators, the media and communication industries and cultural agencies is the best route to developing media literacy effectively with parents, children and others.

**The UK Film Council
October 2008**