

**UK Film Council
Response to
Ofcom Draft Annual Plan 2010-11**

February 2010

Executive Summary

1. The UK Film Council is the Government-backed lead agency for film in the UK ensuring that the economic, cultural and educational aspects of film are effectively represented at home and abroad. The Board of Directors, appointed by the Secretary of State for Culture, Media and Sport, oversees the work of the UK Film Council and provides advice to the Government on film.

2. We welcome the opportunity to make a response to this consultation on Ofcom's draft Annual Plan 2010/11.

3. In particular, we would underline the importance of:

- Ofcom's work to ensure that broadband and mobile services are available as widely as possible:
- ensuring that the work of the Digital Participation Consortium encompasses the creative, critical and cultural elements of media literacy and not just its more functional and technological aspects,
- the need to ensure that Ofcom's priorities and its work plan are sufficiently flexible to deal with new duties which may be imposed if the Digital Economy Bill achieves Royal Assent in the period now being considered.

Response to specific questions

4. We set out brief views on Ofcom's proposed work programme below.

1) *What are your views on Ofcom's proposed work programme for 2010/11?*

Taking chart at 2.53 as the template we have the following comments:

Consumer and Citizen

We very much welcome Ofcom's work to address the issue of "not-spots" for broadband and mobile coverage. The UK Film Council believes that in the interests of social equity it is important that all citizens have access to the fullest possible range of content and services (for example video-on-demand services for film) which are delivered via broadband (whether through fixed line or mobile) and via other mobile networks, most particularly in rural areas.

For the same reason, it is important that Ofcom focuses on encouraging take-up of broadband and mobile services. We agree that there is an important role for the Digital

Participation Consortium to play in this regard. This will help encourage the take-up of new online film services, as legal alternatives to sites which offer infringing content.

Likewise, we recognise the importance of adapting content regulation to meet the changing needs of audiences, and also the importance of ensuring that it is consistent with the European Audiovisual Media Services Directive, in particular with regard to product placement where the regime for film in the UK remains unchanged.

Competition

It is clearly important that the UK broadband market is capable of delivering optimal prices and speeds which benefit both UK citizens and consumers. This will help people to access a wide range of services, including new services delivering content. This in turn, will help to address the problem of people accessing infringing content. For these reasons, we welcome the commitment to implement regulation to support competition and investment in this sector.

The UK Film Council has made two submissions to Ofcom's investigation of the pay-TV market and we are looking forward to seeing further elaboration of the conclusions from this important piece of work.

Infrastructure and Spectrum

The UK Film Council recognises that it is important to modernise the UK's radio spectrum to optimise its use in a digital age. However, as we emphasised in a recent submission to the Department for Business, Innovation and Skills it is crucial that policy is implemented by Ofcom in a way that meets the needs of the Programme Making and Special Events users. In particular, the provision of funding to enable migration to different frequencies, and the proposed timetable for such migration need to be constructed in such a way that they do not disrupt the wealth of filming activity (for example, the making of films supported by the major Hollywood studios and those which are independently financed) that is a core part of the UK's creative economy.

We would underline the importance, as acknowledged at paragraph 2.57, of being able to adapt the Annual Plan to take into account new duties which Ofcom may have if the Digital Economy Bill secures Royal Assent during the period of the current plan, as set out in the Table at 5.11.

2) What are your views on Ofcom's proposed priorities for 2010/11?

The key issues are covered in our response to Question 1 above.

While the UK Film Council supports the proposals for the work of the Digital Participation Consortium, as set out at Annex One, we would still wish to see the Consortium reflect the wider need to advance media literacy.

The description of the priorities for Ofcom's media literacy work at A 1.26 are not broad enough. There needs to be a clearer emphasis on the critical, creative and cultural elements which are a core part of developing media literacy, and not just the elements which relate to skills and inclusion.