

**Minutes of the 88th meeting of
the Advisory Committee for Northern Ireland
held hybrid (at Landmark House, Belfast and via Microsoft Teams)
on Tuesday 20 June 2023**

Present

Carrie Matchett	ACNI Chair
John Ellison	ACNI Member
Aodhan O'Donnell	ACNI Member
Alan Meban	ACNI Member
Colm Murphy	ACNI Member
Michael Wilson	ACNI Member
Karen Baxter	Ofcom Board Member for Northern Ireland (by Teams)
Maria McCann	Content Board Member for Northern Ireland
Rick Hill	Chair & NI Member of Communications Consumer Panel

In attendance

Jonathan Rose	Northern Ireland Director
Judith Carville	Regulatory Affairs Manager
Bimpe Archer	Regulatory Affairs Associate
Seemaab Naseem	NextGen NED observer
Tom Walker	Principal, Broadcasting & Content (Item 7 only)
Natalie Fox	Policy Advisor, Broadcasting & Content (Item 7 only)
Flora Pringle-Paterson	Policy Advisor, Strategy & Research (Item 7 only)
Julian Aquilina	Market Intelligence Manager (Item 8 only)
Martyn Hannant	Media Analyst (Item 8 only)
Almos Huszthy	Market Intelligence Analyst (Item 8 only)
Hollie Gibson	Research Analyst (Item 8 only)
Claire Hood	Policy Manager, Broadcasting & Content (Item 8 only)
Kiera Bower	Senior Consumer Policy Manager (Item 9 only)
Ruth Mendel	Policy Advisor, Networks & Communications (Item 9 only)
Chenika Desch Bailey	Graduate, Broadcasting & Content (Item 9 only)
Kate Davies	Public Policy Director (Item 11 only)

Item 1: Welcome, apologies and declaration of Members' Interests

1. The Chair welcomed everyone to the meeting, especially the NextGen NED observer who joined the meeting in person.
2. Karen Baxter and Rick Hill advised that they would step-out of the meeting for short periods.
3. There were no new interests declared by Members.

Item 2: Minutes of the 87th meeting held on 7th March 2023 and Actions

4. The Minutes of the 87th meeting were approved.
5. Members noted that all Actions had been completed from the last meeting. The Committee noted the intention to hold a session on audio policy at a future meeting.

Item 3: Interim Committee Business & Issues since last meeting

6. The Chair invited the sub-group leads for Broadcasting and Connectivity to report on activity since the last Committee meeting.
7. The Broadcasting sub-group lead noted a number of industry developments, including: ITV's application for the Channel 3 licence; DCMS's intention to extend the Local TV licences; publication of the BBC's first Annual Plan under its new Operating Licence; and proposed changes to Ofcom's performance measurement framework for the BBC. The sub-group lead also reflected the concerns of local indies over reduced commissioning budgets at BBC NI and Channel 4.
8. The Broadcasting sub-group had met with the project team leading Ofcom's next Thematic Review of BBC content.
9. Relevant members agreed to meet ahead of their forthcoming engagement with Ofcom's Broadcasting & Media Directors about future BBC regulation.
10. The Connectivity sub-group lead noted the gradual restart of the migration from PSTN to VOIP. The Committee expressed concern at the tactics being used by industry to push the switch to fibre – especially broadband speed degradation and the redirecting of outgoing voice calls – as well as the method of communicating with consumers. With Northern Ireland being one of BT's trial areas for the migration restart, the Committee agreed to seek a meeting with the relevant senior Ofcom colleagues to discuss their concerns.
11. The Chair reminded members of the invitation to attend the July meeting of the NI Consumer Hub which would focus on rurality.
12. The Committee discussed social tariffs, and heard of Ofcom's work locally to increase awareness and take-up. The Committee agreed to request the following: a full update on the promotion of social tariffs; Clanmill Housing to be added to Ofcom's local engagement work; and OFWAT's recent cost of living research to be shared with Members.
13. The Chair thanked Members for taking part in their annual contribution meetings. She noted the importance of having a full complement of members to share the ACNI's workload, and thanked Ofcom's NI team for their support.
14. The Chair noted her attendance at the April meeting of the NI Consumer Hub and the research which had been shared already on a Minimum Digital Living Standard and the cost of living crisis in NI.
15. Looking ahead, the Chair outlined a number of topics on which the Committee would seek to engage, in line with its agreed priorities. These included: a number of reports and reviews in relation to the BBC; Channel 4 relicensing; and an ongoing watching brief on post and cost of living issues. The Chair undertook to consider the make-up of the Committee's sub-groups carrying out all this engagement.

16. The Committee agreed to invite Ofcom's Networks & Communications Director, Lindsey Fussell, to a future meeting to discuss consumer fairness issues; and to invite BBC NI's Director, Adam Smyth, to the December meeting.

Item 4: Committee Discussion on Agenda items:

17. The Committee agreed there was no substantive discussion required.

Item 5: Board update from Northern Ireland Member

18. The Board member reported on the Board's meetings in April and May, and highlighted a number of items discussed, including the relevant legislation currently moving through Westminster.
19. The Board member noted the growth in Ofcom's workforce in preparation for Online Safety duties, and she reported on the recent online fraud roundtable she had chaired at Ofcom's Belfast office with various local financial institutions and other relevant stakeholders.

Item 6: Content Board update

20. The Content Board member reported on Content Board's most recent meeting, and highlighted a number of areas for future research by Ofcom.
21. The Content Board member discussed the recent presentation by Channel 4 executives, as well as her role on the Election Committee, and the drop in the number of broadcasting complaints.
22. The Content Board member agreed to share her recent paper on NI issues which she had presented to the April Content Board meeting.

[Rick Hill left the meeting]

Item 7: Media Bill update & Channel 4 licence renewal

23. The Chair welcomed Tom Walker, Flora Pringle-Paterson and Natalie Fox to the meeting who briefly introduced the two sections of their paper.

Media Bill update

24. The Committee discussed the proposed changes to the PSB framework, especially in relation to quotas, noting the intention to give credit to PSBs for what they produce online, but also recognising this could be complicated in practice.
25. The Committee discussed the proposals on 'prominence' and expressed concern that regionality decreases with technology, ie. the prominence of regional content can suffer on major smart TV platforms and online players.
26. Members asked how the Video-on-Demand Code would work for services from outside the UK, and the Project Team agreed to consider this matter and report back to the Committee.

Channel 4 licence renewal

27. The Committee discussed the impact of the existing Out of England production quota and encouraged Ofcom to continue with such a quota in the new licence. However, members expressed concern that Northern Ireland could continue lose out if the quota was again combined for the devolved nations, rather than having specific quotas for each one.

28. Members also discussed the Channel 4 business model and the impact that in-house production could have on the indie sector.
29. The Committee looked forward to the public consultation on the proposed new licence.

Item 8: Media Nations report 2023

[Rick Hill re-joined the meeting]

30. The Chair welcomed the Project Team to the meeting, especially Almos Huszthy and Claire Hood who joined the meeting in person.
31. The Team outlined the proposed changes to this year's suite of reports. Members noted the reduction in size of the nations' reports and urged Ofcom not to lose important local detail which was valued by stakeholders and not available through other means.
32. Members also discussed the timeliness of the report and sample sizes.
33. Members urged Ofcom to consider how to measure the value of online content, such as streaming services, as the value of linear content continued to reduce.
34. A member asked whether PSB audience satisfaction levels with 'programmes featuring NI' and 'regional programmes that keep me informed about my area' had dropped below 50% for the first time. The Project Team agreed to investigate and report back to the Committee.

Item 9: Mobile Roaming consumer protections

35. The Chair welcomed the Project Team to the meeting and asked them, given the timings of the consultation and the next formal ACNI meeting, to consider this discussion as part of the Committee's substantive response.
36. The Committee welcomed Ofcom's work on this important issue for NI consumers, and encouraged Ofcom to push mobile providers to tackle roaming as an all-island issue and make the mitigations available to all UK customers.
37. The Committee discussed roaming alerts and encouraged Ofcom to try to strike a balance between transparency, clarity and brevity in the messages to be sent by mobile providers under the proposed new General Condition.
38. The Committee also noted the difficulty consumers faced trying to establish roaming costs in advance of travel, either because information was hard to find on providers' websites, or required specific contractual knowledge.
39. The Committee highlighted the issue of roaming charges on ferry services between Great Britain and Northern Ireland – which shared the traits of inadvertent roaming in that consumers could suffer bill shock without having left the UK. While not within the scope of the roaming project, the Committee urged Ofcom to consider whether this consumer detriment could be addressed by the new General Condition, or other protections.
40. Members also discussed the indirect impact of the new General Condition which could result in consumers switching providers to get a better deal. Members hoped that consumers would make clear their reasons for switching which could prompt providers to review their products and services as well as their customer communications.

[Karen Baxter left the meeting]

Item 10: Communications Consumer Panel update

41. Rick Hill introduced his paper and noted the Panel's continued focus on affordability, migration to VOIP and the resilience of postal services.

42. Rick drew the Committee's attention to the forthcoming publication of the Panel's qualitative research on the lived experience of communication services for people in rural and remote parts of the UK. Rick agreed to share the research and accompanying video on publication.

Item 11: Public Policy update

43. The Chair welcomed Kate Davies who introduced the Public Policy update paper.
44. The Committee noted the UK government's recent Ministerial reshuffle and how the Departmental changes impacted on Ofcom.
45. Members discussed the draft Media Bill, Ofcom's consultation on the COSTA rules and the impact of the merger of the BBC News and BBC World channels on news coverage of Northern Ireland.
46. Members asked if Ofcom could confirm whether NI would be part of the UK Government's £7m rural connectivity fund, and whether any NI-specific statistics were available on the awareness and take-up of social tariffs.
47. The Committee wished Kate well for her forthcoming Maternity Leave.

Item 12: Northern Ireland Director's Report

[Karen Baxter rejoined the meeting]

48. Jonathan Rose highlighted a number of issues from his report to the Committee:
- Fibrus hosting the recent meeting of the NI Telecoms Stakeholder Forum, and their intentions to offer a social tariff and not to raise prices mid-contract.
 - Adam Smyth's appointment as BBC NI Director.
 - Continued O2 outages in County Down, and Ofcom's revised rules on reporting thresholds for telecoms outages.
 - The establishment of the Regulators' Network for Northern Ireland and the Northern Ireland Competition Forum.

Item 13: Online Safety report

49. Bimpe Archer introduced her paper, outlining progress on the Online Safety Bill and local stakeholder engagement since the last ACNI meeting.
50. The Committee discussed how best to add value to the initial Ofcom consultations on illegal harms and the protection of children.

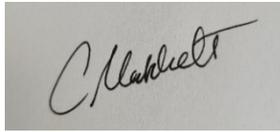
Item 14: Any other Business

51. A Member asked whether the practice of charging of a landline call from NI to the Republic of Ireland as a local call rather than an international one, would continue to be on VOIP. Ofcom colleagues agreed to investigate and report back to the Committee.
52. John Ellison agreed to lead the Committee's formal response to the forthcoming consultation on mobile roaming protections, via the Connectivity sub-group.
53. The Chair noted this was the last Committee meeting for John Ellison and Alan Meban, whose terms on ACNI would be ending in August. The Chair and the Northern Ireland Director thanked the outgoing members, on behalf of the ACNI and Ofcom, for their dedicated service and for the insight, expertise and challenge they had brought to ACNI and to Ofcom over the past six years.

Date and Time of Next Meeting

54. The next scheduled Committee meeting would be held on Tuesday 10th October 2023.

Approved:

A rectangular box containing a handwritten signature in black ink. The signature appears to be 'C. Lambert' written in a cursive style.

Date: 10th October 2023