

**Minutes of the 89th meeting of
the Advisory Committee for Northern Ireland
held hybrid (at Landmark House, Belfast and via Microsoft Teams)
on Tuesday 10th October 2023**

Present

Carrie Matchett	ACNI Chair
Aodhan O'Donnell	ACNI Member (by Teams)
Colm Murphy	ACNI Member (by Teams)
Jackie Neill	ACNI Member
Michael Wilson	ACNI Member
Paul Wickens	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
James Stinson	Regulatory Affairs Manager
Bimpe Archer	Regulatory Affairs Associate
Jane Hillis	Regulatory Affairs Advisor
Seemaab Naseem	NextGen NED observer
Hazel Noton	Policy Development Lead, Broadcasting & Media (Item 7 only)
Ali Bland	Policy Graduate, Corporate Group (Item 7 only)
Ealasaid Munro	Content Policy Advisors & Managers (Item 7 only)
Tahnyia Rahman	Strategy & Policy Associate, Strategy & Research (Item 8 only)
John Wood	Strategy Manager, Strategy & Research (Item 8 only)
Bibe Saiera Mangal	Policy Apprentice, Strategy & Research (Item 8 only)
Hannah Mummery	Policy Manager, Networks & Communications (Item 9 only)
Elisa Pruvost	Principal Policy Manager, Networks & Communications (Item 9 only)
Kate Biggs	Public Policy Director (Item 11 only)
Trevor Forsythe	Department for the Economy (Item 15 only)
Dean Gordon	Department for the Economy (Item 15 only)
Martin Gillespie	Department for the Economy (Item 15 only)
Nichola Miller	Department for the Economy (Item 15 only)

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

1. The Chair welcomed everyone to the meeting, particularly Jackie Neill and Paul Wickens, new ACNI members, and Jane Hillis, new NI Ofcom colleague, who were all attending their first ACNI meeting.
2. To help the new attendees, everyone gave a brief introduction.
3. Jackie Neill declared her previous and remaining freelance radio work for BBC NI and, as a result, advised she would recuse herself from the Committee's discussion of Ofcom's Annual Report on the BBC.

Item 2: Minutes of the 88th meeting held on 20th June 2023 and Actions

4. The Minutes of the 88th meeting were approved.
5. Members noted that all Actions had been completed from the last meeting.
6. The Chair asked that for the next meeting and going forward, a table of actions be created and used.
7. The Committee was advised that Lindsey Fussell (Ofcom's Networks & Communications Director) had been invited to the December meeting, and Adam Smyth (BBC NI's Director) will be attending the March 2024 meeting due to Channel 4 now attending the December meeting.

Item 3: Interim Committee Business & Issues since last meeting

8. The Chair invited updates from the subgroups on Connectivity and Broadcasting:
9. Connectivity :
10. Ofcom's consultation on new mobile roaming protections closed at the end of September and the Chair noted her thanks to members who had worked on the response, including former ACNI members, John Ellison and Alan Meban. The Committee had welcomed Ofcom's proposals and underscored the importance of Ofcom monitoring how well guidance was applied as well as the impact of on consumers. The Committee expressed the importance of mobile providers continuing to treat roaming in Ireland as domestic usage, and expressed concern at the potential for 'bill shock' when roaming on Irish Sea ferries. The Committee agreed to receive an update on the roaming proposals in December.
11. Broadcasting: The Broadcasting subgroup had met with Ofcom's Broadcasting Directors in July to discuss the BBC's Annual Report. It had sent a follow up note to the Directors with further comments. In particular, it encouraged Ofcom to seek more granular performance and consumption data for the Nations across all platforms, allowing for year on year comparisons.
12. The Committee noted an upcoming Broadcasting subgroup discussion with Ofcom on the future of digital terrestrial television.
13. Chair's and Other Business:
14. The Chair and Content Board member had met with Dr Phil Ramsey (Ulster University) to discuss his draft Monitoring Report on Public Service Broadcasting (PSB) in Northern Ireland. This had been a good opportunity to reflect a range of issues which have been raised by the Committee. The Committee agreed that it was helpful to have this stimulus for wider discussion of PSB issues in the public domain. The final report would be made available to Members.
15. The Chair noted that both the recent Making Sense of Media and Media Nations events hosted by Ofcom NI had been very useful and thanked Members who had participated.. She

encouraged Members to participate in some stakeholder events throughout the year asked that a note of the range and types of events be circulated.

16. In response to an action from the last meeting, the Chair proposed a reconstitution of subgroups, taking into account forthcoming business and refreshed Committee membership. The Committee considered the slides and agreed that there would be two subgroups, one to consider Connectivity and Consumer issues and another for Broadcasting. It agreed convenors and membership for each. The Chair noted that subgroups had been very helpful in progressing Committee business and keys to success were prioritisation and agility in progressing business and active participation to reflect the range of voices. It was agreed the slides would be circulated to Members after the meeting as a useful summary of forthcoming business.
17. The Chair noted that quarterly formal meetings are designed for in person participation by Committee members. This facilitates discussion to form advice to Ofcom and enables the Committee to invite external guests to engage in person. This arrangement supports greater flexibility for subgroup discussions to take place virtually where convenient and appropriate.

Item 4: Committee Discussion on Agenda items:

[Aodhan O'Donnell joined the meeting]

18. Members noted queries and points of interest for Ofcom's Annual Report on the BBC (Item 7).
19. The CCP member highlighted the Panel's concerns around VOIP (Item 9), especially in relation to public communication about the PSTN migration.

Item 5: Board update from Northern Ireland Member

20. The Board member reported on the Board's recent meeting in September and highlighted several items discussed, including the Online Safety Bill, the pressures facing Royal Mail, Ofcom's 20th anniversary, and the decision not to change the COSTA advertising rules.
21. There was some discussion about the COSTA consultation, welcoming Ofcom's decision.
22. Members discussed the Online Safety Bill, and particularly the challenge of matching the public's expectations to the scope of Ofcom's new powers.
23. The Board member reported that she had an introductory meeting with Michael Smyth KC, the new BBC Board member for Northern Ireland appointed in July.
24. The Committee welcomed this appointment, noting the importance of this role to BBC governance in NI and representation of NI's interests within the Corporation.

Item 6: Content Board update from Northern Ireland Member

25. The Content Board member reported on the Content Board's most recent meeting and highlighted a number of topics. These included the Online Safety Bill and the EU Digital Services Act, DAB radio licensing, and breaches of the Broadcasting Code by GB News.
26. There was some discussion among the Committee on the different approaches taken by broadcasters to reporting on 'cost-of-living' issues.

Item 7: Ofcom's BBC Annual Report

[Jackie Neill left the meeting]

27. The Chair welcomed Hazel Noton, Ali Bland & Ealasaïd Munro to the meeting.
28. The Committee welcomed the planned increase in information on the Nations in the Annual Report, and noted that the combination of 'snap-shot' infographics alongside longer-term granular charts would help to create a more rounded picture.
29. The Committee encouraged Ofcom to track how the change of focus for BBC content and budget from linear to digital was leading to improvements for the audience. Members noted that iPlayer use is lower in Northern Ireland than other nations.
30. Members asked for more information on the Local Media Review noted in the paper. The team explained this will look at how the public use their local media and a Call for Evidence will be published at the same time as the Annual Report on the BBC.
31. The Committee discussed Ofcom's qualitative research on how the BBC reaches 'DE audiences', two focus groups for which had been held in Northern Ireland. The Committee stressed the importance of having as large a sample and wide a geographic spread as possible for such research. The team agreed to share the research when it is available.
32. It was noted that Ofcom plays a vital role, not just in publishing information, but in forming an assessment of BBC performance from a significant array of indicators. It was also important to identify as far in advance as possible any areas where there was a risk of future underperformance so that this could be carefully monitored and addressed.
33. It was further noted that, as the new Operating Licence gave the BBC more flexibility to determine its plans outside quotas, it would be important, from next year, to assess performance against Annual Plan commitments. The Committee noted concerns around commissioning and discoverability of content which would impact on what and how the BBC delivered for NI audiences, and would also reflect BBC NI's place within the BBC.

Item 8: Ofcom's draft Plan of Work 2024/25

[Jackie Neill re-joined meeting]

[Maria McCann left the meeting]

34. The Chair welcomed Tahnyia Rahman, John Wood and Bibe Saiera Mangal to the meeting. The team outlined the themes of the proposed Plan of Work and reflected on how the ACNI's advice had helped shape last year's plan. Judith introduced the proposed Northern Ireland priorities for the 2024/25 Plan of Work.
35. During a wide-ranging discussion, members
 - welcomed the continued all-island regulatory focus
 - encouraged Ofcom to continue working with the NI Consumer Council on postal research
 - suggested a focus on engagement with consumers and not just with wider 'stakeholders'
 - encouraged stronger communications around social tariffs, while recognising Ofcom's resource limitations
 - asked for clarity on how Ofcom will measure its progress on the Plan of Work
 - suggested that the BBC be explicitly included in the NI priority on broadcasting
 - urged caution on any references to the future of the postal USO, noting its particular importance in NI

[Karen Baxter left the meeting]

Item 9: VOIP update

36. The Chair welcomed Hannah Mummery & Elisa Pruvost from Ofcom's Networks & Communications team to the meeting. Hannah & Elisa reminded the Committee of Ofcom's role in the industry-led switch from PSTN to VOIP networks, and that Northern Ireland was

one of three BT regions restarting a customer-led managed migration to VOIP after a period of public communications.

37. Members acknowledged the increased communications but agreed that much more needed to be done and a wider variety of methods used to reach people with straightforward messages. Members drew a comparison to the successful campaign around Digital TV Switchover in 2012.
38. Members asked whether any assessment was being carried out on the impact of BT's recent communications campaign on VOIP migration in Northern Ireland. The project team said they would discuss this with BT and report back to the Committee.
39. The Committee noted the different approach being taken to the VOIP migration in the Republic of Ireland and how that could impact on consumers in Northern Ireland. The Committee hoped that common terminology by industry could reduce any possible confusion in messaging.
40. The Committee welcomed Ofcom's focus on vulnerable consumers, who are at greatest risk during the migration. Members raised concerns about how vulnerable customers were being identified and what would be done to help those people who might 'fall between the cracks'. The Committee also expressed the hope that degradation of service would not be repeated as a means of migrating customers.
41. The Committee noted the migration of telecare devices as being a complex issue, and welcomed Ofcom's clear expectation of telecare companies' responsibilities towards their customers during the migration.

Item 10: Communications Consumer Panel update

42. Rick Hill introduced his paper and noted the Panel's continued focus on the migration to VOIP, the Postal USO and the affordability of communications services.
43. Rick noted that the Panel is not confident that VOIP migration is getting the coverage and traction it deserves, particularly for people in rural and remote areas and with specific support needs for whom it poses a public safety issue. The Panel will be conducting further research on people's experience of switching to VOIP in the coming months.
44. Members discussed the lack of knowledge and take-up of social tariffs. Rick advised that the CCP is doing what it can, but industry needs to step up. Members asked whether BT customers could switch to a social tariff online.
45. Members discussed the introduction of One Touch Switching and sought clarity on Ofcom's enforcement power/sanctions if providers don't adhere to the new rules.

Item 11: Public Policy update

46. The Chair welcomed Kate Biggs to her first ACNI meeting. Kate introduced the Public Policy update paper and highlighted the Online Safety Bill's path to legislation, the forthcoming Media Bill which will reform the PSB framework, and the Government's growth duty consultation.
47. The Committee discussed the work of the DRCF, particularly in relation to the regulation of AI and Critical National Infrastructure. The Committee requested further briefing on these subjects. Kate noted she will be attending a SITCOM meeting in October with Ofcom CEO, Melanie Dawes, and will provide a short summary of the session for Committee members.
48. Members discussed scams and the difficulties regulating 'SIM farms' without affecting legitimate users. Kate agreed to provide information on the Government's Fraud Strategy which addresses this issue.

Item 12: Northern Ireland Director's Report

49. Jonathan Rose highlighted a number of topics from his report to the Committee, including:
- Media Nations stakeholder event held in Belfast in September.
 - Connected Nations report – Northern Ireland continues to lead the UK with 90% of premises now having access to full fibre broadband.
50. The Committee noted recent media coverage and allegations regarding the Stephen Nolan TV show and particularly the claim of audience manipulation. The Committee sought assurances that Ofcom had given the matter due attention.
51. The Committee sought an update on Ofcom's planned research on the public's view of politicians presenting TV and radio programmes.

Item 13: Online Safety report

52. Bimpe Archer introduced her paper and noted that Royal Assent for the Online Safety Bill is expected in November. This would be quickly followed by the publication of Ofcom's first consultation on illegal harms.
53. Bimpe outlined Ofcom's plans to clearly communicate its new online safety role and the timing of the incoming regulations.
54. The Committee noted how vitally important good communications around these subjects would be for Ofcom, and asked to be kept informed of the plans.

Item 14: Any Other Business

55. The Committee noted the Connected Nations paper.
56. Members discussed Ofcom's work on sustainability in the telecoms market and noted the data centre market in Northern Ireland was very different to that in Great Britain.

[Colm Murphy left the meeting]

Item 14: Department for the Economy

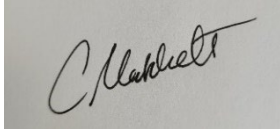
57. The Chair welcomed colleagues from DfE's telecoms policy team to the meeting. The team gave a brief overview of the NI Executive's Mobile Action Plan, the UK Government's Shared Rural Networks project in Northern Ireland, and provided updates on DfE's Project Stratum and Project Gigabit.
58. The Committee discussed the use of Digital Champions and how best to use them to promote better connectivity.
59. The Committee noted the current lack of political direction and decision-making in Northern Ireland
60. Rick advised DfE of a video published recently by the CCP on Rural Connectivity and agreed to share it.
61. The Committee noted the spread and timing of the Project Stratum rollout across all the local council areas.
62. Members were reassured that Project Stratum was delivering a consistent service, not just a faster connection.
63. The Committee also noted how community awareness of the rollout had improved thanks to Fibrus's Fibre Ambassadors, and take-up was ahead of forecast.

64. DfE explained that Project Gigabit rollout would be prioritised based on current maximum broadband speeds in an area, while also allowing the provider to deploy their build resources efficiently.

Date and Time of Next Meeting

65. The next scheduled Committee meeting would be held on Tuesday 5th December 2023.

Approved:

A rectangular box containing a handwritten signature in black ink. The signature appears to be 'C. Mahesh'.

Date: 5th December 2023