

## Your response

Question	Your response
Question 1: Do you agree with our assessment of the potential impact on specific groups of persons?	Confidential? – Y / N
Question 2: Do you agree with our Welsh language impact assessment?	Confidential? – Y / N
Question 3: Do you agree with our proposed approach to setting the new Channel 4 licence?	Confidential? – Y / N
Question 4: Do you agree with our proposal to retain the condition requiring not less than 208 hours of news programmes in peak viewing time to be included in the Channel 4 service in each calendar year of the licensing period?	Confidential? – Y / N
Question 5: Do you agree with our proposal to remove the lunchtime news scheduling requirement?	Confidential? – Y / N
Question 6: Do you agree with our proposal to retain the weekend news scheduling requirement?	Confidential? – Y / N
Question 7: Do you agree with our proposal to require that there are not less than 178 hours in each calendar year of the licensing period of current affairs programmes included in the Channel 4 service which are of high quality and deal with both national and international matters? Do you agree with our proposal to retain the requirement that 80 hours of the 178 hours must be in peak viewing time?	Confidential? – Y / N
Question 8: Do you agree with our proposal to require that: a) at least 45% of the hours of programmes included in Channel 4 in each calendar year are originally produced or commissioned for the service; and at least 70% of the hours of programmes in peak viewing time are originally produced or commissioned for Channel 4?	Confidential? – Y / N
Question 9: Do you agree with our proposals to retain the requirements that, in each calendar year, at least 35% of the hours of programmes made in the UK for viewing on Channel 4 must be produced outside the M25, and at least 35% of expenditure on programmes made in the UK for viewing on Channel 4 must be allocated to the production of programmes produced outside the M25 and must be referable to	No

<b>programme production at a range of production centres?</b>	
<b>Question 10: Do you agree with our proposals to retain the requirements that, in each calendar year, at least 9% of the hours of programmes made in the UK for viewing on Channel 4 are produced outside England, and in each calendar year at least 9% of its expenditure on programmes made in the UK for viewing on Channel 4 is allocated to the production of programmes outside England and referable to programme production at production centres in Scotland, Wales and Northern Ireland?</b>	No
<b>Question 11: Do you agree with our proposal to retain the requirement to transmit at least half an hour of schools programmes, excluding presentation material, in each calendar year of the licensing period?</b>	Confidential? – Y / N
<b>Question 12: Do you agree with on our proposal to retain the condition that provides that in each calendar year not less than 25% of the total amount of time allocated to the broadcasting of qualifying programmes on Channel 4 must be allocated to the broadcasting of a range and diversity of independent productions?</b>	Confidential? – Y / N
<b>Question 13: Do you agree with our proposal that the Channel 4 licence should be renewed for a period of ten years?</b>	Yes

Please complete this form in full and return to [Channel4LicenceRenewal@ofcom.org.uk](mailto:Channel4LicenceRenewal@ofcom.org.uk).

**Ref: Northern Ireland Independent Television Production Sector group letter submission to Ofcom consultation on Channel 4 (C4C) licence renewal as a public service broadcaster (PSB). (Companies listed below)**

**13<sup>th</sup> February 2024**

We the Northern Ireland production companies listed below wish to respond to the **A5.1 Questions 10 and 9** in ‘**Consultation questions**’ in the following way and in order of priority.

**Question 10:** *Do you agree with our proposals to retain the requirements that, in each calendar year, at least 9% of the hours of programmes made in the UK for viewing on Channel 4 are produced outside England, and in each calendar year at least 9% of its expenditure on programmes made in the UK for viewing on Channel 4 is allocated to the production of programmes outside England and referable to programme production at production centres in Scotland, Wales and Northern Ireland?*

**Answer:** We do not agree. We propose a Made Outside England (MoE) Quota/Nations’ Quota based on population size of the three Nations of 17% with specific and binding targets for each Nation. We propose a specific and binding Channel 4 (C4C) commissioning Quota for Northern Ireland based on population size – 3% (across all its channels portfolio, and spend, linear and non-linear). We also propose that quota phasing should not be repeated or deployed at all to delay delivery of parity to Northern Ireland.

**Question 9:** *Do you agree with our proposals to retain the requirements that, in each calendar year, at least 35% of the hours of programmes made in the UK for viewing on Channel 4 must be produced outside the M25, and at least 35% of expenditure on programmes made in the UK for viewing on Channel 4 must be allocated to the production of programmes produced outside the M25 and must be referable to programme production at a range of production centres?*

**Answer:** We do not agree. Channel 4 has year on year demonstrated and celebrated, on a voluntary basis, delivery of over 50% of hours and spend outside of the M25. This significantly overshoots the 35% obligation in the current C4 licence. We believe the continuation of the 35% obligation would be a disincentive to Channel 4 and that the obligation should be set to a 50% minimum.

**Continued submission:**

We believe that our response to, and experience of, the context to these questions renders irrelevant any view that we might have on the answers to the other Consultation questions.

On examination of the data provided by Ofcom and C4C, and because of the decision by Ofcom in 2014 not to impose individual Nation quota targets on Channel 4, Northern Ireland stands alone as the region where Channel 4 has failed - in every year of its ten-year licence - to meet its nominal (and voluntary) target quota. (1.5%)

The loss to the Northern Ireland television screen industries and wider economy across the ten years is somewhere between £50m (1.5%) and £140m (3.0% if population led). Channel 4 currently has an obligation (not voluntary) to commission 9% of spend and hours Out of England (OoE). The pro-rata obligation for equitable spend in each of the three Nations (Scotland, Wales, Northern Ireland) was entrusted to Channel 4 and an equitable allocation of the 9% was clearly implied in Ofcom's licence, with 1.5% being the expectation for Northern Ireland.

<https://www.ofcom.org.uk/tv-radio-and-on-demand/information-for-industry/psb/annual-report-2023>

<https://www.ofcom.org.uk/tv-radio-and-on-demand/information-for-industry/psb/annual-report-2020>

It must be emphasised that this was already far below the 3% NI population level and the 3% quota target set for the BBC.

A minimum annual reporting obligation on the progress of this voluntary aspect of C4C licence was articulated in Ofcom's licence guidance in 2014.

*"..the condition we propose to include in Channel 4's renewed licence will require that in each annual period from 2020 production spend must be referable to production centres in each of Scotland, Wales and Northern Ireland. We will monitor Channel 4's progress in increasing production in its annual returns that are published by Ofcom."*

However, added to and inevitably related to 'quota' failure is the effect on on-screen cultural portrayal ('Portrayal Scores') in Ofcom's own review of performance against C4's Statement of Media Content Policy shows portrayal scores in NI are markedly lower (page 20 penultimate paragraph). With such a low level of commissioning from the region the on-screen portrayal is logically and negatively impacted.

[https://www.ofcom.org.uk/\\_data/assets/pdf\\_file/0027/264249/Letter-to-Channel-4-Corporation-on-its-Statement-of-Media-Content-Policy-2022.pdf](https://www.ofcom.org.uk/_data/assets/pdf_file/0027/264249/Letter-to-Channel-4-Corporation-on-its-Statement-of-Media-Content-Policy-2022.pdf)

Similarly, the impact on 'Audience Reach' as articulated in Ofcom's Media Nations NI Report 2023 shows audience reach is lower than UK as a whole - 4.5% cf 5.1 % in both England and Scotland (Wales is less comparable because of S4C) - a difference of around 12%. (page 13)

[https://www.ofcom.org.uk/\\_data/assets/pdf\\_file/0030/265377/ni-report-2023.pdf](https://www.ofcom.org.uk/_data/assets/pdf_file/0030/265377/ni-report-2023.pdf)

These are failures by every measurement. It is a calamitous outcome for our industry and the Northern Ireland audience, and a loss during a period of continuing crisis for Northern Ireland when for five of the last ten years Northern Ireland has been without a sitting devolved administration. The opportunity for a major PSB to step-up for a region still so clearly regenerating wasn't grasped. Without the need to account for its actions Channel 4 did the opposite.

The production companies in Northern Ireland could only look-on as growth was observed in other Nations. Significant reserves of company development investment was squandered, companies unaware until too late that the opportunities simply weren't there. The data when finally published has emphasised this - but crucially, only with hindsight.

The need for rigorous Ofcom oversight and specific vigilance for Northern Ireland was clear, yet Ofcom too failed to deliver on its obligation. This is arguably the most egregious failure, thrown into relief by the fact that numerous NI consultees in the 2014 re-licencing warned that, without protection, the commercially risk-averse inclination of Channel 4 would trump principled but voluntary PSB obligation.

The concept of UK wide Public Service Broadcasting is threatened when the Broadcasters themselves do not set out to defend the idea, in all its iterations.

When the existential threat of privatization unfolded for Channel 4 in 2021 it was the independent producers in the Nations that led the defence of the Channel's unique model and 'big idea'. And it was producers in Northern Ireland that took a lead in that defence. The irony is not lost.

A reset *is* required for Public Service Broadcasting, but not in the way the increasingly regressive and once again metrocentric broadcasters wish to have it framed – that there is a tension between preparation for a non-linear world and Nations and Regions obligations and opportunities as a central organising tenet.

PSBs *will* be re-defined and defended, but their relevance to all of the nations will be the test – and the defence. Northern Ireland continues to be the litmus test. We urge Channel 4 and Ofcom not to fail the test again.

List of Northern Ireland companies signed up to this submission.

Afro-Mic Productions	Imagine Media	Paper Owl Films
Aisling Productions	Indie Movie Company	Rare TV Productions
Alleycats	Ligid Productions	Ronin Films
Armchair and Rocket	Little Ease Films	Score Draw Media
Below The Radar	Macha Media	Sixteen South
Besom Productions	Macmillan Media	Sonas Productions
Big Mountain Productions	Mammoth Screen	Stelify Media
Cause-a-Scene Films	Moondog Productions	Strident
Clean Slate Television	Negative Waves	Tern TV
Cyprus Avenue Films	New Red TV	Triplevision Productions
Dog Ears	Nice One Productions	Tyrone Productions
DoubleBand Films	Northern Star Pictures	Village Films
Element Pictures	Notasuch Films	Waddell Media
Erica Starling Productions	NPE Media	Wee Buns
Green Inc Film&Television	Open Reel Productions	Westway Film Productions
Hat Trick Productions	Out of Orbit	Walk on Air Films
Humain	Palindrome Pictures	Zoogon