

**Question 1: Would extending mandatory daytime protection have an adverse impact on the 9pm watershed? Could the change erode public confidence in the 9pm watershed?**

Yes – Mediawatch-UK believes extending the mandatory daytime protection would have an adverse impact on the 9pm watershed. We welcome Ofcom’s affirmation that their standards for the protection of children are amongst the most important in the Code, and that they will ‘continue to be a priority’ (p.4). However, we feel that allowing post-watershed TV content to be available behind mandatory daytime protection sends a potentially confused message about the watershed’s relevance and importance from the body charged with upholding it.

Mediawatch-UK appreciates and recognises the changing habits of TV viewing as referred to in section 3, in particular, high-levels of post 9pm watershed viewing by older children and teens, and the lack of mandatory restricted access measures for ODPS platforms and recorded viewing. However, we are concerned that an acceptance of the status quo could too easily be used as the justification for making post - watershed material more widely available and lead to an overall weakening of the watershed when grounds for further concessions arise. With section 3 also highlighting the fact that scheduled viewing remains an important aspect of family life, with 94% of 11 to 15 year olds using a television to watch TV content at the time of broadcast (3.3, p.16), we, therefore, believe it also remains vital to keep the 9pm watershed in high-regard.

Furthermore, we feel the reasoning set out in the review ignores more fundamental questions about the responsibility of broadcasters to create content which is suitable and appropriate for the age profile of the audience, and indeed, whether it is time to consider a later watershed to protect children and young people more effectively.

With no demonstrable clamour from consumers for the daytime extension evidenced in Ofcom’s consultation paper, it would seem unwise to risk further dilution of the watershed at this point.

<p><b>Question 2: Would extending mandatory daytime protection increase the risk of children viewing post watershed content?</b></p>	<p>We believe that extending mandatory daytime protection will pose an increased risk to children accessing post watershed content. The reality is that whilst PIN protected systems offer some form of barrier, they are often shared within families, perhaps due to parents being overwhelmed or unfamiliar with the vast array of digital media safeguards which exist to respond to or be on top of. In this environment, a mandatory PIN is no guarantee that children will be denied access to unsuitable content. It is not clear how much extra work this will create for Ofcom in implementing and monitoring the extension to ensure effective mandatory daytime protection measures are in place – especially if taken up by a larger than anticipated number of providers - and their capacity for undertaking it. This may also present an increased risk to children.</p>
<p><b>Question 3: How effective are mandatory PINs currently in protecting children? As part of this response we welcome views on the effectiveness of the protection offered for younger and older children.</b></p>	<p>For some parents PINS are useful both as a means of controlling their child’s viewing and as a tool for engaging in discussions about media literacy. However, part of the problem is that parental controls and settings vary across devices and platforms, which at times contributes to a sense of frustration, or worse, apathy.</p>
<p><b>Question 4: What more could be done to bolster the effectiveness of PINs?</b></p>	<p>Generally speaking, much better awareness-raising of parental settings, including PINS, would be helpful in educating and equipping parents on how to restrict their child’s access to certain content. Encouraging a uniform approach from broadcasters and platform providers towards PIN protections would also be very welcome.</p> <p>Specifically, alerts to parents perhaps via SMS when PINS had been activated or attempted would be useful in monitoring their child’s usage, as well as a potential engagement tool. Mediawatch-UK would be very happy to contribute to further discussions with Ofcom about what would be helpful for parents and carers in helping them restrict access to post-watershed content.</p>
<p><b>Question 5: Do you agree with Ofcom’s assessment of the technical limitations involved in implementing an expansion to the mandatory daytime protection rules? Have there been any technical advancements in this area since the Call for Inputs in 2016?</b></p>	

<p><b>Question 6: As a broadcaster or platform provider, do you foresee any issues with the provision or collection of metadata required for an expansion to the mandatory daytime protection rules?</b></p>	
<p><b>Question 7: How would unconnected and legacy devices behave with the introduction of an expansion to the mandatory daytime protection rules? How do broadcasters and platform providers intend to ensure that there would be no risk of inadvertently broadcasting unsuitable content which is not secured by mandatory PIN protection?</b></p>	
<p><b>Question 8: How would mandatory daytime protection interact with the live pause/rewind/ fast forward functions on certain devices?</b></p>	
<p><b>Question 9: What accessibility features are currently available, or could in future be implemented, to assist visually impaired people in accessing content restricted by a mandatory PIN?</b></p>	
<p><b>Question 10: Are there any other technological, practical or cost issues involved which Ofcom should be aware of?</b></p>	
<p><b>Question 11: Which particular types of pay TV subscribers could benefit from increased viewing choice, as a result of an extension in mandatory daytime protection? We welcome information and evidence from stakeholders about the size of such groups.</b></p>	
<p><b>Question 12: To what extent could an extension of mandatory daytime protection result in any decreased choice for households with children? We welcome information and evidence from stakeholders.</b></p>	
<p><b>Question 13: As a broadcaster, would you be likely to use mandatory daytime protection to broadcast content on your channel(s)? What type of content would this be? Please provide an estimate of the number of hours of broadcast that would be likely to take place in a typical month.</b></p>	
<p><b>Question 14: To what extent would there be any increase in choice for pay TV household groups as a result of the expansion of the mandatory daytime protection rules? We</b></p>	

welcome information and evidence.	
<b>Question 15: To what extent might households be likely to switch away from FTA platforms due to the provision of mandatory daytime protection on pay TV platforms only? Ofcom would welcome information and evidence.</b>	
<b>Question 16: To what extent would channels which currently broadcast on FTA platforms be likely to stop broadcasting on those platforms, because mandatory daytime protection can only be used on pay TV platforms? Ofcom would welcome information and evidence.</b>	
<b>Question 17: To what extent could platform competition be stimulated as a result of an extension to mandatory daytime protection? What effects could there be in the longer run on innovation and investment? Ofcom would welcome views and evidence.</b>	
<b>Question 18: To what extent are viewers likely to switch to channels that offer content behind mandatory daytime protection?</b>	
<b>Question 19: Do you agree with our competition assessment above? Please give reasons and evidence where available for your answer.</b>	
<b>Question 20: Are there any other relevant competition considerations that Ofcom has not taken into account? Please give details.</b>	
<b>Question 21: Do you have any comments on the proposed revisions to the rules in Section One to allow for an extension to the mandatory daytime protection regime?</b>	
<b>Question 22: Should the revised rules allow up to BBFC 15-rated films to be shown at 20:00 on premium subscription film channels (as the current rules do)? Or would consistency across all channels be more beneficial?</b>	
<b>Question 23: What information should/ could be provided with programmes using a mandatory daytime protection to inform viewers on the suitability of the content?</b>	