BBC's contribution to Ofcom's Mobile Sector Assessment
Mobile citizens, mobile consumers

Introduction

The BBC welcomes Ofcom's consultation on the mobile sector, including its thorough assessment of impact on citizens and consumers.

The BBC is not in a position to provide an extensive response to this consultation, which goes beyond its core areas of responsibility, but thinks it will be useful to share with Ofcom its current thinking on the role the mobile platform can play in the promotion of its public purposes, and on some opportunities and challenges it considers could be faced.

1. The BBC's objectives

The BBC considers the mobile platform could help it promote its public purposes

1. Promoting education and learning
2. Stimulating creativity and cultural excellence
3. Sustaining Citizenship and Civil Society
4. Representing the UK, its Nations, Regions and Communities
5. Bringing the UK to the world and the world to the UK

In particular, mobile strengthens our ability to deliver the sixth purpose:

6. Delivering to the public the benefit of emerging communications technologies and services

This purpose requires the BBC to:

- Work in partnership with others to help all audiences adopt emerging communications technologies and services, especially the most vulnerable

- Make engaging digital content and services available on a wide range of digital platforms and devices

In addition to delivering these purposes and priorities the BBC also seeks to achieve the following with mobile:

- **Quality and Innovation**: Make engaging high quality digital content and services, stimulate editorial innovation and set high standards for content and user experience

- **Universality**: Make our services available on a wide range of digital platforms and devices to as many people as possible across the UK so

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that we can reach and deliver value to all our audiences, when, where and as they want, and, as much as practicable, across all networks

- **Free to air delivery**: Ensure BBC specific content is available for free at the point of use and that any charges necessary to receive the services are as low as possible and fully transparent to the audience

- **Reaching all the audiences**: The Agreement[1] states that the "BBC must do all that is reasonably practicable to ensure that viewers, listeners and other users are able to access the UK Public Services that are intended for them, or elements of their content, in a range of convenient and cost effective ways which are available or might become available in the future". Increasingly, consumers want to receive their content when, where and as they wish. They are relatively indifferent to the means by which this content is distributed to them: whether it is broadcast or IP-based, through fixed or mobile networks. The mobile platform could therefore become increasingly important in reaching all audiences, in particular the younger audiences, which might otherwise turn away from its services.

- **Building stronger relationships with audiences through interactivity and the ability to address their specific needs**: Addressing its audiences through the mobile platform will help the BBC to build a stronger, more personal and ubiquitous relationship with them and to provide them with services and programmes which are relevant to what they want to get at a specific time and in a specific location

- **Supporting the development of a vibrant, competition and innovative sector:** One of the BBC's overriding objectives is to ensure an open and competitive communications market that facilitates, protects universal access to the BBC and to other public service broadcasters and allows them to continue to deliver their public broadcasting remits via open platforms and interoperable equipment. We are keen to pursue this objective on the mobile platform as well as on all other platforms. We believe the sector will benefit from the delivery of our valuable content on mobile, through increased take-up and consumer satisfaction, in the same way as we will benefit from open and ubiquitous networks to maintain our reach and relevance. We will therefore seek to develop the appropriate partnerships with organisations across the value chain, as ultimately, licence fee payers will benefit from this mutually beneficial collaboration.

2. The BBC's current presence on the mobile platform

a) Existing services

The BBC's commitment to the mobile platform since 1999 has included:

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[1] Agreement between Her Majesty's Secretary of State for Culture, Media and Sport and the British Broadcasting Corporation, July 2006, s 12.

- Launching and running the UK's most popular mobile internet site in conjunction with the fixed-line version of bbc.co.uk

- Operating a variety of on-demand and streaming media services for mobile devices including mobile BBC iPlayer, podcasting and streamed simulcast TV

- Running messaging services to enhance our programming (particularly radio programmes) and as a means of better distributing existing content (e.g. news alerts)

Our accessibility on mobile platforms has already allowed us to develop personal, ubiquitous and more relevant relationships with our audience and to deliver public value to more people, more often.

For example, we receive around 500,000 inbound text messages to radio stations each month. The majority of these are to Radio 1 and are often triggered by on-air calls to action. Other messaging services include SMS subscription services to breaking news and we also value receiving ad hoc messages from our audience to alert us to news, weather, traffic or travel updates

b) Research and development projects

Alongside our core services, we have trialled other means of pushing the boundaries of technology further. These have included a 12-month trial of syndicating certain BBC television and radio services via managed services operated by four of the 3G Mobile Network Operators (MNOs) and Sky. The evidence from this trial suggested that the level of demand for content delivered via 3G is uncertain and may, at least in the short to medium term, remain relatively low. We also operate limited 'Out of Home' services. These include using technologies like Bluetooth, Bluecasting, WiFi hotspots, semacodes and RFID to enhance physical locations and events – effectively bringing mobile media to mobile situations

Other research projects that evaluate the wider potential of mobile technologies range from software technologies such as QR codes through to analysis of new distribution technologies including WiFi, DVB-H and Wimax. This reflects our view that the current environment only represents the early potential of mobile and that over time, with the right conditions, the impact of mobile technologies on society will be of great significance.

c) Our audiences on mobile

The number of BBC mobile service users has grown strongly over the past year and a significant proportion (20%) of these users does not frequently use desktop bbc.co.uk.[2] Although the data is based on a small sample, mobile

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2 Source: TNS BBC New Media Tracker, August 2008

does seem to be an increasingly important route to our hard to reach audiences.

Furthermore, the users of our mobile services are young (for example, 55% of all our News users in August were under 35) and skew towards C2Des, both demographics who are more likely to be underserved than other groups within our audience.[3] Therefore, the BBC considers that mobile helps us reach an interconnected audience, which appears to respond more enthusiastically to mobile services than to those provided by more conventional means.

But the mobile platform will not only be useful to reach those audiences; as it continues to develop, the BBC believes mobile will become increasingly important for more mainstream audiences.

2. Challenges in the short to medium term

While the industry is making headway, there are still challenges in the short to medium term, which constrain the take up mobile content services. The BBC would like to point out that we consider these issues to apply equally to audiences accessing content on laptops via mobile broadband, which is developing quickly as shown by Ofcom in its consultation document.[4]

Data pricing and transparency

The BBC is very keen to ensure users are fully protected and considers the current pricing system which applies to data, with complex tariffs and bundles, raises significant concerns. Too many consumers face the risk of "bill shock" if and when they access rich media content, because they may not fully understood the complex and rather opaque pricing system applicable to them. Roaming also presents a significant risk (for example, for those using mobile broadband to access iPlayer for example), as consumers do not always understand the prices can much higher if they consume content when they are abroad.

The BBC is particularly concerned about the low fair use thresholds and the high fair use penalties that are currently common. We know that MNOs share our concerns about bill shock and welcome the efforts of those operators who actively keep their customers updated of their data usage rates or are introducing some flat tariffs. Whilst the situation is improving, there are significant issues in particular with Mobile Virtual Network Operators (MVNOs).

Our concerns around high charges are reinforced by Ofcom's research which suggests the vast majority of PAYG customers are on low incomes.[5] Although the BBC is not surprised by this fact (high data prices result in higher income users) it reinforces the need for accessibility of mobile content if that content is of public value. Research has shown that while the majority of BBC mobile

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3 M:Metrics, August 2008
4 Mobile consumers, 3.99
5 Mobile consumers, 4.55

users are on monthly contracts (around 33% of BBC mobile users are on the monthly payment tier of £21-£35), a significant proportion choose the PAYG option (~ 20%).[6]

As the BBC considers it essential to protect licence fee payers from facing high charges when accessing its content, it has taken a number of steps to protect viewers, in particular when they access its services through a MVNO where pay as you go charges for data could lead to very high bills, or when they could face significant charges because they are roaming.

For example, if an MNO is unable to identify customers of MVNOs on the network, the BBC will assess the situation and determine the level of risk in relation to the MVNO customer before allowing our content to made available. Where an MNO is able to proactively identify those customers on contracts, the BBC will provide its services to those individuals and will exclude other customers, in particular Pay as You Go (PAYG) users who are charged higher prices for data.

Such measures require the BBC to develop extensive knowledge of the data pricing systems of all operators, to enter into discussions with them to find appropriate solutions, or even ultimately to prevent consumers from accessing its services when it cannot be certain that they will not face very high charges when doing so. This represents a very complex and resource-consuming task for the BBC, as the appropriate information is not readily available, and not all operators have the same desire to participate. We are therefore concerned that smaller content providers will find it very difficult to adopt a similar approach.

The BBC would encourage the development of a consistent consumer experience across all networks. For example, a common approach to warning consumers about their data usage (e.g. all networks texting their customers) would help the consumer gain an understanding of the process of using data services and become more comfortable with it. In this way, existing fears which act as barriers to take up will be reduced. Similar issues exist around roaming data charges and clarity on these would help consumers understand the differences in pricing of data depending on their location.

These issues challenge the BBC and its obligation to universality: while we are always concerned that the BBC's services should be as universally accessible as possible, in certain circumstances we may have to consider blocking access for some consumers where pricing is neither fixed nor clear, in order to mitigate the risk of 'bill shock'. Such a decision will only be taken as a last resort, where it appears to be in the best interest of licence fee payers and will be kept under constant review.

Access to user data

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[6] M:Metrics, August 2008

A related challenge the BBC faces is access to data about mobile users. There are two reasons why data on individual usage can be necessary for us:

➢ Legal reasons: in order to meet our contractual obligations with content right holders, it can be necessary to prevent viewers who are abroad from viewing our content on their mobiles. For example, this was the case during the Beijing Olympics. The BBC was not able to make its coverage of mobile Olympics available to the customers of an MNO if it was unable to tell us which customers were abroad.

➢ Building public value for audiences: personalisation of some services e.g. local news flashes or traffic data, or delivery of specific content relevant to specific individuals, significantly enhance their value. In order to improve the end user experience in this way the BBC would have to obtain user data from MNOs. However, as this data would be valuable to advertisers, there is an increasing risk that MNOs would only provide such information at a price. Whilst this would be normal commercial practice for content providers able to monetise the information and generate incremental revenue from it, this would jeopardise the opportunity for the BBC to provide high citizen value personalised services on mobile. The BBC is therefore attentive to the developments of the MNOs' business model on this point.

Interoperability

Thousands of devices are available for consumers to choose between and this contributes to a healthy level of innovation and technological advancements in mobile handsets. There are also a variety of ways by which content producers can deliver content to mobile consumers. Current content distribution technologies include the mobile networks themselves, Wi-Fi, and side-loading from a PC. This list will expand in line with future innovation.

As the BBC aims to provide the best end user experience possible we rely on device detection to ensure the correct version of a website, rich media or other content is served to each device. We also aim to deliver content via the most suitable content distribution mechanism. The combination of the sampling, tests and modifications to suit different devices slows down the process of making our services available to audiences on more devices.

Delivering content in multiple formats is less efficient and more costly than having a unified approach so some compromise is always necessary. For example, the BBC currently focuses its work on devices which already support the services we wish to make available, such as iPlayer. While this reduces inefficiencies, it means that our services are available to fewer devices and viewers which is a concern for the BBC.

Accordingly, the BBC considers a degree of standardisation would make the content provider's job simpler and would offer consumers a more consistent and, arguably, richer experience that fully exploits the power and functionality of mobile devices.

Therefore, the BBC hopes to help create a standard for mobile rich media content and its integration with mobile specific features and functions. To achieve this we intend to work with MNOs and handset manufacturers to make it viable for key applications to be supported by as many devices as possible. The intention is that this standard should operate flexibly across distribution technologies. More widely, there is a need for interoperable services for consumers and to remove the need for content providers to have to reformat applications for every single handset. Of course, the benefits of standardising approaches would have to be weighed against the risk that these standards hold back innovation.

Coverage

Another enabler of widespread uptake of content is the availability of hybrid networks and devices. Currently customers may not be fully aware of how they can access the internet via Wi-Fi from their phones which limits them to 3G, usually with higher costs associated. Also, many hotspots which are made available for customers in venues free of charge often have low bandwidth limits and are not necessarily suitable for rich media. It is likely that investment in media literacy would help consumers to make the most of Wi-Fi availability.

More crucial perhaps is the problem of truly universal 3G coverage. This is a concern for the BBC as it is with fixed line broadband. The risk is that some parts of the country are permanently left behind, or that we are never in a position to serve them the high quality content on multiple platforms which others are able to enjoy.

Net neutrality

A thorny issue for the fixed broadband market for some time, net neutrality is also a concern on mobile for the BBC. The network operators have a high level of control over what can and cannot be viewed over their network and therefore, regardless of the outcome of the ongoing net neutrality debates, steps should be taken to safeguard citizens' access to public service content on as many devices and networks as possible.

Content labelling

The BBC feels that content labelling is an issue of importance to audiences and that good content labelling can be of high value to them. We feel that we have a role in developing this area. We have done extensive research on behalf of our audiences on this and developed a sophisticated system for our on-demand content.

It is imperative to us that we adopt a consistent approach across our digital platforms and services to ensure that we provide clear messages to audiences. We feel there would be audience benefit in this approach being adopted by other similar services and would like to work with the rest of the

industry to develop a harmonised approach to this issue. To this end, we have attached our recent submission to the Mobile Broadband Group's consultation on content labelling to this document, for your review (Annex 1). It is aligned with the BBC's recent submission to the EU's consultation on a pan-European age rating system.

3. The BBC's longer term view

Whilst the BBC has endeavoured to offer services which build public value in the current context, it considers that mobile is still in its infancy and believes that over time, with the right conditions, mobile technologies have the potential to become of far greater significance to society.

We agree with Ofcom that co-operation across the mobile value chain has already delivered benefits to the market. Working with MNOs, the BBC has already made an impact on the mobile platform. For example, the number of monthly A/V downloads in the last year has doubled, which shows mobile content prominence is developing. The recent launch of iPlayer on a range of devices illustrates the progress made in terms of providing an attractive content proposition to viewers through co-operation across the value chain.

However, it is now necessary to widen this co-operation in order to ensure business models remain viable and that the necessary investment in network happens. As explained above, the BBC will seek to develop the appropriate partnerships with relevant organisations across the value chain in order to support the development of a rich mobile digital eco system within the UK.

The BBC considers that in such an ecosystem both mobile broadcast and mobile internet solutions should coexist.

The BBC appreciates Ofcom's rich analysis of potential scenarios and would like to focus comments on scenario 3 "Internet on your mobile". This scenario in which mainstream users start to consume internet content on their handsets is of particular interest to the BBC. The BBC considers that broadband has high citizen value and this applies to mobile broadband as well as fixed line technologies. A broadband connection is of value to a citizen or consumer as a means of delivering content and services which are relevant, by giving the ability to participate further in society through networking, blogging or video sites and the opportunity to benefit from the vast amount of information and services available. It is the accessibility to these benefits which is in itself of significant value.

The BBC would therefore support network and equipment improvements which make them more accessible to more people on more devices.

The key enablers of this outcome are similar to the ones that the BBC considers necessary for its mobile content and services to reach a wide audience:

- o Attractive and transparent data pricing

- o Wide range of choices for consumers in terms of devices, ways to connect and networks
- o Development of attractive and consistently user-friendly consumer content/service propositions
- o A good quality user experience of rich media content
- o Increased investment in customer support to educate consumers on new, complex devices and applications
- o Investment in advanced network technologies, for example possibly femtocells
- o Innovation of handsets

However, the BBC considers that whilst mobile internet solutions undoubtedly add significant value for the consumer, they cannot fully deliver the benefits offered by mobile broadcast. Mobile broadcast is strategically significant because, unlike mobile internet solutions, it offers an optimised means of delivering high quality linear services to a mass, mobile audience. It is possible that it could achieve this at a fixed cost to both the BBC and users, and there may therefore be potential for it to accommodate a free-to-air distribution model. As such, broadcast technologies address many of the issues associated with cellular technologies, particularly in respect of 'per-use' data charging and scalability: cellular approaches inevitably suffer capacity constraints that can substantially limit the number of concurrent users in a given location.

Broadcast could offer exciting opportunities for editorial innovation in traditional and interactive media, particularly around nation-binding live events. Mobile offers the scope to develop a groundbreaking media platform which, through linking broadcast, mobile internet, messaging and other phone features, could leverage the uniquely connected, location aware, personal, and social nature of the platform. These opportunities could also be leveraged by network operators and commercial broadcasters to open a wealth of creative opportunity and new revenue streams.

For these reasons, the BBC is supportive of the concept of mobile broadcast services in the UK. It is our belief that BBC content would add value to any mobile broadcast service, thus helping to drive uptake, and that mobile broadcast would be likely to supplement rather than cannibalise conventional TV and radio consumption. For the wider mobile industry, and for consumers, the BBC's involvement in a viable proposition could encourage the development of a market for innovative mobile services in the UK.

However, as discussed in the consultation, there exist high barriers to entry to the mobile broadcast market. These barriers relate primarily to cost and include not only the cost of infrastructure but also the unpredictable cost of spectrum allocated by competitive auction.

As already set out in detail in its responses to the consultations on the Digital Dividend Review, the BBC considers that Ofcom should consider how its spectrum policy could best support the development of a sustainable mobile television sector.

Conclusion

The BBC welcomes the opportunity to respond to this consultation on a quickly developing and truly exciting platform which we consider to be valuable in delivering our public purposes. The BBC looks forward to engaging further in the debate with the industry and Ofcom as it progresses.

ANNEX 1

BBC RESPONSE TO MOBILE BROADBAND GROUP'S REVIEW OF THE "UK CODE OF PRACTICE FOR THE SELF REGULATION OF NEW FORMS OF CONTENT ON MOBILES"

Introduction

This submission outlines the BBC's current policy for labelling and regulating its content in on-demand environments, including mobile. It has been designed to work as an industry standard and has been adopted by other UK broadcasters including ITV, Channel 4 and FIVE and supported by Ofcom. It is put forward for the MBG to consider alongside its current framework with the suggestion that the G for Guidance system (or one similar to it) will be considered as a serious option for use in the future.

The first section of this response answers Consultation Questions 1, 2 and 8. The second section responds to Question 5. The BBC will not respond to Consultation Questions 4, 6 and 7.

Section 1: Response answers Consultation Questions 1, 2 and 8

Question 1: Do you agree that the way mobile operators currently signpost content on their portals and use access controls to signpost restricted access areas is the right approach? If not, what else do you feel could be done?

Question 2: Do you believe that there is significant demand for a more granular age categorisation for content available on mobile handsets, rather than simply 18 and unrestricted? If so, what age categories do you think would be appropriate? Please explain the reasons for your answer.

Question 8: Do stakeholders have any comments about mobile operators' approach to giving customers information and advice or any suggestions as to what further measures might be practical and helpful?

The Need for Content Labelling

There is a widespread understanding in the UK of, and support for, the 9pm Watershed for linear TV broadcasting. But as audiences increasingly time-shift their viewing through on demand technologies such as BBC iPlayer, Video on Demand or Sky+, new and additional approaches become necessary. This includes the manifestation of these services not just in the PC world, but also on mobile devices. Content labelling is designed to offer a safe viewing environment for children and one in which all users of any age can make informed choices about what content they choose to consume, before they do so.

The consultation questions ask about the demand for a more granular level of content categorisation and about what level of granularity that should exist. The BBC's view,

however, is that it is not the demand for and level of *categorisation* but level of *detail* that is most important to audiences.

Audience Research

In summary, independent research commissioned by the BBC has indicated strong support for a formal system of text labelling for challenging on-demand content. The most pressing demand for labelling has been amongst parents of young children.

Our research examined audience comprehension of several formats of content labelling used in the European and American markets, ranging from an age-rating system (similar to that used by the British Board of Film Classification for cinema and video content) through symbols and short-hand initials to long-form text information.

Initially, respondents accepted age-ratings as the most obvious solution. However, after viewing programme examples, respondents recorded the most reservations about them. Age-ratings were seen as too general an assumption: what one 15 year old was emotionally old enough to watch was not the same as another. Age ratings were also unhelpful about the type of content: no indication was given about the actual content which might offend e.g. sex, violence, strong language. Parents were keen to know about the type of content in a programme for different reasons. They might have different views of the suitability of different types of content e.g. strong language, violence or sexual content.

The conclusion the BBC reached was that age-rating was suitable for cinema release and film – entertainment that people choose to go and see – but not for the much broader range of programming available immediately in the living room of any member of the household. We imagine it is likely that this would also extend to media on hand-held devices.

Research also indicated that long-form text labelling was the format that most met audience needs. Respondents agreed that this was the only comprehensive way of reflecting the specific types of strong content available on television. This conclusion was echoed in Ofcom's research, where 46% of respondents favoured long-form text labels compared to just 13% favouring age-ratings.

Although text labels were the most popular, many respondents identified a need for a short-hand symbol or letter to appear next to the programme title to indicate that content information was available. Further research concluded that a 'G' for 'Guidance' letter was the most suitable short-hand.

The BBC aspires to use the 'G' for 'Guidance' content labelling system throughout its audience facing services as they appear on different digital technology platforms. In addition, the BBC believes there will be greater benefit if other organisations adopt the same scheme where appropriate. We will continue the deployment across the BBC portfolio and promote its use on other services because we believe it will deliver exponential benefit as audiences become increasingly familiar with the system.

How the content labelling system works

The 'G' for Guidance labelling system displays a 'G' symbol when a piece of content contains challenging material. The nature of the content is spelt out in text alongside the programme synopsis when it is to be downloaded or in the Player window when the content is to be streamed. For example, a text label might say "contains strong language" or "contains adult humour". The presence of the 'G' symbol is also used to trigger parental controls when enabled.

Users can enable the password protection system from their phone during the setup process. If they choose not to, they can enable it at any stage. Every iPlayer page has a prominent, visible reminder that Parental Controls are either ON or OFF with an open or closed padlock icon beside it.

At the point of viewing, the user has to enter their password, if password protection is enabled, before they can view the content. Anyone entering an incorrect password receives an explanatory message that they don't have permission to access 'G' rated content.

The BBC is to commission further research into iPlayer use by parents as part of our programme of continuous development.

Use on Third Party Platforms

The BBC sees the 'G' for Guidance content labelling system is an integral part of our audio-visual on-demand content offer. However, it has been acknowledged that on some third-party platforms this may be initially constrained, subject to the technical and operational issues of such platform operators or device manufacturers. Our approach is to set reasonable timescales within which content labelling should be implemented as part of the offer. PIN protection or other such parental guidance controls are the responsibility of third parties. However we seek to have such mechanisms aligned with content labelling wherever this proves an appropriate fit.

This has proven true with our distribution of the BBC iPlayer on mobile devices like Nokia's N96 and the mobile BBC iPlayer portal. Where there is integration of these products with network operator portals, we require that the labelling always "travel" with and be displayed with the programming.

Best Practice

We work closely with other providers to promote best practice for content labelling and we are active participants in the Broadband Stakeholder Group Content Information Group and we are also an associate member of the UK self regulatory body for On Demand services, the Association of Television On Demand (ATVOD).

Difficulties with Age Ratings

The current code which this consultation asks for comment on is based on labelling based on an age rating. As stated above, the BBC (and others) have found this is problematic for a variety of reasons to consumers for on-demand content (as opposed to content they choose to go see). Raising the level of granularity may, in some ways,

help give consumers better information about the suitability of a particular piece of content, but we feel a that more descriptive form labelling, as described above, is more appropriate.

Age rating systems are, by their nature, very binary and force – particularly in a digital world – binary decisions. Parents can choose to allow or disallow content above the rating "18+" or not. These types of polar decisions do not allow for a suitable amount of consideration to be given to each piece of content that is available to users. For example, a piece of explicit sexual education content might, in a parents view, be suitable for their child while a piece of sexually explicit drama is not. With a 'black-and-white' rating system (even if it were more granular than the current code), audiences are still forced into blanket decisions, rather than being encouraged to make discriminating choices based on the merits of each programme.

From a more practical perspective, as a responsible content provider, the BBC (as well as many other broadcasters) has already adopted a suitable code of content labelling for their content. It would be problematic on a number of levels if we were forced to re-classify content in the mobile space. Re-classifying content to be part of an age-rating systems could also be time consuming and costly and the BBC would be concerned that the "G" could be misconstrued as being equivalent to a specific age rating, in which case all users under that age could potentially be restricted.

We support the (fixed-line) Broadband Stakeholder Group approach which set of principals for best practice in this area (http://www.broadbanduk.org/content/view/114/) while recognising that there's room for a variety of means for ensuring the consumer is adequately protected.

Pre-regulated Content

The BBC's content (as well as the content of many other providers) is already heavily regulated at both a European and national level. In effect what this means, is that there are already regulatory controls (which are stricter in the UK than many other countries) in place to ensure that the BBC and other similar publishers would be prevented – at the point of production – from creating any of the type of content that would be deemed to be the most dangerous or offensive. Not all content in the mobile space falls into this area; however, the BBC would encourage the MBG to consider this and consider whether or not content that has already been regulated and classified might be treated differently than "made for mobile" content which may not have been subject to any other regulatory framework or oversight.

Section 2: Response answers Consultation Question 5

> *Question 5: Do stakeholders have any comments about the handling of illegal content by the mobile operators?*

While it is clear to the BBC that the code is not designed to restrict its reporting of news events, it would like to bring to the attention of the MBG that, in rare instances, our News and Current Affairs materials from time to time contains material that

depicts real life or re-enacted crimes – violent or otherwise. We would resist any code that attempted to limit our ability to provide this material to audiences or required any form of take-down for this type of content and therefore request that the MBG ensure that whatever code it adopts ensures the BBC's freedom in this area is maintained.

NB: Much of the content of this response was previously submitted to the European Commission's consultation on Cross Media Rating & Classification [dated]. We have reused the response material in the spirit of promoting G for Guidance across the industry.