



## SOUTH CAUCASUS MEDIA CONFERENCE

### Public service broadcasting in the digital age

10-11 November 2014, Tbilisi, Georgia

[jff@wagner-hatfield.com](mailto:jff@wagner-hatfield.com)

[www.wagner-hatfield.com](http://www.wagner-hatfield.com)

# European perspective

- **Can there be an european perspective when there is such a variety of situations?**
- **This variety of situations appears in all aspects of PSB:**
  - market conditions (e.g. Germany vs Spain)
  - funding (e.g. Germany vs Portugal)
  - governance (e.g. UK vs Greece)
  - independance (e.g. Denmark vs...)
  - the way PSB is percieved (e.g. UK vs Bulgaria or Romania)

## TV daily audience share in the 28 EU Countries

(in %, 4 years+)

Country	Domestic public channels	Domestic private channels	Main foreign channels
Austria	36.9	8.4	43.8
Belgium FR	20.9	4.9	62.7
Belgium NL	42.0	40.3	5.8
Bulgaria	8.5	73.0	7.7
Croatia	29.3	52.5	no data
Cyprus	17.4	54.7	1.7
Czech Republic	29.3	60.6	1.2
Denmark	63.4	4.5	25.5
Estonia	19.0	32.5	26.0
Finland	42.0	48.3	0.7
France	32.0	56.1	no data
Germany	42.9	53.7	no data
Greece	14.9	70.0	1.3
Hungary	14.0	52.5	18.9
Ireland	31.7	13.2	23.3
Italy	39.9	32.5	1.2
Latvia	13.3	43.8	19.4
Lithuania	10.6	49.7	10.9
Luxembourg	no PSB	no data	no data
Malta	36.0	23.2	40.5
Netherlands	36.2	17.8	35.6
Poland	34.2	50.5	12.9
Portugal	18.8	52.5	16.3
Romania	6.2	68.0	12.2
Slovakia	11.7	58.7	no data
Slovenia	27.7	42.6	23.1
Spain	28.6	62.7	4.1
Sweden	36.5	31.4	31.6
United Kingdom	49.2	39.8	no data



## PSB market shares

# European perspective

- Nevertheless, there are common trends and challenges:
  1. The reaffirmed legitimacy of PSB in a new media environment
  2. The need for a fair competition between PSB and private players
  3. The evolving relationship with the **p**ublic in terms of:
    - 1) **P**articipation
    - 2) **P**rominence
    - 3) **P**latforms

# European perspective

## 1. The reaffirmed legitimacy of PSB in a new media environment

- European Union

- [Communication on State aid rules to public service broadcasting](#) (2001 + 2009)
- [Mediadem study](#) (2013)
- [Report of the High level group on Media Freedom and Pluralism](#) (2013)
- [Report of the Center for Media Pluralism and Media Freedom](#) (2013)
- [EP Resolution on PSB in the digital era](#) (Rapporteur Ivo Belet – 2010)
- [EP Resolution on the EU Charter](#) ( Rapporteur Renate Weber – 2013)
- [EP Resolution on connected TV](#) (Rapporteur Petra Kammerevert – 2013)
- [EP Resolution on preparing for a fully converged world](#) (Rap. Sabine Verheyen – 2014)

# European perspective

## 1. The reaffirmed legitimacy of PSB in a new media environment

- Council of Europe - [Declaration on PSM Governance](#) (15/02/2012):

*“ 9. The development of new information and communication technologies gives public service media an unrivalled opportunity to fulfil their remit in new and more effective ways, allowing them to offer better-targeted and more interactive content and services. It also allows public service media to enter into a meaningful dialogue with their audiences, engaging them as stakeholders, participants and co-creators, rather than as simply passive recipients. This is particularly relevant to services aimed at youth, whose use of Internet-delivered, mobile and participatory media is significant. Successful adaptation and adoption of new platforms assist public service media in fulfilling additional purposes within their public service remit.”*

# European perspective

## 2. The need for a fair competition between PSB and private players

- New role for NRA's (cf. EU [Communication on State aid rules to PSB](#))
- New procedures in few EU countries (UK, NO, DK, GER, AT, HUN, IT, BE)
- Necessary - But also complex, time-consuming, expensive...
- ... and outdated even before having spread over Europe?
  - *“ 11. Wonders whether, against the background of increasing technological convergence, the provisions laid down by the Commission in its communication on the application of State aid rules to public service broadcasting, setting out complex procedures for assessing and analysing audiovisual services offered by public providers, which go beyond the scope of normal broadcasting activities and are made available on new platforms, are still appropriate, in particular given that it is increasingly difficult for users to tell whether the service concerned is a conventional linear broadcasting service, an on-demand service or another type of audiovisual service;”* ([EP Resolution on connected TV — 4 July 2014](#))



# European perspective

## 3. The evolving relationship with the public in terms of : 3.1. Participation

- **Obligation to move away from “self-fulfilling PSB”**
- **Obligation, in a connected world, to be connected with the audience and the stakeholders**
- **This mean a greater concern for :**
  - **transparency of their processes and decisions**
  - **openness, engagement and interaction with audiences**
  - **responsiveness, dialogue, seeking for and taking into account feedback**
  - **having high standards for journalism and being publicly accountable for their respect**

# European perspective

## 3. The evolving relationship with the public in terms of : 3.2. Prominence




- How to give prominence to PSB content in a converged media environment?
- The next public concern : from net neutrality to search neutrality?

# European perspective

## 3. The evolving relationship with the public in terms of : 3.3. Platforms

- Another public concern : from must carry to must offer?
- DDT : useful to continue to give free access to PSB. But :
  - Is DDT sustainable when not only the 800 MHz band will be awarded to broadband instead of broadcast, but also the 700 MHz band?
  - Is DTT the ever-surviving platform for the future for PSB and at what cost?
    - Evolution of mobile broadband & Roll-out of fiber-based networks & Technological convergence puts additional pressure on DTT as future proof platform
    - It also raises the question of how DTT can be combined with other IPTV & Cable & Satellite & mobile networks in providing content and interactivity

# PSB regulation and governance

- How do these European trends and challenges relate to the issue of PSB regulation and governance?
  1. The reaffirmed legitimacy of PSB in a new media environment :  
 *Legitimacy of PSB content in an era of abundance and a connected environment*
  2. The need for a fair competition between PSB and private players :  
 *Accountability on how the mandate is fulfilled*
  3. The evolving relationship with the public :  
 *Participation of the public, including via the regulatory body*

# PSB regulation and governance

- **Governance of PSB :**
  - What to be careful of in terms of :
    - Legitimacy
    - Accountability
    - Public/audience
  - Best practices
  
- **Regulation of PSB :**
  - What to be careful of
  - Best practices

# PSB regulation and governance

- **Governance of PSB — Be careful of legitimacy**
  - The balance between the funding and the remit (and on both sides !)
  - Appointment of the CEO
  - Appointment of the Board
  - Editorial independence (appointment of news editors, status of journalists, organisation of newsrooms, relationship between the newsroom and the news editors, guidelines for election coverage, ...)
  - Operational independence (appointment of top management, external auditing, ...)

# PSB regulation and governance

- **Governance of PSB — Be careful of accountability**
  - **Accountable to who ?**
    - Roles of all parties involved should be clear
  - **Accountable for what?**
    - The boundaries of accountability should be clearly defined, for editorial decisions as well as for operational issues
  - **Accountable how?**
    - Procedures should be clearly defined
    - The timing should to be clearly defined
    - Accountability should avoid the risk of benefiting to competitors
    - Rules should not be modified « during the game »

# PSB regulation and governance

- **Governance of PSB — Be careful of the public /audience**
  - It's not just about principles (accountability and transparency)
  - It's about the universal reorganisation of the public space (citizens want to speak and want to be heard more often, with more flexibility and reactivity)
  - ... openness to the audience
  - ... engagement in debates and dialogues with the audience
    - ... including and especially for journalism ethics issues
  - ... actively looking for the feedback of the audience
- **Representing the diversity of the society (gender, age, social status, origin, ...)**



# PSB regulation and governance

- **Governance of PSB — A few best practices :**
  - Developing its own monitoring systems
  - Structuring the relationship between the journalists and the management
  - Negotiating long-terms (+ out of sync with elections) contracts
  - Considering the feedback of the audience as an opportunity, not a burden
  - Setting up audience councils
  - Appointing, empowering and respecting an ombudsman
  - Engaging in the broader challenge of media literacy
  - Integrating the rise of citizen journalism and UGC in the editorial process (cf. [study about the BBC and UGC](#))

# PSB regulation and governance

- Governance of PSB — A few best practices :

*“Faced with frightening disruption and stunning potential, journalists need to get comfortable with risk, transparency and collaboration. We need to abandon the notion that we have a monopoly on truth.*

*Not too long ago, reporters were the guardians of scarce facts delivered at an appointed time to a passive audience. Today we are the managers of an overabundance of information and content, discovered, verified and delivered in partnership with active communities.”*

Mark Little.

THE WORLD'S FIRST  
SOCIAL MEDIA NEWS AGENCY.

[Request a demo](#)

## News from noise.

User generated content is often the first, and most compelling, video to emerge from an event. Storyful discovers, verifies and acquires the most valuable content on the social web so our partners can own breaking news stories



# PSB regulation and governance

- **Governance of PSB :**
  - **What to be careful of in terms of :**
    - Legitimacy
    - Accountability
    - Public/audience
  - **Best practices**
- **Regulation of PSB :**
  - **What to be careful of**
  - **Best practices**

# PSB regulation and governance

- Regulation of PSB — Be careful of :
  - The level of supervision :
    - *Balance between accountability and independence*
  - The type of supervision :
    - *Balance between internal, external and « democratic » supervision*
  - The coherence of supervision :
    - *Different kinds of control might be OK, but beware of the overall coherence*
    - *Example of “worst practice”: the “lasagna effect”*

# Coherence : Who supervises what?

Parliament	Government	Gouvernement auditors	Board	CSA
Law : statute	Submits law to Parliament	Financial control	Financial control	Handles complaints
Law : basic missions	Funds	Legal control	Permanent control of realisation of remit	Monitors (minors, advertising)
Recommendations on contract	Negotiates + signs contract	Attends the Board	Negotiates + signs contract	<del>Recommendation on contract</del>
Gets annual report on remit	Gets annual report on remit		Approves annual report on remit	Analyse annual report on remit
Questions the Government	Gets qualitative study			Sanction if remit not fulfilled
	Appoints CEO		Appoints the top management	Recommendation on appointment of CEO

**+ External auditors**



# PSB regulation and governance

- Regulation of PSB — Be careful of :
  - The level of supervision :
    - *Balance between accountability and independence*
  - The type of supervision :
    - *Balance between internal, external and « democratic » supervision*
  - The coherence of supervision :
    - *Different kinds of control might be OK, but beware of the overall coherence*
  - The efficiency of the supervision
    - *Sophistication of the control might be OK, but beware of overdose*
    - *Example of “worst practice”: the “overload effect”*

# CSA

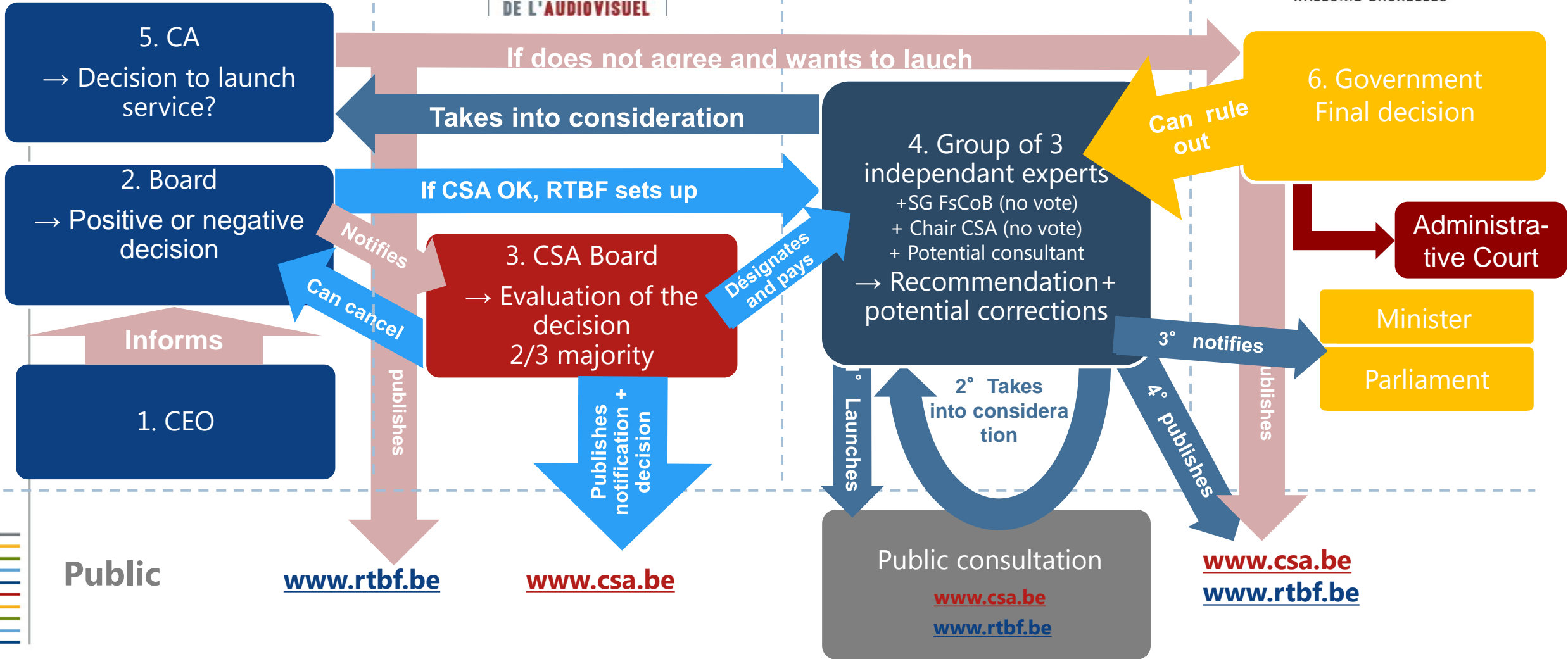
rtbf.be

# Ex-ante test for new services

CSA  
CONSEIL SUPERIEUR  
DE L'AUDIOVISUEL

Independent  
experts

FÉDÉRATION  
WALLONIE-BRUXELLES





# PSB regulation and governance

- Regulation of PSB — Be careful of :
  - The level of supervision :
    - *Balance between accountability and independence*
  - The type of supervision :
    - *Balance between internal, external and « democratic » supervision*
  - The coherence of supervision :
    - *Different kinds of control might be OK, but beware of the overall coherence*
  - The efficiency of the supervision
    - *Sophistication of the control might be OK, but beware of overdose*
  - The mindset of the supervision process :
    - *Common understanding of the reasons, the methods and goals*

# PSB regulation and governance

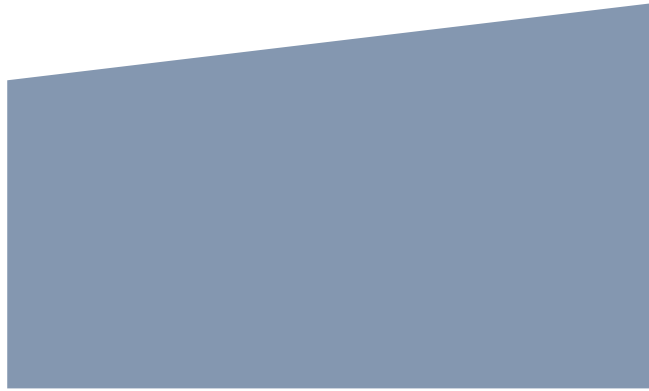
- Regulation of PSB — A few best practices :

- Involvement of the NRA not only ex-post but also ex-ante → efficiency
- Involvement of the Parliament (ex-ante and ex-post) → pluralism
- Involvement of viewers and listeners → participation
- Commissioning research → knowledge
- Promoting innovation → creativity
- Assessing the link between the content produced and the quality of the infrastructure used to distribute it → transparency & accountability



**Independence**

**NEXT EXIT** 



Questions?

[jff@wagner-hatfield.com](mailto:jff@wagner-hatfield.com)

[www.wagner-hatfield.com](http://www.wagner-hatfield.com)