

Cristina Nicolotti Squires
Group Director for Broadcasting and Media
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Objections to Proposals in Ofcom's Consultation on Revised PSB Commissioning Codes of Practice

Dear Ms Nicolotti Squires,

I am writing to express my deep concern regarding the proposals set out in Ofcom's current consultation on the Revised Guidance for Public Service Broadcasters on Commissioning Codes of Practice. I believe that the proposed removal of prohibitions on 'matching rights' and linking conditional offers to the bundling of primary and secondary rights will pose a significant threat to the financial health and sustainability of the UK's independent production sector, and ultimately, to the diversity and quality of UK public service broadcasting.

The proposals will drastically shift the balance of negotiating power in favour of the PSBs, squeezing independent producers and hindering their ability to retain and exploit their intellectual property.

The result will be a decline in diverse supply and reduced working capital for SMEs, stifling innovation in the UK content market and ultimately restricting the range of content available to PSB commissioners and viewers. The market for SMEs is already tough enough, in an industry that is facing unprecedented cuts and challenges.

- These changes could lead to a 'warehousing' of rights, limiting the availability of content to audiences and stifling innovation within the sector.
- In my business, we deal with a range of genres from arts to documentary and film. Over the last 5 years it has become increasingly hard to raise the finance to make programmes. PSBs are cutting budgets and often coming on board late in the financing process; while their deliverables get more complex, meaning SME production companies have to deliver more, for less. The ability to exploit our secondary rights is vital to our bottom line. If broadcasters have the ability to bundle rights this will have a negative impact on securing funding for our projects.
- On bundling, the vast majority of producers will be under immense pressure to acquiesce to this "request" as they will be concerned that if they don't agree, they may not get the commission and that someone else will.

I strongly urge Ofcom to maintain the existing safeguards that protect independent producers that also ensure a fair and competitive market. I believe that a strong and vibrant independent production sector is essential for the continued success of public service broadcasting in the UK.

Yours Sincerely

Adrienne Liron
Producer | 3 minutes West