

Element Pictures UK Limited

4th day of March, 2025

Cristina Nicolotti Squires
Group Director for Broadcasting and Media Riverside House
2a Southwark Bridge Road
London
SE1 9HA

Objections to Proposals in Ofcom's Consultation on Revised PSB Commissioning Codes of Practice

Dear Ms Nicolotti Squires,

I am Group Head of Business Affairs of Element Pictures.

Element Pictures is an award-winning film and television production company with offices in London, Dublin and Belfast.

Recent film releases include Yorgos Lanthimos' KINDS OF KINDNESS, with Emma Stone, Jesse Plemons, Willem Dafoe, Margaret Qualley (Film4/ Searchlight Pictures) and the multi—Academy Award, Golden Globe and BAFTA winning POOR THINGS.

Television includes Nancy Harris' THE DRY Season 2 (Britbox/ITV Studios) and an adaption of Jordan Tannahill's book, THE LISTENERS (BBC/Fremantle). Previous credits include the adaptations of Sally Rooney's novels, CONVERSATIONS WITH FRIENDS, and NORMAL PEOPLE, both directed by Lenny Abrahamson (BBC/HULU).

I am writing to express Element's concern regarding the proposals to remove the prohibitions on 'matching rights' and linking conditional offers to the bundling of primary and secondary rights set out in Ofcom's current consultation on the Revised Guidance for Public Service Broadcasters on Commissioning Codes of Practice.

At a time where UK crews are reporting a shortage of production work and producers finding it increasingly difficult to raise deficit financing for television programmes commissioned out of the UK, any move by PSB's to take additional rights will make it harder still to get shows financed.

I understand that there are currently around 16 shows that have been commissioned by UK broadcasters that cannot get made as producers cannot raise the balance of the financing. The terms of trade with PSB's has allowed producers to build companies of scale and create an independent television sector that is the envy of the world and any attempts to dilute the position of producers should be strongly resisted.

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,

A handwritten signature in black ink, appearing to read 'Mark Byrne'. The signature is fluid and cursive, with the first name 'Mark' and last name 'Byrne' clearly distinguishable.

Mark Byrne

Group Head of Business Affairs Element Pictures

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