

Public Service Broadcasting and Sport

What are the issues that a Public Service broadcaster might consider in relation to sports broadcasting? I propose to consider three:

1. Free national access to major events
2. The market for football rights
3. Broad range of sports
4. Promotion of women's sport

I will consider the first in detail and the others briefly.

Key problems

1. free national access to major events

Due to the transformation of sporting events into globally distributed commodities, which attract massive sums in the form of television rights payments, since 1990 it has become increasingly difficult for public service broadcasters to maintain a range of sports broadcasting as live rights for major sports have been obtained by operators of subscription channels. The impact of this has been to diminish our national shared cultural life.

From 1927, on radio, and 1936 on television, broadcasting brought sport into the domestic sphere. It established new shared national rituals - the Cup Final Day, Wimbledon Tennis, the Derby, the Grand National, and the Boat Race, making them, in Paddy Scannell's (1992) phrase, "moments in a shared national life." With the establishment of ITV in 1955, the government established a list of 'national events' which broadcasters could not acquire on an exclusive basis (See Television Act 1954, Section 7). The Cable and Broadcasting Act 1984 revised the listed events section to bar the acquisition of major events on a subscription or pay-per-view basis.

The 1990 Broadcasting Act reduced the level of protection, barring only pay-per-view broadcasting of 'national events'. The following year the boat race, the Commonwealth games and non-finals play at the Wimbledon Tennis Championships were removed from the protected list. The rise of BSkyB prompted a lively debate on sports rights during the passage of the 1995 Broadcasting Bill, and in the subsequent Broadcasting Act of 1996, the 1990 change was reversed with subscription channels again being barred from acquiring rights to "major national events". In the 1998 Test cricket was de-listed, after lobbying from the cricket authorities. OFCOM now has the task of policing the listed event system. In 2009, the independent David Davies report on listed events was issued by the DCMS. In July 2010, the Government deferred any decisions until 2013, the current Government position is outlined in *Listed Sporting events* (2015), and the future of the list may well be reviewed during or in the wake of the Charter renewal process. Clearly the forces opposed to the listing system (BSkyB and some sport governing

bodies), are constantly honing arguments against the system. In Jan 2015 the *Independent* (25/1/15)¹ reported that Labour might propose expanding the listed events list but this did not appear in the manifesto. The listed events system, which is still in place, deserves robust support in the interests of PSB.

At present only the system of listed events (see below) has managed to sustain a core of key events, which can remain live and free to air. It cannot be assumed that this system will not come under pressure, both from commercial broadcasters and from sport organisations. Even within those organisations, such as the International Olympic Committee (IOC) who have always maintained a public commitment to reaching the largest possible audiences, there are those who advocate the revenue possibilities of making exclusive deals with subscription channels. Could the super Saturday of the 2012 London Olympics, when gold medals were won by Jessica Ennis, Greg Rutherford and Mo Farah, ever have had the same impact, if viewed only by a small proportion of the population? (see Evens 2013, Davies 2009, Gratton 2007, Smith 2010, Listed Sporting events 2015)

2. the market for football rights

BSkyB was formed in 1990 and after it acquired live television rights to the new Premier League in 1992, it rapidly became the dominant football broadcaster, despite challenges from ON-Digital and Setanta, both of whom went bust. Concerns about the apparent monopoly position arose within the Monopolies and Mergers Commission, and the Office of Fair Trading. In 1989, the EU Television Without Frontiers Directive (TVWF) aimed to harmonise key areas of regulation, and the Competition Directorate had begun to intervene in the sale of sports rights. In 1996, the OFT referred the BSkyB/Premier League deals, unsuccessfully, to the Restrictive Practices Court (RPC). Subsequent regulatory interventions have forced the Premier League to divide its rights into several packages, to promote competition amongst broadcasters. The current rights have been acquired by BSkyB and BT. This situation has been greatly to the advantage of football, which reaps the fruits of a bidding war. However, it disadvantages subscribers, who having previously been able to gain access to all Premier League football with one subscription, now require a more expensive package to access both providers. Meanwhile live free to view access to European football is rapidly disappearing. (see Evens 2013; Flynn 2004; Gratton, 2007; Law 2002; Payne 2006; Silk 2004; Smith 2010)

3. broad range of sports

In the 1960s, when there were (after 1964) only three channels, BBC covered around 90 different sports in the course of a year. Despite the expansion of channels and the substantial increase in hours devoted to sport on television, the range of sports covered has dropped dramatically. Airtime is dominated by football, and football, along with tennis, golf, motor racing, cricket and horse racing accounts for the majority of television hours. At the top end of audience appeal, football can command large audiences and

huge fees in rights payments. At the other end, many minority sports cannot get airtime even if offered for free. This situation does not serve the diverse cultural activities of the nation adequately. (See Boyle 2000; Law, 2002; Silk 2004).

4. promotion of women's sport

Television sport has always been a male domain – male sports and male events fill 95% of airtime. The commentators, directors, producers and managers have been largely male. Men's sports and events are given greater prominence and publicity. This gender divide has been subject to criticism over the years and, partly as a result, more women presenters have emerged (for example, Sue Barker, Clare Balding, Gabby Logan), and, although there have been fewer changes in production personnel, BBC does have a female Director of Sport, Barbara Slater. In the last two years, there has been a notable increase in the coverage of women's football. These changes should be supported, but broadcasters urged to make more progress in this area. (See Bernstein, 2002, 2013; Pfister 2010; White 2006).

Recommendations to secure independent public service television

A regulator with responsibility for PSB should have as part of its duties work with EBU and EU to reassert a PSB approach to televised sport:

1. to revise and strengthen the listed events system, and to monitor and safeguard the operation of the system.
2. to act as a watchdog in the public interest, in co-ordination with other regulatory bodies (see above) to ensure that the viewer interest and the PSB ethos are given appropriate consideration in the regulation of TV Sports Rights negotiations, especially in the case of football.
2. to monitor the range of sports covered on free to view television and require PSB channels to ensure that a fuller range of sports gains some airtime over the course of a year.
3. To monitor the coverage given to women's sports, and to support efforts made by PSB channels to enhance the visibility of women's sports.

Relevant Research

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Submitted by Dr. Garry Whannel, Journalism and the Olympic Games Research Group,
University of Bedfordshire
London, 30th September 2015

ⁱ <http://www.independent.co.uk/news/uk/politics/labour-would-expand-crown-jewels-to-include-world-cup-and-euro-football-qualifiers-10001716.html>
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