EDUCATION, CULTURE AND SPORT COMMITTEE

AGENDA

19th Meeting, 2001 (Session 1)

Monday 18 June 2001

The Committee will meet at 1.00 pm in Committee Room 1, Committee Chambers.

1. **Item in Private**: The Committee will decide whether to take item 2 in private.

2. **Scottish Qualifications Authority**: The Committee will consider its lines of questioning for witnesses.

3. **Scottish Qualifications Authority**: The Committee will take evidence from—
   
   Mr Bill Morton (Chief Executive)
   Ms Amanda Cornish (General Manager)
   Mr Billy MacIntyre (Director of Awards)
   Mr Brian Naylor (Director)
   Mr Anton Colella (Director)

4. **Gaelic Broadcasting**: The Committee will take evidence from—
   
   Mr Domhnall Martainn (Comunn na Gàidhlig)
   Mr Mark Leishman (BBC Scotland, Secretary and Head of Public Policy)
   Mr Ken McQuarrie (BBC Scotland, Head of Programmes Scotland)
   Ms Donalda Mackinnon (BBC Scotland, Head of Gaelic)
   Mr Donald Emslie (Chief Executive, SMG Television)
The following papers are attach this meeting—

Submission from SQA (To Follow) ED/01/19/1
Submission from Comunn na Gàidhlig ED/01/19/2
Submission from BBC Scotland ED/01/19/3
Submission from Scottish Media Group (Private Paper) ED/01/19/4 (P)
Submission from PACT (Producers Alliance for Cinema and Television) ED/01/19/5
Submission from Mr Neil Fraser ED/01/19/6
Education, Culture and Sport Committee

Meeting – Monday 18th June 2001

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INTRODUCTION

1 This submission is in response to the invitation by the Education, Culture and Sport Committee's current inquiry into Gaelic broadcasting.

2 Comunn na Gàidhlig's (CNAG) involvement in Gaelic broadcasting goes back to 1988 when a study was commissioned which reviewed the broadcasting provision for the Gaelic community in response to a wide-ranging assessment of broadcasting services being undertaken by the then Government. The Report, "Towards a Gaelic Television Service" concluded that the provision of a Gaelic television service was essential to the very survival of the Gaelic community. Subsequently, the outcome of the Report was used as the basis for the legislation which created the Gaelic Television Committee (GTC, as it was called then), under the 1990 Broadcasting Act.

3 CNAG's policy on Gaelic television broadcasting has been informed by the recommendations of that Report. It is a policy of strong support for the establishment of a dedicated Gaelic Television Channel, along the lines of S4C in Wales. The main reason for supporting this model was to ensure that the Gaelic Channel's operators had the necessary funding and powers of scheduling and commissioning to provide a cohesive and comprehensive Gaelic Broadcasting service, without the constraints experienced by the Gaelic Broadcasting Committee over the past decade.

GAIDHLLIG PLC

4 The holistic policy strategy document Gàidhlig plc, (A Development Plan for Gaelic) published in May 1999 was developed in close consultation with the key bodies active in the core fields of Education, Broadcasting, the Arts and Community Development. Gaidhlig plc provides an overview of the key developments in the promotion and preservation of the language and culture, over a twenty-year period and suggests new initiatives to build on the progress of the past two decades. Underpinning the strategy are the following three key objectives that have been matched with the objectives and plans of the major bodies currently funding Gaelic development activity:

Increasing the numbers of Gaelic speakers

Strengthening the Gaelic communities
Developing the Gaelic economy

5 The development of a well-resourced Gaelic broadcasting service, backed with the necessary legislative powers and appropriate structures is regarded as a fundamental element in achieving the key objectives highlighted above.

6 Gàidhlig plc identifies a fairer share of resources for Gaelic as an essential prerequisite to the effective development of the language. The document states that "much of the investment in Gaelic, to date, has been directed to setting the foundations of a cultural infrastructure for the next generation. Achieving a real turnaround for Gaelic after centuries of neglect will take further commitment by Scotland's new government. The aims required of specific sectors to ensure the continued revival of Gaelic in relation to broadcasting is as follows:

- Establish a daily television service on a single digital channel accessible to all viewers in Scotland, with capacity for reception throughout the UK and world-wide distribution where demand exists.
- Extend Gaelic radio broadcasting to cover the whole of Scotland with an enhanced service as part of an overall broadcasting provision which is coherent, comprehensive and close to the community.
- Increase employment and career opportunities in Gaelic broadcasting; broaden the production base; maximise economic spin-off and the potential of Gaelic broadcasting
- Exploit new technology, including the internet, to maximise access to live and recorded material
- Develop the powers of the Gaelic Broadcasting Committee to facilitate Gaelic programmes for transmission on digital television and other appropriate platforms.
- Fund Gaelic broadcasting to enable it to maintain its position as a key provider of Gaelic information, education and entertainment".

SECURE STATUS AND BROADCASTING

7 In July 1999, CNAG published a Draft Brief for a Gaelic Language Act which was submitted to the Scottish Executive. The Document called for legislative provision to be made for the creation of a cohesive Gaelic broadcasting service with the capacity for growth to meet audience needs and to enhance the role of broadcasting in the development of the Gaelic language and related artistic and cultural activities. The Draft Brief stated that the development of any Gaelic broadcasting authority should be guided by two principles. First, all decisions made with respect to the structure and output of the service should, in the first instance, be guided by the potential impact on the Gaelic language community. The service should be required to make regular reports to both the Scottish Parliament and the Gaelic community as to the linguistic impact of its operations and programming. Second, the structure of such a service should ensure that it's executive are representative of and accountable to the Gaelic community.

8 The foregoing paragraphs, therefore, outline the current position of CNAG in relation to Gaelic Broadcasting.
THE EUROPEAN CHARTER FOR REGIONAL OR MINORITY LANGUAGES

9 It is relevant to draw the Committee’s attention to the provisions of the The European Charter for Regional or Minority languages, which the UK Government has recently ratified and which will become operational in respect of the Gaelic language, in July 2001. Article 11 of the Charter deals with obligations on signatories for the provision of Broadcasting and states that "to the extent that radio and television carry out a public service mission the Parties (i.e. Governments) should, as one example, ensure the creation of at least one radio station and one television channel in the regional or minority languages". CNAG’s interpretation of "radio station" and "television channel" is that they are synonymous with a full "service" in both cases.

ECONOMIC, SOCIAL AND CULTURAL IMPACT

10 In CNAG’s view, the Gaelic Broadcasting Committee’s activities have had a significant impact in economic, social and cultural terms, on the development of Gaelic, since the early 1990s. However, the constraints under which the Committee has been forced to operate through lack of commissioning and scheduling powers and the inadequate level of funding over the years have contributed to an erosion of this benefit. This point can be illustrated by the decisions of the Committee in having to withdraw the Gaelic drama series, Machair, and more recently the news and current affairs programme, Telefios. Both programmes were made from the Western Isles and the decision to discontinue these two programmes without any replacements has had a very detrimental effect on the Gaelic television industry within the islands in terms of employment opportunities, training and the provision of ancillary services.

11 In economic terms, the current gap in the Committee funding is reckoned to be £3.5m, per annum or an accumulated figure of £11m, had an annual RPI formula been adopted in calculating the Committee's annual funding allocation since 1991. The economic and social impact of this is evidenced by the industry's employment outputs which were reported to have reached something in the region of 300 FTE, prior to the reductions in funding and are now calculated at about 240 FTE. Of these, 32% are based in the Western Isles with the remaining 68% being mainland based, the vast majority in the Central Belt. It follows that the Committee’s expenditure mirrors similar geographic trends. In general, the commissioning of programmes should be within the Gaelic speaking areas and programme makers based there to ensure an industry with longer term viability which can serve the broadcasting needs of Gaelic while sustaining fragile communities.

12 Two equipped studios in Stornoway - one currently under the direct management of the CCG and the other owned and operated by a public trust on which CNAG is represented and chairs - provide the necessary infrastructure on which to base a sustainable digital broadcasting industry, within the Western Isles, where a pool of skilled workers already exist. The existing TeleG service, which is being undertaken by Studio Alba, on contract from SDN, has created media-skilled employment for four islanders, two of whom were able to return from similar jobs on the mainland. This embryonic daily Gaelic digital television service sustains a seven day package of half-hourly programmes for SDN transmitted at the same time of 6.00pm each evening, on the Multiplex A ONDIGITAL Channel 18. This service, which is in its second year of operation, could readily be expanded and adapted to form the dedicated Gaelic broadcasting service, as envisaged in the Milne Report.

13 The provision of suitable training courses in media work including production, technical and presentational skills will be crucial in the years ahead to ensure that a pool of trained people is available to take forward the proposed expansion in Gaelic broadcasting. The Gaelic Television Training Trust based at Sabhal Mòr Ostaig is regarded as having been particularly
successful in the provision of dedicated training courses, designed in close conjunction with the broadcasting industry.

AUDIENCE AND COMMUNITY

14 Audience figures have fluctuated depending on the range, type, and scheduling of programmes. Some programmes have attracted figures of 150 -200k and the weekly current affairs magazine Eorpa, transmitted on BBC 2 from Glasgow, regularly attracts a high level of audience satisfaction among non-Gaelic speakers as well as Gaelic speakers. Programmes with sub-titles attract the non-Gaelic speaker and those who are Gaelic learners. The BBC 2 programmes on a Thursday evening, including Eorpa, are now given full coverage throughout the UK, Ireland and parts of the continent, extending access to Gaelic Television Programmes beyond the Gaelic speaking communities of Scotland.

15 The provision of a digital Gaelic Channel will have a profound effect on the scheduling of Gaelic programmes, audience numbers and the Gaelic communities. The current pattern of late night and early morning, mid-week Gaelic programmes on STV/Grampian, and the summer shut-down of BBC 2 Thursday evening Gaelic programmes would be remedied by the provision of a single digital Gaelic Channel where regular and prime-time programme slots could be guaranteed for the viewer. It is therefore, essential that full digital coverage through either satellite or terrestrial services are available to all areas of the UK prior to the switchover from analogue.

16 The production of programmes in the rural Gaelic speaking areas will have a more profound impact on the local community then is the case in the Central Belt. Economic spin-offs and social interaction with programmes makers and participants generate income, events, experiences, and exchange of information. These opportunities, for both individuals and communities, help to underpin the economic and social wellbeing of these communities in a way that is not so apparent in the more populated centres on the mainland.

IMPACT ON THE DEVELOPMENT OF GAELIC, ON THE GAELIC ARTS AND ON EDUCATION

17 It is widely recognised that the effective development of the language and culture requires support from a number of key areas, of which education, broadcasting, and the arts play an important role, as well as social and economic initiatives. The role of the Committee over the years has been an inclusive one, which has supported a number of significant initiatives such as language learning courses, Litir do Luchd-Ionnasachaidh, a radio and newspaper based Gaelic language learners project, numerous arts related events and programmes, schools debating competitions, home visiting schemes for parents on the benefits of Gaelic medium education and educational television and radio programmes for playgroups, schools and colleges. In addition, Gaelic educational programmes have made an invaluable contribution to the range of educational resources available from pre-school education upwards.

18 There is no doubt that Gaelic broadcasting has been at the forefront of Gaelic development initiatives in supporting the future of the language and culture, and in raising the profile of Gaelic, particularly over the past decade. The digital broadcasting framework will provide new opportunities in the use of radio, television and the internet to promote material targeted at all levels of learners of Gaelic.

LEGISLATIVE, FINANCIAL AND OPERATIONAL FRAMEWORK

19 CNAG is firmly of the view that while the current provision of Gaelic Broadcasting has been greatly enhanced since the establishment of the GTC in 1990, the service falls far short of the type of co-ordinated service which is needed to serve the interests of the Gaelic viewers and listeners, throughout
Scotland and beyond. The opportunities provided by the new digital broadcasting environment makes it possible to extend Gaelic Broadcasting across all media services, including internet broadcasting.

20 Legislation is necessary to establish a coherent and cohesive Gaelic broadcasting service to cover radio, television and the internet with the capacity for growth to meet audience, listener, consumer demands and to enhance the role of broadcasting in the development of the language in the fields of education, the arts training and employment opportunities.

21 If the opportunities provided by the digital era are to be exploited for Gaelic broadcasting, it is essential that additional government funding is made available. It should be recognised that, in general, Gaelic television programmes generate interest and appeal to a wider audience than Gaelic speakers and this re-enforces the need for adequate funding levels. A formula of the type specified in the Milne Report should be given detailed consideration.

22 Because of the lack of commissioning and scheduling powers granted to the current Gaelic Broadcasting Committee, we have had the unsatisfactory arrangement whereby an agency which has the ability to fund programmes is unable to determine when these programmes are broadcast. It is, therefore, left to the goodwill of the broadcasters as to when the public-funded Gaelic programmes are transmitted. This anomaly needs to be addressed in the new legislation and the recommendations of the Milne Report which contain a clear strategy for the way ahead are fully supported by CNAG.

23 The necessary legislation, financial and structural arrangements should be developed in the context of the forthcoming Broadcasting and Communications Bill. Comunn na Gàidhlig favours a body, controlled and representative of the Gaelic community, with power to commission, schedule, fund, administer, and regulate a comprehensive Gaelic broadcasting service, to take full advantage of the opportunities and challenges provided by the forthcoming digital broadcasting era.

24 Finally, as Members of the Committee will be aware, CNAG has submitted proposals to the Executive for Secure Status for Gaelic and clearly a comprehensive Gaelic broadcasting service along the lines outlined in the Milne Report is but one of a number of essential measures in achieving Secure Status for Gaelic.

Comunn na Gàidhlig
Stornoway
May 2001
BBC ALBA

RESPONSE TO SCOTTISH PARLIAMENT COMMITTEE FOR EDUCATION, CULTURE AND SPORT INQUIRY INTO COMATAIDH CRAOLAIDH GAIHDLIG (CCG)

BACKGROUND

The Gaelic Television Fund, now called the Gaelic Broadcasting Fund, established under the legislative provision of the Broadcasting Acts of 1990 and 1996, marked an important step forward for Gaelic speaking and other interested audiences in Scotland. As a result there has been greater audience choice and there have been more opportunities for programme makers and for those who wish to be programme makers in terms of training and creative expression.

The BBC has enjoyed a productive relationship with the CCG, but the pace of technological change, together with the impact of devolution and the creation of the Scottish Parliament, provides a dynamic backdrop for assessing the current roles and relationships, the needs of the audiences and the potential for new ways of enhancing the opportunities for Gaelic broadcasting in an era of digital and online communication. The fact that a White Paper on Communications has been published also provides evidence of a desire for new thinking.

CURRENT CONTEXT

At the heart of any debate about broadcasting policy, English, Gaelic or otherwise, the central ambition must remain the desire to produce radio and television output and online material which is accessible, educational, entertaining and informative and is delivered using the best available technology applied in the most flexible way. The importance of a programme/content strategy in relation to the activities of the Gaelic Broadcasting Committee should not, in our view, be underestimated. This is an issue which, if invited to give evidence to the inquiry, we would be happy to explore in more detail.

The Committee has undoubtedly secured a good deal of success as it has negotiated the cultural broadcasting arena it was created to harness and develop, alongside the established broadcasters. It has also faced substantial challenges not least of which has been the difficulty of securing settlements which kept pace with inflation. It could be argued that failure to do so has inevitably limited development.
**CCG’S ECONOMIC, SOCIAL AND CULTURAL IMPACT**

The CCG fund has had a generally positive impact across economic, social and cultural development. Examples of these include:

- A significant contribution to the acceptability of Gaelic programmes on television, heightening cultural awareness and enhancing the profile of the language, nationally and internationally.
- Job creation in the media industry, contributing to the underpinning of local and broadcasting industry economies
- Support for the Gaelic colleges in Lewis and Skye with the establishment of media and related training courses resulting in an increasingly effective partnership with industry training
- An important contribution to the continuity of employment in certain sectors. BBC Scotland has built on its commitment to Gaelic broadcasting by combining BBC funding with CCG funding to offer sustained employment and long-term contracts.

**AUDIENCES AND COMMUNITIES**

**Opportunities**
The impact of the increased choice brought about by the CCG has encouraged a willingness among viewers to engage critically with programmes and evidence suggests that they treat Gaelic programmes in a similar way to other viewing and listening. By the same token, increased provision in children’s and youth programmes has been instrumental in placing a higher premium on the language, enhancing perceptions among the younger audiences and, in turn, encouraging young people to speak Gaelic.

**Challenges**
- The CCG strategy in terms of selection of programme proposals for funding has, at times, been unclear and although work has been undertaken to overcome this, there are issues which the inquiry might well want to discuss.
- As previously mentioned, raised expectations are most likely to be frustrated in an environment where the fund has been reducing in value. This poses a threat to the ability of the CCG and others to maintain a proper commitment to high quality programming.
- Audience research, commissioned from the Leirsinn research centre and David Graham Associates by CCG has brought about increased consultation with audiences. Combined with research undertaken by BBC Scotland, this should, in theory, help to inform funding and commissioning decisions. More effective use, sharing and analysis of the findings of this research could be made.
IMPACT ON THE DEVELOPMENT OF GAELIC AND EDUCATION

It has long been held that broadcasting is a key component in language development and there can be little doubt that this was one of the prime motivators in the creation of the Gaelic Television Fund. The increased provision of general programmes and the relatively consistent high quality of production values have served to reinforce the value of the language for speakers of all ages. The attendant social and cultural benefits to communities are clear.

- The expansion in Gaelic broadcasting has worked in tandem with the development and expansion of Gaelic-medium education. BBC Scotland developed pre-school output in the early eighties in response to this new trend. This provided a framework upon which a strategy for young people’s programming has been built and there is no doubt that the additional funding allowed a context for growth in this important area which included education programmes.
- Alongside mainstream programming, the Gaelic Broadcasting Fund, combined with Licence Fee funding, has provided the means through which BBC Scotland, in close co-operation with teachers, produced the first television education series aimed at children in the early immersion phase of Gaelic medium education. This co-funded partnership has continued to allow the production of further education television series with programmes currently being made for Primary middle stages. The ultimate aim will be to provide a language learning resource for all stages of language development throughout the Primary School.
- BBC Scotland has continued to fund the majority of radio education programmes and to develop online materials, in association with Stòrlann Nàiseanta na Gàidhlig contributing to integrated learning packages for use by pupils and parents. Such partnerships, in the context of relatively few resources, have been exceptionally fruitful and could form the basis for future provision.
- Provision aimed specifically at Gaelic learners is currently delivered through the CCG funded Learners’ letter on Radio nan Gaidheal which is a resource for intermediate/advanced learners. BBC Scotland is presently preparing to produce an online resource for beginner learners. Language learning programmes targeting both adult learners and fluent-speakers remain relatively under-developed. Through partnership with other organisations and potential providers, this might be reversed.

THE GAELIC ARTS

The CCG has helped in the development of the Gaelic arts, not least by working in partnership with other organisations to create new events and outlets and also
to see them represented in the media. A good example of such a partnership includes the recent event in Eden Court Theatre in Inverness which celebrated the 50th anniversary of the School of Scottish Studies. The event was organised by the Inverness Gaelic Society, it received support from CCG amongst other organisations and it was recorded by BBC Radio nan Gaidheal. The broadcast element was fully funded by the BBC.

- The increase in programming attributable to CCG funds has obviously created new opportunities for writers, actors and musicians.
- We believe, however, that there are issues around the CCG’s financial support for the National Gaelic Arts Agency’s media training courses, which would benefit from inquiry and discussion. Allied to that is the issue of the burden placed on the CCG to support a range of community events which have no natural broadcast relationship and which can therefore divert resources unnecessarily.
THE MILNE REPORT

The Milne report and the possibility of a dedicated digital channel provides a whole new context for the CCG and its future as well as for the rest of the Gaelic broadcasting industry.

- There are signs that the CCG is intent on changing its role especially if the recommendation to establish a new Gaelic Broadcasting Authority is enacted by Government. Audience need must remain at the heart of any structural changes
- It has been argued that the legislative framework within which the fund operates has been flawed. The inability to commission and schedule programmes has been a contentious issue for the Committee and one which may have caused restriction particularly in the development of a programme strategy
- We would wish to discuss in more detail our views on the place of the CCG in the new digital environment in the light of Milne and particularly so given the BBC’s track record in commissioning, producing and broadcasting a substantial tranche of quality programming over a long period.

CONCLUSION

If a dedicated digital Gaelic channel emerges, it will be essential that:
- sufficient resource is identified (funding and spectrum)
- the most pragmatic and profitable conclusion emerges in respect of structure
- constructive and clear partnerships are secured
- strategic planning occurs whereby it enables the delivery of a multi-media proposition (responsive to industry change and trend), irresistible to its target audience - ensuring long-term sustainability and allowing creative talent to emerge and remain within the industry
PACT SCOTLAND

Pact is the UK trade association that represents the interests of independent television, feature film, animation and new media production companies. PACT is governed by a council that is elected annually to ensure it represents its members’ interests and aspirations. PACT represents over 1,000 independent companies across the UK. In Scotland we represent over 100. Of these, a small number are currently producing programmes in Gaelic, which provide a significant and cultural contribution to the regional broadcast schedules.

PACT promotes policies that it believes would contribute to a healthier, more dynamic and competitive UK film and television production sector that could better serve the needs of both domestic and overseas consumers and markets.

PACT Scotland supports the provision of minority language services as an essential element of Public Service Broadcasting. Gaelic programming has a cultural significance to the Nation.

EVIDENCE SUBMITTED FOR THE SCOTTISH PARLIAMENT'S INQUIRY INTO GAELIC BROADCASTING:

We wish to submit evidence with particular reference to: The legislative, financial and operational framework within which the fund operates especially in the light of the Milne Report

Legislative Background:

The Gaelic Television Fund was established as a result of the 1990 Broadcasting Act and financed by the Treasury with a purse of £8 million. The Gaelic Television Committee (CTG) was at this time also established by the Independent Television Commission. It’s aim was to provide funding and back-up for Gaelic based programmes. It was to provide another 200 hours of Gaelic Television and in 1992-3 projects funded by the CCG provided the equivalent of 280 full-time jobs, with wide-ranging benefits to the local economy.

Under the terms of the 1996 Broadcasting Act, the remit of the committee was extended to include Radio and by this time the Gaelic Broadcasting industry employed around 500 people.
In 1996/7 the committee aided 41 projects of which 68% were made by the independent sector, and last year, 2000, 46.9% of their production funding went to independent producers, a figure which is greatly welcomed by PACT.

The BBC pledges to broadcast 90 hours a year of Gaelic television programmes funded by the CCG. It also provides the Radio service Radio nan Gaidheal which broadcasts 45 hours a week of Gaelic programming. In practice, funded programmes are broadcast by the BBC as well as ITV, although the BBC has no statutory requirement under the Broadcasting Acts 1990 and 1996 to transmit. Grampian and Scottish Television have specific licence conditions to produce and broadcast Gaelic Television programmes. Grampian transmits 53 minutes a week of programmes funded by themselves, and 30 minutes per week supplied by Scottish Television.

Financial Framework:

The Gaelic production industry is now looking to develop underpinning production, technical support and training opportunities for a dedicated Gaelic channel, as proposed in the Milne Report, the cost of which has been set at £44m - a considerable undertaking for a local industry.

In 1991 the CCG was set up with a purse of £8 million. Ten years later this stands at £8.5 million. We believe the systematic erosion of the funding is stifling and undermining the economic and creative growth of businesses and the Gaelic production industry. If the CCG funds had been index-linked, this fund would now stand at £11.8m, and create a much stronger economic foundation for the Gaelic Channel.

Operational Practices

PACT is fully supportive of the development of Gaelic broadcasting leading to dedicated Gaelic output for consumers.

Our concerns regarding current practices are as follows:

1. The creation of the CCG with broadcasting and funding being separated in our view was ill-conceived.

2. The lack of cohesive scheduling of Gaelic seriously undermines the development of the audience.

3. There is an apparent breakdown of good working relationships between the CCG and BBC Scotland and Scottish Television and Grampian, in our view.

4. The current practices of the CCG aspiring towards in-house production.

5. The conflict of interests regarding CCG's dominance of facilities.
1. The creation of the CCG with broadcasting and funding being separated in our view was ill-conceived.
We believe that there is a universal agreement between the Broadcasters and the independent sector that the creation of the CCG in its current form was not in retrospect a good model. We fully support and encourage the Scottish Parliament's enquiry into Gaelic Broadcasting to recommend positive changes for the future which will allow the Gaelic fund to operate in the changing landscape of the new Communications reform.

2. The lack of cohesive scheduling of Gaelic seriously undermines the development of the audience.
We would like to draw your attention to the complete lack of cohesive scheduling of Gaelic programming with specific reference to last year's debacle between BBC Scotland and Scottish Television scheduling two current affairs programmes in direct competition with each other. However we believe there is cause for concern over the current funding of programmes from the CCG. The breadth and depth of genre commissioning has in recent times been severely restricted. We quote the cancellation of the Gaelic soap Machair, the ending of Telefios and several other flagship series as evidence in supporting this claim.

The scheduling of Gaelic programming with sufficient genre representation needs to be seriously addressed. It is important that the consumer can understand the Gaelic schedule, know where to find the level of programmes they wish to watch, and for this to be consistent. We would urge the CCG and broadcasters to work together to this aim for the benefit of Gaelic viewers.

3. There is an apparent breakdown of good working relationships between the CCG and BBC Scotland and Scottish Television and Grampian, in our view.
The CCG is currently re-negotiating the Heads of Agreement with the BBC, which concerns the issues of rights - ownership of which is essential to the development sustenance and growth of independent companies. BBC Scotland agreed to treat independent commissions separately from BBC Scotland commissions allowing the independent companies to share the rights of programmes commissioned with the CCG. The CCG were instrumental to this negotiation. However the negotiation process came to a stalemate in June 2000, over the rights BBC Scotland would hold in CCG funded projects. This stalemate had serious financial implications to independents who had been commissioned for programmes to be broadcast on BBC Scotland. PACT wrote to the CCG urging them to resolve the impasse, as it was affecting the livelihood of independent companies who were unable to finalise the legal processes of commissioning and funding in that year. This was an extremely difficult time, ultimately the CCG extended the deadline for the negotiations allowing commissioned programmes to go ahead. This in our view was an extremely aggressive stance from the CCG with no discussion or communication with PACT.

4. The conflict of interests regarding CCG's dominance of facilities. Seaforth House
PACT has expressed concerns regarding the CCG's use of Seaforth House, the Studio which previously produced the news programme Telefios, and was originally leased by Grampian Television. When Grampian lost the contract for Telefios, the studio was leased to the CCG. The CCG have currently released tenders regarding a magazine
programme with emphasis on the use of the Seaforth House facilities. We acknowledge the facilities should be used as much as possible, however, in our view the tender should be for an independent production company to submit ideas for studio based programming rather than forced facilities which give the impression that only tenders using Seaforth House facilities will be considered. We are also aware that the CCG are employing a technical team to run these facilities. We are concerned that this will have serious implications on the money available for the funding of programmes This action effectively reduces competition and effective pricing to allow independents to source their facilities based on best value.

**Studio Alba**

PACT is also seriously concerned about the CCG’s interpretation and promotion of Studio Alba as an independent production company (we have expanded this concern below). Studio Alba is owned by a trust, and we understand that the CCG has a representative that sits on the board of that trust. The recent tender naming Studio Alba as a preferred supplier of facilities for a music series we would suggest is anti-competitive and would disqualify any independent companies’ programmes forced into using these facilities from being classed as an independent production.

We believe this activity is seriously undermining the survival of independent production companies whose production fee, which is crucial to their business development, is being severely reduced because of the current situation and the way the budgets are being calculated. In the current climate where SME’s are being encouraged, supported and developed, this action by the CCG will have the opposite effect of pushing independent production companies into the freelance market.

The current statutory provision section 183 of the 1990 Broadcasting Act gives no discretion to the CCG to own or operate facilities. The CCG in our view is a grant giving body and should not be allowed to operate and control facilities. This can be encouraged and supported within the commercial marketplace.

5. **The apparent move of the CCG towards in-house production**

PACT has written to the ITC for clarification of the status of the drama series *Falach Fead* which had been made by Studio Alba funded by CCG and broadcast by SMG, seemingly as an independent company.

Studio Alba has had no previous production capacity that we are aware of. We are also not aware of any existing staffing and resources. This is purely a facility operated by a trust.

The tender for this drama series had gone out to independent companies – some of whom had submitted proposals, but who were refused on the grounds of quality and budget (although no budget figures had been suggested in the tenders). The drama series was subsequently made in-house by Studio Alba. PACT’s concern with this decision was that the commissioning process seemed unusual, giving preference to a project with an inexperienced writer attached over projects from established, professional independents. An individual was hired by the CCG to creatively assess the tenders. Once the tenders were rejected, the same individual was hired to produce the drama series, by, we assume, Studio Alba. This in our view is a conflict of interest, leading us to question the lack of transparency of their operations.
PACT at this time was having difficulties arranging meetings with the CCG and wished to establish the ITC’s response to our concerns.

In terms of the Gaelic drama, the CCG were extremely unhappy that we had approached ITC for clarification of the facts. We would go as far as to say that the CCG’s subsequent meeting with PACT was openly aggressive and defensive.

The meeting with PACT Scotland and the CCG addressed many of these issues. We emphasised the need for transparency, and clarity regarding the current funding of independent productions and the tendering process. We also raised our concerns regarding Studio Alba’s status as an independent production company. The meeting ended with the agreement by the CCG to attend quarterly meetings of PACT Scotland’s Broadcasting sub-committee and an increased commitment from the CCG on the developments of the commissioning process.

The CCG were duly invited to the April meeting of this group, which they accepted, but sadly failed to appear on the day. We will subsequently be inviting them to the next group meeting on the 7th June.

In Summary
PACT Scotland believes that 2000 saw significant changes in the working practices of the CCG. With the leasing of Seaforth House and promotion of Studio Alba we saw tenders going out for inserts and programmes to be Studio based, naming specifically both of these facilities in one tender. These include a tender for a Topicality strand (39X30-minute programmes to be “assembled in the Stornoway Studio” i.e. Seaforth House). And a Music/Entertainment strand (12x30 minute programmes “using where possible existing facilities such as Studio Alba in Stornoway”). (Copies of tenders enclosed).

This calls into question the status of these productions, as we would argue that they are not independent, due to the forced facilities arrangements. Here, the company who wins the commission is obliged to use the facilities and resources of the studio, instead of acquiring their own at a competitive rate.

The CCG insist that the Studios are not claiming to act as independent companies, but we have had no assurances from them to date that they are not including these production spends in their annual percentages for independent production. PACT has called for clarification on this subject, and a statement as to how they would categorise the work of Studio Alba and Seaforth House.

In the PACT/CCG Agreement of Practice and Procedures (attached), the CCG promise to inform us of any alteration to their programming strategy, but we have yet to receive a communication to this effect. We believe the current actions of the CCG call into question the transparency of the operation.

We believe that this behaviour is not appropriate for the CCG, who we understand have representation on the board of Studio Alba, and also advise some aspects of production. The CCG is a publicly-funded body, and appears now to have some private interests in production, acting in similar fashion to a commercial studio. This...
may have the effect of squeezing competition in the local market with adverse effects on the local economy. In addition, it is unfair to independent companies, who need and desire the work, but are being compromised in the commissioning process. The dispersal of the Gaelic community does not make it appropriate for all of the CCG’s resources to be concentrated in one specific area.

While it is understandable that the CCG are working to create the right industrial environment that could sustain a Gaelic Channel, as proposed in the Milne Report, PACT believes that a Gaelic Broadcasting Authority should be run on a publisher/broadcaster model, on the same basis as Channel Four and S4C. This would allow for investment in content and companies rather than for buildings and infrastructure and allow price and creative competition in the marketplace and the CCG to remain as a funding body, which is where their strength lies, and which is it’s statutory function.

In our view the CCG is positioning itself as the new Gaelic Broadcasting Authority. We would question the experience in broadcasting individuals in the CCG have to perform this function.

We also believe the CCG is acting aggressively within it’s funding procedures when dealing with independent production companies, using these small businesses as nothing less than glorified freelances. Although the CCG have announced 46.7% independent commissioning in their annual report, we believe this figure is not accurate when taking into consideration the drama series produced by Studio Alba in the last commissioning year. Judging by the recent tenders and the way the CCG wish to fund programmes in the future, we would suggest the CCG will be extremely lucky to fulfill it’s independent production quota in the year 2001. We request this enquiry to ensure the CCG behaves in an open and transparent way when distributing these public funds. As a trade association representing the independent sector we are extremely frustrated about the lack of transparency and aggressive stance the CCG have taken in recent months.

PACT Scotland would like to submit verbal evidence to the enquiry to add clarification and support to this document.

PACT Scotland would be very grateful if we could be contacted should the Committee wish to publish any part of this evidence. We are in an extremely sensitive position and do not wish to jeopardise the interests of our membership.
INVITATION TO BID

Gaelic Television Programmes

In order to provide broadcasters and their audiences with an appropriate and sustainable quantity of Gaelic television programmes within the constraints of available financial resources, Comataidh Craolaidh Gaidhlig is launching a new cycle of proposals for several programme genres.

We are therefore asking production units to submit proposals for the following programme strands:

A. **Topicality** - a series of 39x30-minute programmes for late night showing (2330) on the ITV channels, starting in July 2001. These magazine programmes would be assembled in the Stornoway television studio and transmitted live, with some recorded inserts. They are expected to include a news segment, news review and analysis, discussion on topical issues, lifestyle topics, infotainment, sports, etc. This is an opportunity to provide innovative, exciting, informative and entertaining programmes for the Gaelic audience in a regular weekly slot. It is possible that the production unit may wish to sub-contract some of the content to other producers.

The maximum cost per programme will not exceed £12,000, inclusive of production fee.

B. **Factual** - series of 6x30 documentary programmes, for transmission in the ITV Sunday evening 1800 slot. The subject matter may be historical, geographical, biographical, sociological, etc. Production would be expected to start in the early part of 2002.

The maximum cost per programme will not exceed £25,000, inclusive of production fee. In order to maximise cost benefit and to have access to a diverse range of material it is anticipated that co-funding and co-production will be sought for some of these projects.

C. **Music/Entertainment** - series of 12x30 programmes using, where possible, existing facilities such as Studio Alba in Stornoway. In order to minimise post-production costs the programmes should be recorded as-live. It is anticipated that production would commence before the end of 2001.

The maximum cost per programme will not exceed £15,000, including production fee.
D. Religion - series of 8x60 religious programmes with two components: a 45-minute service on location and a 15-minute complementary segment with a community orientation or on a relevant topic or issue. Production of the religious programmes would begin in 2002.

The maximum cost per 60-minute composite programme would be £15,000, including production fee.

Producers are asked to send bids comprising ideas, series outlines, indicative costs, and other relevant editorial and technical information to the address below by 30 March 2001. Proposals already provided may be re-submitted. Returning series may also be proposed as long as they meet the above cost parameters.

In selecting the successful tenders, the Committee will take into account various criteria such as value for money; innovative ideas; experience and track record; editorial approach; audience/customer orientation; co-funding and co-production intentions where appropriate; use of Gaelic-speaking personnel, opportunities for new entrants; progressive concepts for the new digital television environment.

Producers short-listed from the bids submitted may be invited to pitch their proposals in a formal presentation to the Committee.
Comataidh Craolaidh Gaidhlig (CCG)
Producers Alliance for Cinema & Television (PACT)
Agreement of Practice & Procedures

1. CCG recognise PACT as the trade association representing the independent sector in the United Kingdom.

2. PACT recognises all existing documentation (Programme Grant Agreements & Conditions, BBC Application & Heads of Agreement with BBC, Development Grant Agreement & Conditions, Interim Grant Agreement, Training Grant Agreement and Conditions, Inducement letter Executive Producers) being used by independent production companies at to-day's date 15 May 1998.

3. CCG agree to enter into consultation with PACT with regard to any significant alterations to the documentation which involves funding for Gaelic programmes to be produced by Independent Producers.

4. CCG and PACT undertake to meet on a quarterly basis or whenever either party deem necessary.

5. (a) Both PACT and CCG to ensure representation from their organisation by individuals directly empowered to represent their respective committees.
   (b) Both PACT and CCG will endeavour to have a committee representative present at quarterly meetings.

6. CCG to distribute all tender opportunities and press information to the independent producers via PACT Scotland.

7. CCG will provide PACT with their general programming strategy, this will be a standing Agenda item for all quarterly meetings, to inform the independent sector of any programme strategy and developments.

8. PACT Scotland will supply all CCG Committee Members with a copy of ‘Impact’ (PACT Scotland newsletter) and the PACT magazine.
Thursday, 18 May, 2001

Dear Mr Reid,

Inquiry into Gaelic Broadcasting

Thank you for the opportunity to present written evidence to the Education, Culture and Sport Committee. My views are accurately reflected in my report "A Review of Aspects of Gaelic Broadcasting", May 1998, and I subscribe to the conclusions of the Milne Task Force report of September 2000, "Gaelic Television: A Dedicated Channel" for which I was the assessor.

Should the Committee wish me to expand on any matters, I would be happy to give oral evidence.

Best wishes,

Yours sincerely,

[Signature]

Neil Fraser