



Protecting audiences
in a converged world
Deliberative research report
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If you would like to know more about this report, please contact:
For Ipsos MORI: anna.beckett@ipsos.com or isabella.pereira@ipsos.com.
For Ofcom: vanessa.hyland@ofcom.org.uk

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1. Introduction

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The way we consume audio-visual content is changing, and changing in many different ways simultaneously. In the future increasing numbers of viewers will be entering a 'converged world' in which traditional broadcast television programming will be available alongside content delivered through the internet on the same screen. Smartphones and other web-connected portable devices have already reached a critical mass in the UK and are becoming mainstream. Internet-connected or 'smart' televisions are already available but have yet to reach critical mass. New converged services such as Virgin's TiVo give access to broadcast content, catch-up services, video on demand and open internet content on our televisions. New brands and providers will continue to enter the marketplace, multiplying the range and type of content services available to UK audiences.

At the moment, different types of audio-visual services are regulated differently. The strictest regulations apply to licensed TV broadcasters and their channels available on terrestrial, satellite and cable television. A more limited set of rules apply to video on demand (VoD) services. In recent years whether, and how, to regulate audio-visual content delivered via other means has become an increasing challenge and source of debate. Government, regulators, industry and other stakeholders must now consider an increasing range of content providers, service types and distribution platforms when considering regulation for protection going forward. Ofcom has a duty to advise government on the need for protection of consumers and citizens in their consumption of audio-visual services.

In this context, Ofcom commissioned Ipsos MORI to conduct new audience research to explore attitudes and expectations in a world where content can be accessed in such a broad range of ways.

This report sets out the background to and key findings of the research. A separate annex incorporates the methodology and materials used in the deliberative audience workshops.

This report is intended to be a public source of information, and a foundation for discussion and debate, on the expectations, importance, and ways and means of protecting vulnerable individuals and providing assurance for audiences in their viewing choices.

2. Executive Summary

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Background to the research

Ofcom commissioned Ipsos MORI to conduct a series of **deliberative research workshops** with members of the public, to understand ***how they thought viewers should be protected, and how content should be regulated, in the future.***

The core objective of the research was to explore views among UK audiences regarding the content of editorial programmes carried on audio-visual services, now and in the future.

The specific objectives of the research were to:

- capture the range of views and attitudes toward existing content regulation, and where and how people consider they are currently protected;
- understand audience views on the *relative* importance of different aspects of content regulation, particularly on
 - Harm
 - Offence
 - Protection of minors
 - Fairness
 - Privacy
 - Impartiality
- explore the degree of variation in opinion by platform (traditional TV, PC, mobile, web-based TV) and type of service (linear TV, catch up, Video On Demand services, open internet); and
- explore audience responses to different scenarios for content regulation in the future.

This report is based on findings from seven pairs of workshops conducted across the UK, each of which had around 20 participants. Fieldwork took place in June and July 2011.

Viewer assumptions about regulation

Knowledge of current content regulation is currently high for broadcast services but lower for other services (such as catch-up and VoD)

Participants were aware of a variety of regulatory tools (e.g. the watershed, programme scheduling, warnings and labels etc.) and had some understanding that there are rules regarding offensive content and protection of minors. There was limited knowledge of impartiality and no real knowledge of fairness and privacy rules. Most participants were aware of Ofcom, but few were well-versed in the details of how regulation works in practice.

Viewers have high expectations of content regulation on broadcast television, and associated VoD and catch-up services

These expectations have been built up over years of experience of watching programmes on television, and expectations are highest for the public service broadcasters¹ (particularly the BBC).

It was assumed by the majority that the rules were the same for both broadcast and catch-up/VoD services. This was probably because most people's experience of catch-up/VoD is currently of programmes that have already been broadcast. This informed their expectation of regulation of content on VoD: that it would be similar to broadcast television regulation.

Other online audio-visual content is seen to be different from broadcasting content and people have generally lower expectations about regulation in this area

The participants had comparatively lower expectations of content regulation on the open internet and were less concerned that the open internet should be regulated in the future. Some raised the issue of the impossibility of regulating content delivered over the internet and others questioned whether it is indeed desirable to regulate the internet. This was on the basis that people should be allowed the freedom to produce and choose to view all different types of content, and the responsibility of sourcing content from the internet lies with the individual.

Converged TVs and devices, which incorporate broadcast, VoD and open internet services, are considered to be closer to a TV-like experience – and have a higher expectation of regulation – than the open internet

When introduced to the concept of a converged device such as a connected TV, which potentially offers broadcast, catch-up, VoD and open internet services, participants considered this to be a closer viewing experience to broadcast TV than the open internet, and their expectations for regulation were therefore closer to the level for broadcast TV than to the open internet. This was partly determined by the screen used, such as a large shared screen in living room versus personal PC or device, but also by the comparative ease of access to audio-visual content through a one-touch button or seamless link to VoD, compared to searching and choosing content via a web browser.

Ultimately, participants wanted to see regulation of content appearing on a TV screen, regardless of how it was delivered. They were concerned that they might not be able to differentiate between regulated and unregulated services, should they be available on the same screen, and wanted information, overseen by an independent regulator, to help them understand the types of content they are accessing and the level of regulation it is subject to.

Audience segments – what influences viewer attitudes towards content regulation

Technology use and social attitudes were found to be the most influential factors in influencing people's views on the future of content regulation

The level and intensity of technology use influenced how people were able to envisage a converged world of content from a variety of different sources.

¹ The public service broadcasters are the BBC, ITV1, Channel 4 Corporation and Channel 5 and S4C in Wales.

However, the most influential factor affecting individuals' positions on the priorities for regulation was social attitude. Two core attitudinal groups emerged:

'Protect Me': People in this group were conservative in their attitudes and pro-regulation. They felt it was a job for a regulator to protect the public from harm and offence, and that harmful or offensive content should not be distributed. This was the larger segment, and covered all demographic groups (although skewed slightly older).

'Inform Me': People in this group were liberal in their attitudes and supported individuals' right and ability to choose what to view. Freedom of expression was an important principle, alongside the ability to access the widest possible variety of content. This was the smaller segment of the two and covered all demographic groups (although skewed slightly younger).

Viewer priorities for the six areas of regulation

The study explored the relative importance of the different aspects of content regulation. There was general consensus that the protection of minors, and protection from harm, were the most important areas for regulation

Protection of minors was consistently considered the most important focus for regulation, with harm coming second. In a converged environment, the vast majority favoured regulation in these areas across more audio-visual services and platforms, at the **same or a greater level than they see today on broadcast TV**.

There was more variation in opinion across the other areas of regulation.

Offence is very important to some, but not at all important to others

Opinions varied most widely regarding offence; many in the 'Protect Me' group felt that this was highly important and should be regulated at the content source. 'Inform Me' participants felt very differently and considered that the onus lay on the viewer, once adequately informed, to choose from a range of content, even if some was potentially offensive.

Impartiality, privacy and fairness were usually considered to be relatively less important. But a wide range of views were expressed, depending on whether participants considered the areas to be an important principle to uphold or personally relevant

Across the board, these three areas were seen as relatively less important compared to the protection of minors and harm.

Most participants could personally relate to the protection of minors or harmful content on TV, because they could understand the potential for it to happen to others, or had experienced it themselves. But many considered that impartiality and balance of views, or the fair treatment of individuals featured in programmes, or respect for their privacy, was of limited relevance to their personal experience.

In relation to privacy, most participants did not know members of the public who had had their privacy invaded. Overall, when talking about instances of invasion of privacy, participants tended to think about celebrities rather than themselves². In this context, they generally expressed little sympathy towards the issue. They therefore perceived

² This was to some extent a result of the timing and context of the study as it was conducted during the widespread publicity about super injunctions and celebrity phone hacking.

this issue to be of low personal risk. However, younger participants were more likely to rank privacy of higher relative importance. This was because they had heard stories and cautionary tales of how an individual's privacy could be invaded on the internet. These participants were therefore the most able to adopt the citizen perspective in relation to the risk of an invasion of privacy by content producers, especially online.

Other research suggests that privacy on television is considered an important principle to uphold³. In this study its lower personal relevance meant for most participants that it was perceived as *relatively* less important than the other areas of content regulation discussed.

Views on impartiality also varied widely. The initial, relatively low importance of impartiality to the 'Protect Me' group could be because many participants were not aware that broadcast television was currently regulated for impartiality, or because they had difficulty understanding this as a principle. The 'Inform Me' group tended to consider impartiality of higher relative importance and made a strong argument about its value to society and democratic debate.

Fairness was of least relative importance to most participants, who felt it was of limited personal relevance, or was similar to impartiality in that it required balanced coverage. As with privacy, most participants did not know members of the public who had been treated unfairly in the media.

Regulation became increasingly important to participants, in all six areas, for converged services, compared to its lower perceived importance on the open internet. This was because they felt that a converged world brought *increased risks for vulnerable people* due to the lack of separation and distinction between regulated and unregulated services. Those who considered impartiality, fairness and privacy important, perceived a greater threat in the erosion of these values, which are currently regulated for in broadcast, but not on internet, services.

Preferences for regulation in the future

Almost all participants wanted some **level of regulation and saw a role for an independent regulator/body to enforce it.**

Respondents were presented with four regulatory scenarios:

Regulatory scenario	Description	Level of regulation
1. All services regulated	Regulation of all audio-visual services (whether TV, internet or mobile-delivered) in the UK that supply programmes. These services would have to register with the regulator and comply with regulations. There might be different tiers of regulation by type of service, but all services would be regulated.	High
2. Only broadcast TV regulated	TV broadcasters are bound by the Broadcasting Code, administered by Ofcom.	Medium

³ <http://stakeholders.ofcom.org.uk/binaries/broadcast/reviews-investigations/psb-review/psb2011/Perceptions-F.pdf> (pages 50 - 51)

3. Industry agrees own rules	No formal regulation of audio-visual services. Instead, services are encouraged to agree and publish a set of rules to follow. Services agreeing to abide by these rules are kite-marked to indicate that they adhere to industry regulations.	Low
4. No additional regulation	No specific regulation of programmes. All services remain subject to general law which protects against discrimination, hatred and obscenity. Services may choose to set their own rules and standards at a higher level than this.	None

Most participants wanted levels of regulation to be maintained for broadcast TV services (scenario 2), and potentially increased on other platforms (scenario 1).

Overall, **most participants felt that regulation of content should be maintained or potentially increased in a converged world**: particularly for broadcast television and video-on-demand services. They felt that consistent regulatory standards should apply to broadcast television, VoD and catch-up services, and wanted a consistent level of regulation for the same branded services across these ways of accessing content. In particular, audiences felt that all content produced by the brands or organisations which they were most familiar with (which tended to be the PSBs) should be regulated to the same degree as today on broadcast TV across all platforms.

There was little appetite for a reduction in regulation from existing levels. This was because participants felt that a converged world brought increased risks, particularly for children and other vulnerable groups. When looking at the different areas of regulation, the strongest support across the workshops was for regulation to ensure that the **protection of minors** was maintained, if not increased, across all AV services.

There was also strong support for either maintaining the status quo or regulating across more services for **protection from harm**. Only a very small minority were prepared to see less regulation.

In considering protection of minors and protection from harm, participants tended to feel that there was a moral obligation to ensure that children and vulnerable citizens were protected.

There was a wide range of views on how to best to regulate for **fair treatment** and for **privacy of individuals** featuring in programmes. Many participants did not feel these were personally relevant to them; others – particularly younger people – were concerned that individuals may be portrayed unfairly, or private details disclosed, on widely-accessible online services. Therefore, while many considered that the current regulation of these areas (on broadcast TV only) was the most appropriate level, some considered that regulation should be extended to other services, while others would make it optional, or voluntary, for providers to regulate their services.

For **impartiality**, there was a wider spread of views, with many feeling that it would be acceptable to have lower levels of regulation. Some felt it was irrelevant to their own viewing choices. Others felt that in a connected world people would naturally have access to more sources of information, representing a range of viewpoints, and therefore the need to enforce impartiality on some services would be reduced. However, a few participants considered that, regardless of this choice, impartial sources – particularly in news coverage – were of wide social benefit.

Regarding **offence**, most participants felt that while an extension of regulation beyond broadcast services was not necessary – or possible - viewers should have information about what they would be watching, and the risk of offence, through clear audio and visual indicators on screen.

Participants had differing views on whose responsibility it was to ensure that people viewed appropriate content, and about the **mechanisms** which should be used to protect audiences. Most '**Protect Me**' types generally felt that *programme-makers and content providers* should shoulder the responsibility for protecting audiences and *should not produce unsuitable content*. However, '**Inform Me**' participants felt strongly that regulation should mean *the provision of information about potential risks in particular content and the means to control viewing of it* and, as such, they felt there was a greater role for *intermediaries and viewers themselves*. 'Protect Me' types also supported the provision of clear information.

Consumers would ideally like a simple, clear, system to help them assess and control the risk in viewing different sorts of content

Participants felt that consumers should be provided with the **technical tools and information** to help them make informed viewing choices.

Their suggestions included PIN codes and individual logins, and systematic programme labelling; for example, a traffic-light system for 'safe' or 'potential risk' services and content.

A key issue for participants was ensuring that any future approach to regulation would be consistently applied and simple and easy to understand, so that people would be clear about the extent to which the content they were watching was regulated. Participants thought that this could be achieved by clearly signposting regulated and unregulated content, and if this line became blurred they would expect regulation to make it clear. Participants also felt strongly that suitable technical controls should be available to them to filter their own viewing, and that of other members of the households.

3. Research objectives and methodology

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Ofcom commissioned Ipsos MORI to conduct audience research to understand how far, and in what ways, the public feel they should be protected in a world in which content can be accessed in an increasingly broad range of ways. The research was conducted in summer 2011 against a backdrop of events and media coverage concerning standards in media content (particularly the alleged phone-hacking by the News of the World). A timetable of fieldwork and relevant events is included in the appendices to this research.

3.1 Research objectives

The core objective of the research was to explore views among UK audiences regarding the content of editorial programmes carried on audio-visual services, now and in the future.

The specific objectives of the research were to:

- capture the range of different views and attitudes toward existing content regulation, and where and how people consider they are currently protected;
- understand audience views on the relative importance of different aspects of content regulation, particularly on:
 - Harm
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- explore the degree of variation in opinion by platform (traditional TV, PC, mobile, web based) and type of service (linear TV, catch up/VOD services, open internet); and
- explore audience responses to different scenarios for future content regulation.

3.2 Our approach

A deliberative research method was used to explore audience perceptions in detail. In deliberation, we bring together different sorts of people, aiming for a cross-section of the public. The deliberative approach enables participants to listen to and consider other points of view, as well as to think about what is best from their own perspective. Deliberative workshops are a generative process, and allow time to move beyond participants' general perceptions towards understanding what assumptions and beliefs lie behind their views.

Deliberative workshops also involve giving participants additional information about a topic to enable them to develop an informed view during the course of the research. They also give moderators more time to introduce participants to new information and ideas so that they become better informed about the topic to be discussed. As a result, by the end of the process, participants' views will often be different to those of the general public, if polled, but their views are better informed and they are better placed to give insight into complex policy areas.

To inform the research we conducted a series of seven cognitive interviews and four 'deep dives' with specific groups (high technology and low technology usage families, older people and households without children). These helped us to develop stimulus materials for the main workshops.

We conducted seven pairs of reconvened workshops with about 20 participants in each: a manageable size for a deliberative workshop, which allowed us to include a good mix of views within each workshop. Two moderators were used in each workshop, and all events lasted around three and half hours.

Workshops were conducted in London, Cardiff, Edinburgh, York, Birmingham and Manchester. The first two pairs of workshops (both in London) were with a smaller number of participants (about ten in each) and served as a pilot for the materials. The research materials and format of the discussion did not change after the second pilot workshop in London, hence the second pilot has been included in the analysis and reporting of findings. This report therefore contains the aggregated findings and insights from six locations across England, Scotland and Wales.

We recruited a broad cross-section of participants in each location. Quotas were set to ensure that we achieved a range of ages (from 18 to late 70s), gender, ethnicity, socio-economic group, and high and low users of new technology. Full details of recruitment quotas are in a separate appendix.

In order to capture the views of 16-17 year olds, we conducted two extended discussion groups: one with high-tech and one with low-tech young people. Separate discussion groups were felt to be more appropriate for the 16-17 year olds because of their differences in experience, and the likelihood that they would be more comfortable contributing among their peers.

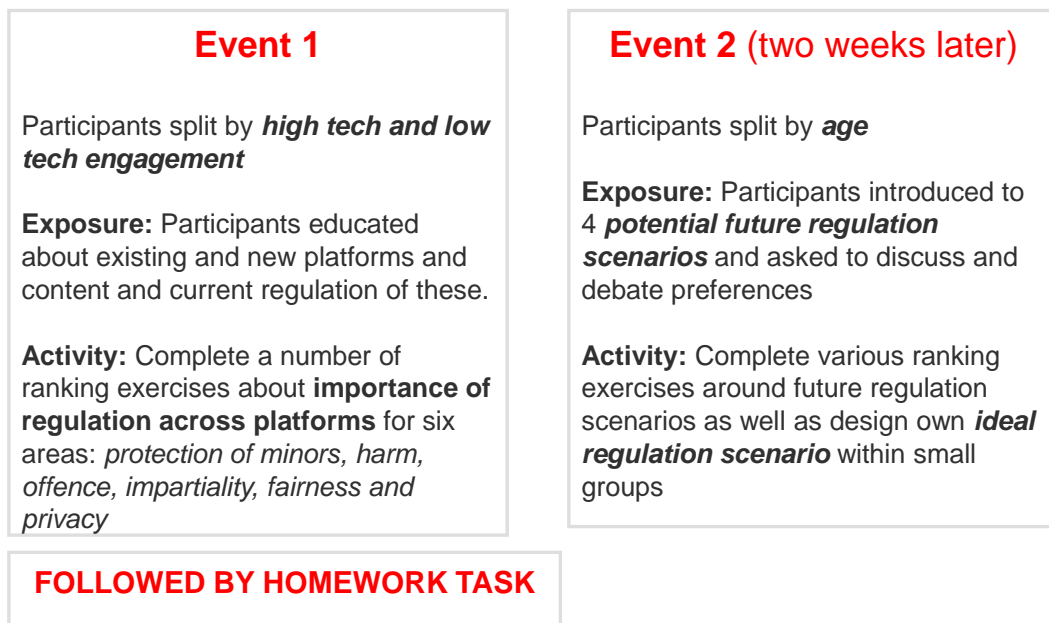
Findings from this fieldwork are highlighted in boxes throughout the report where the views of the young people differed from those expressed in the workshops.

3.3 Methodology used within the workshops

In the first workshop we split participants by low technology and high technology usage. This was to ensure that the low-tech participants, in particular, were given the time and space to understand the platforms we were discussing, separate from those who might already be familiar with them. In the reconvened workshop the same group of participants was split by age to explore whether this was a significant driver in their attitudes to regulation. We also had note-takers present in the second event to observe any differences between parents and non-parents, and between high- or low- tech participants (this information was flagged on name badges).

The following chart summarises the materials used and tasks conducted with the participants.

Figure 1.1: Exposure and tasks in the deliberative workshops



In the first workshop we focused on introducing the six areas of regulation (harm, offence, protection of under-18s, fairness, privacy, impartiality) and then introduced each platform sequentially (broadcast TV, VoD/catch-up services, open internet, web-connected TV), revisiting each of the areas of regulation for each platform and ranking them in terms of importance.

Between events participants were encouraged to complete at least two homework tasks in order to engage them more fully in the subject matter. These included watching regulated content for signs of regulation, looking at unregulated content on the open internet, and looking for examples of regulation in their everyday viewing. As such, participants were encouraged to become more aware of regulation in an everyday setting, to give them context for the second event.

In the second event, participants discussed their homework. We then introduced four case studies of different people's experiences in using new services, to encourage participants to think about people other than themselves (a citizen perspective). We then moved on to discuss examples of possible future regulatory scenarios, and finally, asked participants to create their *ideal* scenario. This report presents the synthesis of all these data.

Throughout this report we explain the tasks given to participants. The full topic guide and stimulus materials are appended.

3.4 Note on interpretation and presentation of findings

It is important to note that findings of this report are not *statistically* representative of the views of the general public. Qualitative research is designed to be illustrative, detailed and exploratory and provides insight into the perceptions, feelings and behaviours of people rather than conclusions from a robust, quantifiable valid sample.

As far as possible we have tried to state the strength of feeling about a particular point, although in some cases it has not been possible to provide a precise or useful indication of the prevalence of a view, due to the small numbers of participants taking part in the research or within individual segments.

Verbatim comments have been used throughout this report to help illustrate and highlight key findings. Where verbatim quotes are used, they have been anonymised and attributed with relevant characteristics of location, technology usage, gender and event number, e.g.

Female, London, low-tech, event 1

Findings related to 16- and 17-year olds are presented in separate insight boxes as these views were collected using a slightly different methodology (as outlined in section 3.2).

The perceptions of participants make up a considerable proportion of the evidence in this study, and it is important to remember that although such perceptions may not always be factually accurate, they represent the truth to those who relate to them.

4. Viewer assumptions about regulation

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4.1 Introduction

Before exploring what people felt the future of regulation should be, it was important to establish what they understood about current regulation. Current attitudes and knowledge shape responses to future proposals, so it was important for the research to capture people's initial thoughts. We then informed participants about how the current system of content regulation works in practice, to enable them all to have the same base level of knowledge of existing regulation before discussing the future.

4.2 Viewer knowledge and awareness of regulation

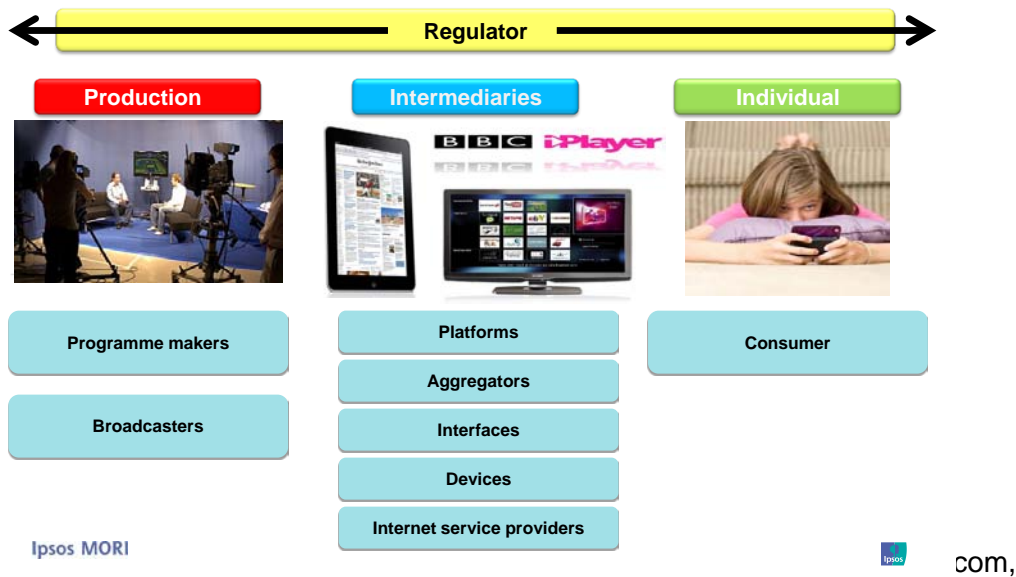
Awareness of Ofcom as a regulator of broadcast content was high: many participants were **conscious of the presence of content regulation on television**. They were familiar with the watershed, pre-programme warnings, and apologies issued by broadcasters for transgressions, particularly relating to offence and protection of minors.

"I thought [there's a] self regulated code of conduct that channels and broadcasters have to adhere to and they can get fined by Ofcom if they don't."

Female, London, low-tech, event 1

However, **knowledge of Ofcom's actual role was relatively limited** and many did not know how regulation, and Ofcom, works in practice. For example, some assumed that Ofcom screened programmes before they were broadcast and did not realise that the broadcasters themselves decided what was suitable to screen, by reference to the Broadcasting Code. Many did not realise that any intervention by the regulator happens only in response to complaints about a programme once it has been broadcast.

The chart below shows a summary of the range of stakeholders that participants felt were involved in regulation, or controlled what is viewed in their homes. The terminology used in the chart does not necessarily reflect the language used by the respondents.



As illustrated in the diagram above, participants expressed the following awareness of stakeholders.

At the **production** end, both *programme makers* and *service broadcasters* were seen to be responsible for deciding the suitability of what to broadcast. Where **intermediaries** were concerned, participants mentioned a range of stakeholders, including *aggregators*, such as Sky; *platforms*, such as Freeview; *interfaces*, such as the EPG; *internet service providers*; and *devices*, such as Playstations and iPhones. At the consumer end, participants saw **individuals** themselves as having responsibility for ensuring that content viewed in their home is appropriate.

Participants were also unclear on exactly which areas are regulated at present. As we will discuss further in Section 4, they were relatively familiar with the idea of regulating content that contained bad language, sex, violence etc. (offence) and aware that material unsuitable for children was shown at later times of day, for example (protection of minors). Some were also aware that broadcasters (particularly the BBC) are meant to be impartial in news and factual programming, although there was some debate about whether this was actually the case. None spontaneously mentioned any areas of regulation for harm (of adults), or fairness and privacy.

There was also a **lack of understanding about the regulations governing different services**. Many assumed that VoD programmes, particularly those shown on iPlayer and other platforms associated with terrestrial broadcasters, were regulated in the same way as broadcast television. These participants' experiences of VoD services were typically limited, and most had more experience of using catch-up services or VoD services offered by the main broadcasters. For this reason they commonly believed that all programmes on VoD had already been broadcast. Many were unaware that it was possible to view new content or new versions of programmes on VoD services. Some had come across barriers to viewing content on VoD services (e.g. an age check) but did not necessarily associate this with regulation.

"I had to put a PIN in now and again but I didn't realise the connection with bad programmes or violence ... I just thought it was random check-ups."

Female, Birmingham, low-tech, event 2

Most **recognised that audio-visual content on the open internet is not regulated** in the same way as television. Some were aware of the option to install child protection features to prevent their children viewing inappropriate content. Most of those who had deployed these used the options provided by their internet service provider. Many participants felt that it was not practical to regulate the internet at all.

4.3 Viewer expectations of broadcast content

Although participants were not always clear how regulation works in practice, they had an **underlying expectation of what they would and would not see on broadcast television**. This did not necessarily align with what participants felt was *suitable* to be viewed on broadcast television, as there was a range of views on this issue, but rather their expectations had been built over time and related to their past experiences of what had been shown on broadcast television. These views were particularly well established for the PSBs (BBC One, BBC Two, ITV1, Channel 4 and Channel 5) as these tended to be the channels that participants were most familiar with.

“BBC and ITV and Channel 4 are institutions. People understand what they stand for. At the moment there’s an expectation for the same regulatory levels on online as on the television. And if there’s a double standard, that’s a problem.”

Male, London, high-tech, event 1

The **watershed** was frequently cited as an example of active regulation and was seen to be there to protect children from viewing unsuitable content. Knowing that the watershed exists helps people to feel ‘safe’ as it means that inappropriate content will not be shown before 9pm. A few suggested that due to changing lifestyles 9pm is not a late enough cut-off.

Many were aware of the **verbal warnings** before programmes that contain certain types of content (strong language, scenes of a sexual nature, violence etc) and expected these to appear when there is a risk that the content might cause offence. As with the watershed, not everyone believed that the current balance is exactly right (e.g. sometimes offensive content is not identified in advance), but most appreciated receiving this information and believed it can be a useful tool when deciding what to watch.

Participants said they used a number of indicators to help them choose what content is suitable to watch on *broadcast television*. They reported that **trailers** can give an idea of the genre of programme and likely content; that the **time of broadcast** suggests whether something was considered suitable for pre/post watershed; and that **titles** of programmes can give clues to content.

Participants were generally aware of regulation for protection of minors and offence. Awareness of the other areas covered was generally low. Some participants mentioned that programmes on broadcast television (particularly news but also documentaries) are impartial. They trusted the broadcasters to provide them with balanced information, and thought this trust would be undermined if they felt they were not being told the full story.

“You accept that the news is going to be impartial... on these core channels [BBC, ITV] you expect these things.”

Male, York, high-tech, event 1

Although not examined in detail, it is likely that this view stemmed from people's experience of public service broadcasting and was therefore connected to brand expectations. In particular, trust has been built as a result of experience.

"You have to have a trust in the broadcast medium... if you get a lot of information from there, you know from *Question Time* and places like that and documentaries, you need to have some credibility about it."

Female, London, high-tech, event 1

Participants did not necessarily mention a regulator in this context. They appeared to assume that reporters' and the broadcasting companies' own integrity ensures impartiality.

4.4 Viewer expectations of VoD and catch-up services

Expectations of catch-up services and VoD services previously aired by the main broadcasters were **shaped by brand expectations and experience**. In particular, people expected more stringent rules to apply to programmes shown on VoD services provided by the main broadcasters, such as BBC's iPlayer and Channel 4's 4oD. This is because they assume that they have been shown previously on television and therefore will already be subject to regulation.

"Because if you watch them on demand or on the iPlayer they're historic aren't they, so they've already been through a broadcast stage with all the regulations."

Male, Birmingham, high-tech, event 2

As with broadcast television, participants reported that the title of programmes, information about the programme and the original time of broadcast, or trailers, helped them interpret the nature of content of programmes. While they were unsure about the extent to which these things are regulated, participants found these summaries **useful sources which enabled them to make informed decisions**, and they would generally trust the information supplied. Some also relied on the recommendations of friends when seeking appropriate content.

"If I'm looking at a programme... sometimes it's just the title comes up... so you press the information and it gives you a little oversee... and that's when you make up your mind"

Female, Birmingham, high-tech, event 2

For some VoD services, some participants were also aware of **pop-up boxes checking the age** of the viewer. They understood that this was because the content might only be suitable for adult viewing, but some **questioned how effective** these boxes were, given that no proof of age is required. Others were familiar with setting a

PIN for catch-up and on-demand services on cable and satellite platforms, and had similar issues about their effectiveness. They assumed that children might be aware of the PIN number and might have even helped the parents set it.

4.5 Viewer expectations of online content

With the exception of the VoD and catch-up services offered by the established broadcasters (iPlayer, ITV Player, 4oD etc.), **online content was generally seen to be different** from broadcast content and, as such, people had different, and generally lower, expectations regarding regulation.

“When it comes to broadcast television your guards are down because you assume that these things are in place and when it comes to the open internet your guards are higher up because you assume that it’s not regulated so you’re more aware...”

Female, York, high-tech, event 1

As such, people had **developed ways to navigate audio-visual content on the web** to reduce the chances of seeing things they did not expect. For example, many mentioned that they would never search for children’s programmes on an open internet site such as YouTube, because of the risk of coming across a pornographic or otherwise inappropriate spin-off, designed for an adult audience. When searching for children’s programmes online parents typically avoided search engines such as Google. Instead they would limit their searches to ‘trusted’ services such as iPlayer.

“If you’re not looking at a trusted website ... I dunno, you just expect something if you’re going out of your way to find something”

Female, Cardiff, high-tech, event 2

Participants felt the differences between broadcast television and the open internet were clear, for several reasons:

Public vs. private location: televisions tend to have large screens and are usually positioned in the sitting room or another ‘public’ space within the house. As such, there is a higher likelihood of other household members seeing what is on the screen. In contrast, online content tends to be viewed in more private locations or on smaller screens, so is less commonly shared.

Passive vs. active access: broadcast television is streamed into the home and by ‘just turning on’ the content appears. On the internet you actively seek content so are less likely to view offensive or inappropriate content by accident. Individuals make their own choices to seek and find content, and so many assume that fewer content regulation rules are required.

“Online you physically make the decision to watch it, whereas broadcast is coming at you.”

Male, London, low-tech, event 1

Time of viewing: televisions are more often watched in the daytime and evening, and viewers know when the watershed is protecting them. In contrast, online services are viewed as 'anytime' and are instant access. Because people *know* this they will generally view content on the internet with greater caution.

"You wouldn't have thought there would be [regulations] because you're choosing when to watch it."

Female, York, high-tech, event 1

At this point in the workshops, people struggled to imagine a way in which content on the internet could be regulated differently. They thought the internet was 'different' and because anyone can upload to the web they could not see how regulation would be possible.

"I just can't see how you could put those kinds of regulations [in] ... when you can access it from anywhere. I just can't see how you could do it"

Male, London, high-tech, event 1

Some participants also mentioned the risk of censorship to provocative, or adult-themed, content and thought that the rights of adults to view content of varying types was equally as important as protecting the vulnerable.

4.6 Conceptualising converged services in a future world

In later sections we will discuss how participants felt about regulation in the future, when technological advances will blur the lines between broadcast content and internet-delivered content.

We asked the participants to consider devices in which broadcast, VoD and open internet services were all available on the same screen, i.e. an internet-connected TV where the viewer can access regulated broadcast content and unregulated web-streamed audio-visual content in the same place, using the same controls and menus. We also discussed the interfaces on such devices, and explained that these would enable a seamless switch between broadcast and catch-up or VoD services. We provided stimulus material around new connected TV (also known as Smart TV) sets and their interfaces.

It is worth noting that many participants - with the exception of the most digitally literate - initially struggled with this idea of converged services on a television set, because currently they saw broadcast and online as distinct types of services and user experiences.

"If you're stupid enough to get taken in by the internet you deserve everything you get."

Female, Cardiff, low-tech, event 2

The idea of there being a 'seamless switch' enabling viewers to move between linear scheduled broadcast services, on-demand content and unregulated internet content was difficult for many participants to conceptualise, particularly in the first workshop.

Not only did participants initially question whether it would be possible to 'unknowingly' access online content, but also, whether it was desirable to be unable to distinguish between the two. Even if a device could show both broadcast and online content, most participants assumed that these would be somehow marked as different; they could not see why platform service providers / manufacturers would make devices that blurred these boundaries, and thought that regulated and unregulated content should be clearly distinguishable, if both were likely to appear in the same place.

4.7 Conclusion

This section has set out some of the core beliefs of participants regarding current regulation. These beliefs underpinned their responses to the ideas presented to them throughout the workshops.

In summary, they had firm expectations about levels of regulation on different platforms, although, particularly in the case of VoD, these were not necessarily correct. They generally had higher expectations of broadcast television, built on many years of experience. Most were aware of Ofcom, but few were well-versed in the details of how regulation works in practice. They struggled to see how regulation could be transferred to the open internet, and there was some concern that this could lead to restricting or censoring content. Participants also tended to take more personal responsibility for navigating online content themselves, compared to broadcast content. However, they also believed that it is important for the consumer to be able to differentiate between different services, particularly if they are subject to different levels of regulation.

2:2 Stimulus materials: TiVo and a Smart TV



5. Different audiences and viewer segments

5. Different audiences and viewer segments

5.1 Introduction

In this section we describe in detail **the distinct segments** that emerged through the research, exploring their habits and attributes and presenting evidence on their characteristics. As noted previously, the participants were recruited with quotas for each age group, whether they were parents of young children, and whether they were current users of technology.

Overall, the attributes that most influenced people's views about regulation in the future were **technology use** and **social attitudes**. Demographic factors such as age, being a parent, and gender, were less influential. All the attitudinal and technological segments contained a range of demographic profiles, including a range of ages, men and women, parents and non-parents. There were, however, some notable trends in these segments, which we describe below.

Technology use was important for *how well participants understood the concept of the forthcoming changes in audio-visual technology*. This, rather than age or gender, dictated how well participants understood the 'seamless switch' between different types of content with varying levels on regulation on the same screen. We found that *awareness and familiarity with technology* were the most important issues in defining whether participants were able to understand the implications of changes.

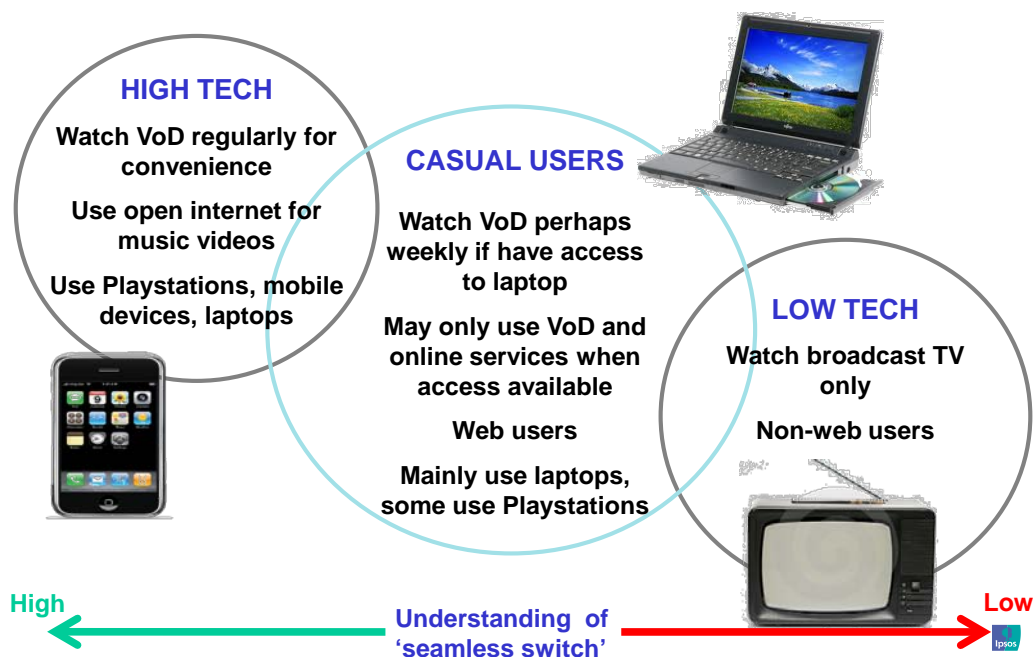
Social attitudes were important because it was these attitudes which led participants to adopt positions regarding regulatory priorities, and, importantly, *what mechanisms should be used to put these priorities into practice*. Participants' views were often underpinned by socio-political leaning, and in the workshops we saw a range of liberal or conservative views around the issues.

5.2 Levels of technology use

Our workshop participants were recruited to represent a range of profiles of consumption of audio-visual content, ranging from high to low technology use. There were also some 'casual users', with usage characteristics close to those of the high-technology users, and other casual users with similar usage patterns to the low-technology users; e.g. predominantly linear TV viewers, with occasional use of catch-up services.

The following diagram illustrates some of the key characteristics of each segment.

Figure 3.1: Types of technology use for consumption of audio-visual content



In the following sections we present more detail on each of the segments.

High-tech users

This was the **smallest segment** identified in the workshops. These participants were **highly digitally literate**, and used mobile/ converged devices and laptops/ PCs to access content almost exclusively. They claimed to rarely watch scheduled broadcast television.

Most participants in this segment were under 30 years old, although a small number were older. They included an even spread of men and women, parents and non-parents. Parents in the segment tended to be younger parents with younger children.

There were a number of participants in this segment who worked shifts and used mobile devices and laptops for convenience. These devices enabled them to watch content on the move and while commuting on public transport. Catch-up and VoD services also allowed them to watch programmes at any time of night or day that suited them. This was important to people working during peak-time broadcast hours, or balancing work and childcare. Mobile devices and laptops meant that content could be watched at any convenient time.

"I'm at work on nights I watch music videos, documentaries that I would have missed during the week, anything really."

Female, Birmingham, high-tech, event 1

Some of the younger participants in this segment used a wide range of websites to access content, including many sites that are outside the conventional terrestrial VoD brands. These participants consumed a high level of content from a wide range of

internet sites; they tended to know what they were looking for and were typically unconcerned about the platform they received content through.

Others in the high-tech segment tended to follow particular 'paths' to online broadcast content, using familiar VoD providers and an established technological set-up, such as watching through a gaming device or laptop. Although they claimed to almost exclusively use mobile/ connected devices and laptops/ PCs, this was mainly to access previously broadcast content.

"These mini-dramas that have been on five evenings running can get quite complicated ... So I watch them on catch-up so I can see one after the other, so it all makes sense."

Female, Birmingham, high-tech, event 1

Overall, the high-tech participants found it easier to conceptualise a converged world, in which broadcast and online content were both provided via a single screen, as they were already using converged devices and were less likely to make distinctions between delivery platforms. These participants were best able to understand that in the future it might be difficult to tell the difference between content from regulated providers and unregulated sources.

Below, for illustrative purposes, we set out two pen portraits of typical participants in this segment.

PEN PORTRAIT 1: *Tom is a young single man who watches previously broadcast content on his gaming device using a range of VoD platforms. He uses iPlayer to watch BBC3 and also uses ITVPlayer regularly. He also uses the open internet to download films and episodes of his favourite television shows. He doesn't generally check their source but rather Googles the title of the programme he wants to watch and then follows the link. If it's not what he expects he generally feels that no harm has been done and searches again.*

PEN PORTRAIT 2: *Susie is a young mother who works shifts. She takes the bus home after work, so uses the time to watch previously broadcast content and music videos on her mobile phone. She uses iPlayer to catch up with soap operas and 4oD to watch documentaries and chat shows. She is confident using these known broadcaster sites but would be less happy looking at unregulated content, and while she might watch the occasional YouTube clip sent by a friend, she would not seek out other audio-visual content on the open internet.*

Low-tech participants

Low-tech participants **did not use mobile/ connected devices, or laptops/ PCs to access content** at all. They were a **relatively small segment** among the workshop participants.

These participants tended to be **low/non-web users** in general, and **accessed traditional broadcast content through the television only**. There were many older men and women in this segment, generally over 55 years old. Most were aware of services available on the internet, but were unable or reluctant to access audio-visual content on the web, or did not feel that they needed to use the web for viewing content. This was because they were typically satisfied with the choice of programmes available

to them on conventional broadcast television and were reluctant to use the internet more than they felt was necessary, or at all. The segment also contained participants between 40 and 55 who were relatively light television viewers and rarely used the internet in general. Most were not parents of young children, but many were grandparents who often had young children in their home.

These participants **tended to rely on the main PSB channels**, but their **viewing choices were sometimes supplemented by other Freeview channels**. Some participants in this segment had **access to satellite services**, and many of the men in this segment reported subscribing to Sky in order to watch films and sport. A few participants reported that they rarely watched TV, although most did seem to watch programmes on terrestrial television at peak viewing hours and at weekends.

"I don't really watch that much TV at home, we've just got the digital channels, just ordinary TV. I don't watch any on computers or iPods, very boring really."

Female, Birmingham, low-tech, event 1

These participants initially found it difficult to imagine a converged world in which broadcast TV and internet-delivered services could appear on the same screen, particularly on the main television set in their living room. Once they had grasped the concept, in the second workshop, they tended to feel that the issue was a matter for concern. As they tended not to use the internet, they were not very aware of online content, apart from through hearsay. But they felt that the changes might leave them vulnerable if internet content was available to them on connected televisions.

Below, for illustrative purposes, we set out two pen portraits of typical participants in this segment.

PEN PORTRAIT 3: *Sarah is married with two grandchildren, aged two and five years old, who visit regularly. She has a television with a Freeview box, which she uses most of all to keep the children entertained with CBeebies. She watches documentaries on BBC Two and BBC Four and her husband likes to watch car programmes. They do not have an internet connection as this is too expensive.*

PEN PORTRAIT 4: *Alan lives alone and is in his 50s. He subscribes to Sky for the sports coverage and watches the television news. He uses the internet for 'practical things', such as personal email and booking holidays. He has not considered using the internet for watching programmes.*

Casual user participants

This was the **largest segment in our research** and **encompassed participants with a wide range of viewing habits and behaviours**. This segment included both heavy and very occasional general web users, and participants who used a range of devices to access content, including PCs, laptops, gaming devices, tablets and mobile devices. Broadcast television was the main default viewing method for all these participants, and they used other platforms less often, although these were an important part of their viewing habits.

Infrequent, casual users of mobile/ connected devices and laptops/ PCs to access broadcast content tended to be those who were less digitally literate than high-tech users, but were confident using the internet to follow particular 'paths'. They typically

watched broadcast television but would use catch-up and VoD services to supplement their viewing (e.g. if they missed a particular programme they enjoyed watching). They very rarely used the open internet to access content.

“I go through the Radio Times and decide if there’s something I want to watch, and otherwise the television’s off ... Or I might watch it the next day on catch-up.”

Female, Manchester, low-tech, event 2

Some of these participants resembled low-tech users in that they claimed they were typically light users of the internet and tended to watch broadcast television at peak viewing times. However, there was **a wide range of ages in this segment**, from older viewers to the youngest participants who used VoD only for catching up with certain broadcast programmes, or watching them at more convenient times. There was an **equal mix of men and women** in this segment, and the segment **included parents with children of different ages**.

The following pen portrait illustrates the typical behaviour of an infrequent casual user.

PEN PORTRAIT 5: *Diana is a teacher who lives with her husband. She has a digital television with a Freeview box, and occasionally watches catch-up on iPlayer and 4oD. She is busy during term time and tends to use catch-up services to watch a whole series of programmes. This is because she “can’t be bothered to sit down and watch it every week” and prefers to take time to watch programmes in sessions. She only uses catch-up for programmes she knows she wants to watch and would never seek out new programmes online unless she heard about them from friends first.*

Frequent casual users tended to resemble high-tech participants but used conventional television far more often. They watched a wider range of digital channels and were used to choosing their mode of viewing from a wide range of options. These participants tended to be heavier viewers of audio-visual content on the web than infrequent casual users, and used VoD and open internet services more frequently. The segment also included highly digitally-literate participants who had previously used connected services, but may not have had access to them at the time of the workshop. For example, there were a few participants who had moved to a new home or a shared house and did not yet have access to a laptop and broadband services.

Frequent casual users were typically heavy internet users and many claimed to watch little broadcast television although they did use broadcast television at peak times for watching particular programmes with family, especially children. There was also a **wide spread of ages** in this segment.

PEN PORTRAIT 6: *Mark is a father of two children, aged ten and eight years old. He watches a lot of programmes at night using catch-up and VoD services. He likes to watch previously broadcast comedy programmes in the children’s den, using their Playstation. He also watches television at peak times with his family and subscribes to Sky for sports.*

Overall, casual users found it difficult initially to understand the concept of converged services. This was because these participants **typically felt that the internet and broadcast television were very separate** and that, even on a connected TV, they would be able to distinguish content originating from an online source from that which originated from a broadcaster. These views were related to assumptions they made

that online content would be clearly labelled and gateways would be signposted in the menu systems. They assumed that they would not confuse online and broadcast options when navigating services. These views were deeply held, and this segment of participants needed the most information from the workshop moderators as to the possibilities of the 'seamless switch'.

5.3 Attitudinal types

Social attitudes were highly important in shaping responses to the regulatory areas. This was because social attitudes underpinned participants' views about **who in society needed protecting**, and about **what the role of the state should be**. Participants tended not to be able to articulate how their positions on these issues shaped their views. Nevertheless, their positions were manifested in their views about which regulatory areas were important and why and how regulation should be put into practice.

There was a distinct divide between participants who held broadly liberal views, and those who held more conservative opinions about regulation. We have called these two distinct segments 'Protect Me' and 'Inform Me'.

'Protect Me' type

These participants had strong views about the role of the state. In general, they were pro-regulation, and thought that the role of a regulator was to ensure that the people were protected by regulation, even if this limited the range and type of content available. To 'Protect Me' types, *protecting the most vulnerable audiences* was the most important priority. Many were particularly concerned about the protection of minors and the potential damage that could be done to young people by violent, offensive, sexually suggestive or harmful content.

"TV is too unruly. Children are sponges and absorb everything"

Female, Manchester, high-tech, event 1

This was because they felt that there were many children whose parents might be considered irresponsible in these matters, and that children in these circumstances were unlikely to be sufficiently protected.

"You've got to remember that there's kids whose parents don't turn the TV off ... and surely someone's got to protect those kids."

Female, Manchester, low-tech, event 1

'Protect Me' participants tended not to see *themselves* as adults who might be vulnerable to offensive or harmful content, and they did not feel as strongly about protecting vulnerable adults from harm, as they felt that this was a personal responsibility.

"We can't nanny everyone in the world ... whether someone is that naïve is up to them"

Male, Birmingham, low-tech, event 2

Overall, their views were typically socially right-wing; they saw themselves as part of 'a concerned majority' in society, but also moral and worldly-wise enough not to be vulnerable enough to need protection from harm. They did not consider infringements of privacy or fairness for individuals featuring in programmes to be of particularly high importance.

'Inform Me' type

The political views of this segment were *broadly liberal*. They tended to feel that it was important that a wide range of content was broadcast on television and available on the internet. They saw a right to freedom of expression for content producers and felt that too much regulation, particularly regarding potentially offensive content, could unnecessarily curtail creativity /extreme viewpoints/ adult-themed content etc. They typically felt that it was *up to the individual to make their own decisions about what they did and did not watch*. Regarding the protection of viewers in society, these participants tended to feel that individuals should be free to choose what they viewed from a wider range of content, some of which may be offensive to some people, and believed that parents had a role to protect their own children.

"I think it becomes more of a freedom of speech issue when you've got regulation on the internet, I don't think it's right. It's like telling people what they can and can't say."

Male, London, high-tech, event 1

Therefore, in general, this segment tended to feel that individuals and households should be responsible for the content they watched.

"As parents, we've got to be more aware of what our children are delving into"

Female, Manchester, low-tech, event 1

In contrast to the 'Protect Me' segment, those who held liberal opinions tended to feel more strongly about regulatory areas which ensured that news and factual content was impartial, that individuals' privacy was respected, and that people were treated fairly in factual programming. They also felt it was important to protect vulnerable adults in society, believing that the state had a role to play in this. This was because they did not feel that everyone was equally equipped to make judgements about information.

"It's easy to manipulate people through the TV."

Male, London, low-tech, event 1

Overall, they felt that the role of the regulator was to provide viewers with suitable information in order to make their own decisions, but also to maintain standards where impartiality of programmes and fairness and privacy of individuals were concerned.

‘Citizen Thinkers’

Citizen Thinkers were different to the other two segments in that they immediately empathised with the perspectives of the most vulnerable in society, or understood how a regulatory area which seemed irrelevant to them could be applicable under specific circumstances.

This was a subset of the two other segments, and was relatively small in size. It comprised participants who **had had particular experiences that made them more likely to empathise with the vulnerable in society**. These participants either had a vulnerable adult living with them in their household, or had close friends or family members whom they felt to be vulnerable, or had worked with vulnerable adults.

“There are a lot of kids that don't have parents; that are taken into homes.”

Male, Manchester, high-tech, event 2

For this reason, they were *more able than other participants to put forward a ‘citizen’ perspective spontaneously* – whereas most of the participants in the discussions needed prompting to consider the perspective of vulnerable people.

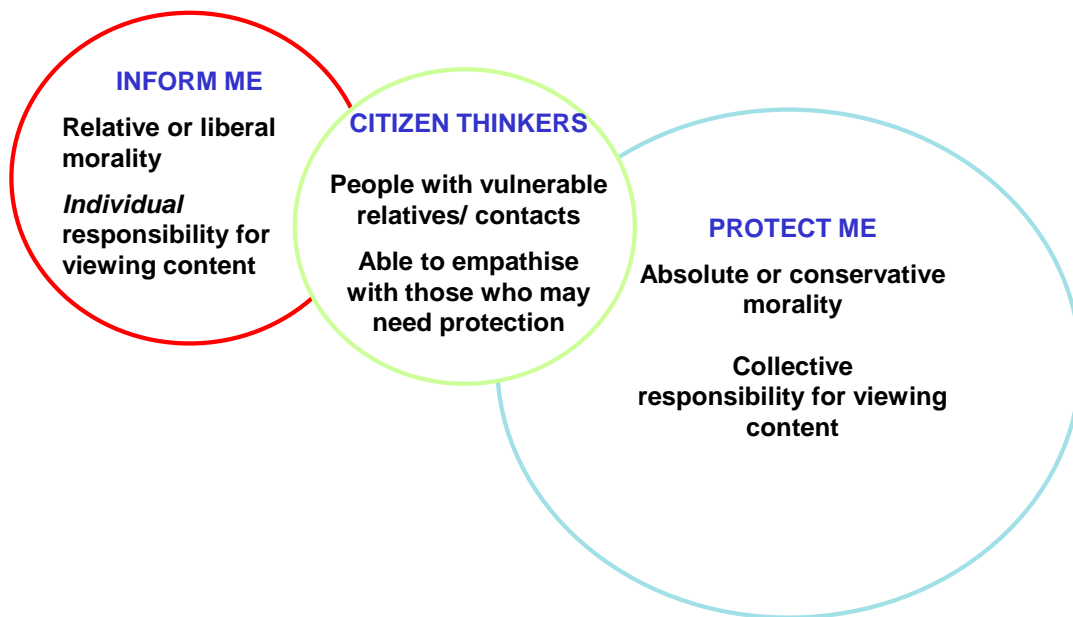
“Censorship helps because there are people who can't think for themselves.”

Female, Cardiff, low-tech, event 2

This group represented no particular demographic, or level of technology use, and fell within both the ‘Protect Me’ and ‘Inform Me’ segments, although more fell into the ‘Inform Me’ segment, as they were more likely to hold liberal political views.

The following diagram outlines some of the key characteristics of the segments, illustrating how the small numbers of ‘Citizen Thinkers’ appeared in both segments.

Figure 3.2: Attitudinal types for response to regulatory priorities



'Protect Me' participants were the largest segment in the workshops, and **covered all age groups**. But there were more 'Protect Me' types among **older men and women (aged over 55)**. Both parents and non-parents, and men and women, were apparent in this segment. The parents tended to be parents of older children who were themselves less frequent users of technology, and there were many grandparents with young children in their households. This segment contained mainly **casual users and low-tech users of technology**, with very few high-tech participants.

Very few 'Protect Me' types were found among the 16/17 year old participants in the research

The 'Inform Me' segment was a smaller proportion of the workshops, and once again comprised **all age groups**, parents and non-parents, men and women, and included many of the **youngest participants**. **Many younger parents (under 40) were in this segment**, but very few older parents and grandparents. Many, but not all, high-tech participants fell into this segment, and there was **a range of technology use across the segment**.

Many (but not all) 16-17 year olds fall into the 'Inform me' segment

'Citizen Thinkers', although few in number, were apparent in both the 'Protect Me' and 'Inform Me' segments. We therefore class them as a small subset of these main segments and do not report on them in detail throughout the rest of this report.

5.4 Conclusion

The evidence of the workshops suggests that **social attitudes and levels of technology use** were far more relevant predictors of **how participants felt about regulatory priorities**, and of **their views on the future of regulation in a converged world**, than any particular demographic factor.

There were two distinct types of participants: those who primarily felt that regulation should protect all viewers by restricting what content could be distributed ('Protect Me' types) and those who felt that informing viewers should be the main approach ('Inform Me' types).

A few demographic trends were notable within these two segments: older people and low-tech users tended to take a 'Protect Me' perspective, and more younger people and high-tech users fell into the 'Inform Me' category. However, it is important to note that neither category was exclusively old or young, high tech or low tech. Those participants who had a close personal link with a vulnerable person were the most likely to be able to take on the citizen perspective, particularly regarding harm. These participants were relatively few in number.

6. Viewer priorities for the six areas of regulation

6. Different audiences and viewer segments

6.1 Introduction

This section presents the findings on **how important the different regulatory areas were to participants, both in absolute and relative terms**. It details the importance of each different regulatory area *across a range of services and platforms*. It also details people's views on the importance of each area *relative to the others*. In this section we will draw on insights about the distinct segments presented in the previous section.

The six areas of regulation

Ofcom's Broadcasting Code is set out in terms of principles and rules. Six of the main principles of regulation were introduced and discussed during the workshops. These are listed in the table below.

Table 3.1: The six regulatory areas

Protection of minors	To ensure that children are protected from potentially unsuitable or harmful material.
Offence	To ensure that members of the public are adequately protected from the inclusion of offensive material.
Harm	To ensure that members of the public are adequately protected from harmful material.
Impartiality	To ensure that programmes treat matters of political or industrial controversy and matters relating to current public policy with due impartiality.
Fairness	To avoid unjust or unfair treatment of individuals or organisations.
Privacy	To avoid any unwarranted infringement of privacy.

We asked participants to consider how important they thought these six areas were, and why. The following sections draw on these findings.

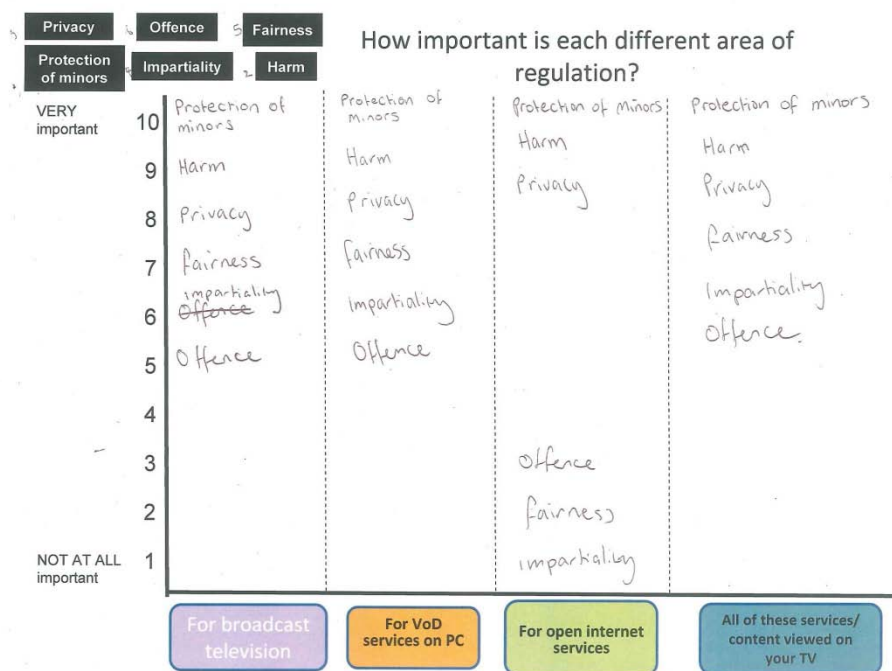
Research materials and processes

Responses to the different regulatory areas were elicited in the Event 1 workshops. In these workshops we presented participants with information on the six regulatory areas, including an explanation of how the rules work and examples of where complaints have been made in these areas and upheld – thereby giving an example of how each has worked in practice. We allowed time for participants to discuss each area in turn so that they could consider the relevance and importance of each area to them and to their household. This allowed them to develop **an individual or 'consumer' response** to each regulatory area. The information we presented is appended and the short explanations that we used are included in boxes at the beginning of each section.

We asked participants to complete an exercise in which they *attributed a level of importance (from 1: not at all important, to 10: very important) to each regulatory area, and also ranked each area in relation to the others.* As the session progressed, we discussed different services. After each discussion, participants were asked to repeat the ranking exercise. In this way they ranked the six principles for each of the following: broadcast television; VoD services on PCs; open internet services; and all content viewed on connected televisions or mobile devices. These were completed by participants on a grid which allowed comparisons to be made across the four types of services.

A completed exercise is presented below as an example to illustrate how it worked in practice.

Figure 4.1: Event 1 ranking exercise on regulatory areas



It must be noted that this was a qualitative exercise designed to give us an insight into participants' absolute and relative regulatory priorities; it should not be interpreted quantitatively.

In order to complete the task, each participant needed to have an informed understanding of each of the six areas of regulation. Each of these areas was presented to the participants in the workshops and they were given time to discuss and understand each one. Participants generally found it easier to understand protection of minors and offence, as these were familiar concepts. The other areas were new to some people, who therefore found them hard to comprehend.

In Event 2 we offered participants an opportunity to consider the six areas from others' perspectives: through the eyes of a potentially vulnerable or uninformed citizen, using four case studies that portrayed citizens being exposed to difficulties in a range of situations (see Appendix for details). Discussing these case studies allowed participants to develop a '**citizen**' response in each regulatory area, and to consider how people outside their immediate sphere might need protection.

In this section we explain *to whom* each of the areas was important, and how importance varied by service. We include a full range of insights from both workshops, as this is relevant to how participants considered and ranked the importance of the six areas.

These areas are presented in order of their (approximate) perceived importance for broadcast TV:

- Protection of minors (section 6.2)
- Harm (section 6.3)
- Offence (section 6.4)
- Impartiality (section 6.5)
- Fairness (section 6.6)
- Privacy (section 6.7).

6.2 Protection of minors

Participants were told that regulation for **protection of minors** aims to ensure that language or images that are unsuitable for children should not be shown at a time when they may be watching.

Importance to viewers

Protection of minors was the **most important priority in the regulation of broadcast content for most participants in the workshops**. By general consensus, participants felt that the children who needed the greatest protection through regulation were those under ten years old. Most participants across the segments agreed that older children were harder to protect. They also thought that it was less important to shield older children from language or images they might encounter every day, such as swearing, because they felt that older children would be exposed to this kind of language from other sources, and would be more inclined to make extra efforts to seek it out.

“More children have got PCs and what not, a parent can sit there and regulate what a child watches on the TV a lot but virtually every child in the country has got a PC nowadays”

Female, York, high-tech, event 1

Both parents and non-parents felt that protection of minors was important. Participants across all workshops found it easy spontaneously to identify with the idea that young children were the most vulnerable group in society, and that it was important to ensure that they were protected. Parents knew this from personal experience, and younger

parents were particularly sensitive to the problems in monitoring viewing on open internet services.

"I went on the internet to watch Lazytown with my 3-year-old on my lap ... And the theme tune had been dubbed over and was full of swear words, and no warnings ... you should have to register first"

Cardiff, high-tech, event 2

Non-parents also cared about the protection of minors. They were typically concerned that many children had access to the internet, and tended to see potential dangers here, regardless of whether they were an 'Inform Me' or a 'Protect Me' type.

"My girls like watching *Dr Who* ... so I put it on iPlayer [rather than the open internet], I don't want Dr Who to suddenly say the F word."

Female, York, low-tech, event 1

Protection of minors was therefore considered a moral absolute, which participants **across all demographic factors and attitudinal types** felt was highly important. Views regarding this area were divided only over *who held the greatest responsibility* for ensuring the protection of minors.

'Protect Me' participants typically rated this area very highly: they felt that protecting children was the most important priority for state regulation. In contrast, 'Inform Me' participants tended to feel that parents had a role to play in ensuring that viewing was monitored in the home, and therefore allocated protection of minors a slightly lower rating.

Finally, this was the only regulatory area in which participants did not typically find it difficult to relate to the citizen perspective, even in the Event 1 workshops. This included the youngest and most liberal of participants, who, despite feeling strongly about freedom of speech, nonetheless felt it was important that parents were well-informed about content, and that there were checks in place to ensure that young children did not see inappropriate content.

How its importance changes across platforms

Views about the importance of protection of minors, across all platforms, were consistent across attitudinal segments and demographic factors. **Almost all participants felt that it should be the most important regulatory area, for all platforms, including in a converged world.**

For **broadcast television and VoD / catch-up services**, participants rated protection of minors consistently as the most important regulatory area, regardless of attitudinal segment. VoD / catch-up services were considered to be similar to broadcast television, and participants felt that, for this reason, they needed to be regulated carefully to ensure the protection of young children.

On the **open internet**, the absolute scores for protection of minors dropped for some participants in the 'Inform Me' segment. This was because they felt that not only was it impossible to regulate the internet, but that it was undesirable to do this, in order to maintain freedom of expression and content.

However, for **converged services** such as web-connected televisions, protection of minors regained importance for 'Inform Me' participants, and retained its importance for others. This was because they felt that if it was not possible for viewers to distinguish between regulated broadcast content and the open internet, it would be important to have regulation in place to ensure that young children were protected.

Both parents and non-parents were conscious of the difficulties faced in ensuring that young children were not exposed to harmful content, particularly on **portable devices**. The challenges were apparent to both high-tech and low-tech participants. High-tech participants of all ages were particularly conscious of the difficulties of protecting children, as they were aware of the full range of services that children can access. **Parents** also had particular concerns which related to their own personal experiences. Some noted that young children enjoyed playing with converged mobile or gaming devices owned by their parents or other family members, and found it easy to navigate to the internet on them. This concern was also expressed by grandparents in the workshops, as the following comment illustrates.

"My grandson is five and there's nothing he doesn't know on the internet. How can you stop them [when] they have a [Nintendo] DS device [that's] so small you can't even see them using it."

Female, London, high-tech, event 1

6.3 Harm

Participants were told that regulation to protect against **harm** aims to ensure that programmes featuring potentially harmful content, or products and services, should provide appropriate context and advice. In the workshops we presented participants with examples of financial and medical harm from misleading content.

Importance to viewer

Harm was consistently the second most important issue to most participants across the workshops. Initially, it was **also conceptually the most challenging** of the areas for many participants. **Participants found it hard to understand how television programmes could be potentially harmful**, either to themselves or the wider public. This was firstly because they tended to assume that advertisements were the most suggestive and potentially harmful type of content. These were out of scope for our research. Participants also felt that other types of journalism, such as the print media, offered more potential for financial or medical harm to the general public. They did not hypothesise that the reason that the broadcast media contained little or no potentially harmful material was *because* of existing regulation.



"You don't see a great deal of [harmful material] on TV, you see a lot in the newspapers, recommendations about this type of thing or that type of thing"

Male, Birmingham, high-tech, event 1

Attitudes also played a part. Many participants across both attitudinal segments *initially* felt that protection from harm was something that adults should be responsible for themselves, and that they should also look after vulnerable people in their households. These participants tended to feel that a regulator should not be responsible for protecting individuals against their own (perceived) naivety.

"It's how you bring up your kids; they should know already they shouldn't believe in everything they see."

Male, London, high-tech, event 1

However, **views changed after deliberation**, even within the first event. Those who were initially unable to see the wider social implications of harm were challenged by other participants who had a close link with a vulnerable person, and therefore empathised spontaneously with the position of the more vulnerable in society. Their suggestions and contributions to the debate tended to persuade other participants to see the perspective of more vulnerable citizens. Only following discussion and debate was harm fully understood, although most participants continued to believe that regulation for harm was to protect 'other people' rather than themselves.

"If someone came on giving some financial advice that they may think is true, a good investment, some old person might be tempted to follow them."

Female, Birmingham, high-tech, event 1

"You don't always know if something's harmful, there's people that are vulnerable and there's people that are just naive ... so I think it's quite an important one."

Female, Birmingham, high-tech, event 1

16 and 17 year-olds

Hi-tech teenagers did not feel that they were vulnerable to harm as, with their experience of accessing and navigating online content, they believed they were able to distinguish between different services and discern the subtle differences which would help them understand how reliable content was. However, they acknowledged that adults might be vulnerable to financial or medical harm.

“ This could affect old-fashioned parents who don’t have a TV or computers in their bedrooms”

Female, London, high-tech, 16/17 year old

Low-tech teenagers felt that they may have difficulties in discerning online from broadcast content in a converged world, and therefore felt it would be important to regulate for harm.

How its importance changes across platforms

Overall, even for those who found it challenging to adopt the citizen mindset, harm was an important regulatory priority, especially in a converged world.

For **broadcast television, VoD and catch-up, harm was typically allocated a high absolute ranking**, although typically slightly lower than that of the protection of minors. This was because, after deliberation, participants felt that it was important to ensure that vulnerable adults were protected from financial and medical harm. They felt that the same standards should apply to broadcast television, VoD and catch-up. As outlined in section 2.3, participants commonly felt that these TV broadcasters would broadcast “safe” content only, so the same rules should apply to their other services.

Participants felt that regulating against harm was less important on the **open internet than on other platforms**. This was because there was a strong sense across all ages and attitudinal types that viewers ought to expect the internet to be risky. Many participants felt that regulation against harm was not possible on the open internet. They tended to feel that people who used the open internet should be well aware that they were being exposed to unregulated content with potential risks. This was true of both ‘Protect Me’ and ‘Inform Me’ types.

“The internet is just risky. It’s what you expect.”

Female, York, high-tech, event 1

Regulating against harm on connected TVs was deemed more important than on broadcast television, perhaps because people are less trusting of open internet brands than they are of television broadcasters. Many participants were highly concerned that viewers could be exposed to harmful content unknowingly in a more converged environment. Although casual technology users often insisted that viewers would be able to make the distinction between regulated and unregulated content, they changed their views after deliberation, and felt that protecting viewers against harm was an important priority.

"It's on the internet, so it's not really to do with TV. You have gullible people and someone should protect them. But I'm not sure who."

Female, Cardiff, low-tech, event 2

The implications for harm on **mobile devices** were not raised spontaneously in the workshops, and on prompting, participants typically felt that viewers would be more aware of accessing the internet on a portable device than they would be on a connected TV.

6.4 Offence

Participants were told that regulation to prevent offence aims to ensure that material with strong language, or images that might offend, should be broadcast only with appropriate context and warning.

Importance to viewers

Opinions were more divided about offence than any other area. **Responses to offence were divided along the lines of the attitudinal segments** described in Section 3.

For some 'Protect Me' types, offence was nearly as important as protection of minors, and considerably more important than any other area apart from harm. These participants tended to find a wide range of content on television personally offensive and therefore ranked offence very highly as a matter for concern, typically above harm. They tended to be older participants, over 55 years of age, and many had grandchildren whom they looked after regularly.

Other participants in the 'Protect Me' segment typically tolerated some offensive content themselves, but felt it was important that people who they perceived to be vulnerable were protected from offence. These participants tended to be younger than those who were offended by a very wide array of broadcast content. They also ranked offence highly, although typically not as high as harm, understanding that offence was as much about context as about individual sensibilities.

For 'Inform Me' types, however, offence was a very low priority. Some of the younger participants in this segment tended to associate regulation around offence with censorship, and felt that if offence was regulated too heavily, there would be detrimental effects on the creativity and quality of broadcast content. Furthermore, a small minority also expressed the view that that being offended by television content was not in itself harmful to viewers; a view that was particularly prevalent among the youngest participants in the research.

"I love Gordon Ramsey's programme, but I do get offended by too much use of the 'f word'. And sometimes I've just had enough and I just turn over."

Male, Birmingham, high-tech, event 1

Many participants in the 'Inform Me' attitudinal segment tended to placate 'Protect Me' types in the segments, and typically made concessions to those in society who were offended by certain types of content. They tended to feel that it was important to provide sufficient information for viewers to make decisions on what they watched, and cited the role of trailers, EPGs and audio-visual indicators - overseen by a regulator - in supporting viewers in making suitable decisions about what content to watch.

"There are certain programmes, if they're advertised, you know what they're going to be. You know if there's going to be sex, you know if there's going to be swearing"

Female, Manchester, low-tech, event 1

Overall, whether or not participants were personally offended by content was a matter of taste; this also extended to their views on whether they felt offence was an important priority for viewers in society more widely, and how seriously they felt about it as a regulatory priority.

How its importance changes across platforms

As reported, participants tended to feel that offence was either a very high, or a very low priority, and this was reflected in how they felt it should be regulated for across different platforms. On **broadcast services**, 'Protect Me' types ranked offence very highly, and 'Inform Me' types typically ranked it very low.

Where **VoD and catch-up services** were concerned, 'Protect Me' types tended to feel that these services provided an opportunity for getting regulation right if any misjudgements had been made the first time round, and also for providing age-sensitive security checks in place in lieu of the broadcast watershed.

"If there was something that was missed the first time round that [was] offensive, they know about it this time round when it's on demand."

Female, Birmingham, high-tech, event 1

'Inform me' types were less concerned about regulating for offence on these services; they did not tend to feel this was important on broadcast television, and considered VoD and catch-up services to be an extension of these services.

On the **open internet**, responses were similar: while 'Protect Me' types felt it would be important to regulate for offence in this area, 'Inform Me' types felt particularly strongly that this was not desirable. Many participants raised the question of whether it would in fact be possible to regulate offensive content on the open internet, with 'Inform Me' participants, in particular, drawing attention to the idea that offensive content was, to some extent, to be *expected* on the open internet.

However, there was consensus across both attitudinal segments that it was **important to provide information to viewers about potentially offensive content**.

'Protect Me' types' felt that regulating for offence remained important. 'Inform Me' types changed their views about how offence should be regulated when they compared the current broadcast television and VoD scenario to a converged environment. They tended to feel that it was important to ensure that viewers had the right information

about programmes that might be available on connected TVs. This was because they felt it was unlikely that viewers would choose to watch programmes that offended them, as long as they had an accurate idea of the content.

“You can only get offended about something you don’t know about. If you know there’s offensive content, then there’s no problem.”

Male, London, high-tech, event 1

A number of participants across the segments suggested that offence raised particular issues for **portable devices**. ‘Protect Me’ participants typically felt that offensive content on portable devices might be seen, and more importantly, *overheard* by bystanders in a public place. They could not offer suggestions as to how a regulator might control this, and thought the issue should instead be seen as anti-social behaviour.

6.5 Impartiality

Participants were told that regulation to ensure **impartiality** aims to ensure that television programmes present balanced reporting in news and current affairs.

Importance to viewers

Views on regulation for impartiality varied widely in the workshops. Almost all participants ranked it less important than protection of minors and harm. Low scores for impartiality could be due to the fact that many participants reported that they were not aware that broadcast television was regulated for impartiality, or had difficulties understanding impartiality as a principle. Also, part of the exercise was about rating the six areas *relative* to each other, and impartiality was sometimes ranked lower so that participants (particularly ‘Protect Me’ types) could highlight its relative lack of importance, compared to offence, for example.

Attitudinal segments affected the ranking of impartiality. ‘Protect Me’ types felt that impartiality was not as important as harm and protection of minors, and for many, offence was also more important. A few participants in this segment felt that impartiality was unimportant, because they felt that bias was inevitable in the media, even in some of the PSB channels, so there should be less attempt to regulate against it. Some ‘Protect Me’ types found it hard to take the citizen view and conceptualise the wider effects on society of bias or partiality in sources of information. These people tended to rank impartiality lowest throughout the exercise.

“He [user of Sun TV] has made his choice ... I don’t think anyone should be telling him which way to think.”

Female, Cardiff, hi-tech, event 2

However, a **small minority of the youngest participants in the workshops ranked impartiality more highly**. These participants made a strong argument about the value of impartiality to society and democratic debate, and therefore put it ahead of protection of minors and harm.

“A really impartial media would be a force for good in society.”

Male, London, high-tech, event 1

A few of the older participants in the study ranked it highly. This may be to do with impartiality’s historic connections with public service broadcasting. Although few participants articulated the connection with PSB explicitly, they seemed to start thinking about impartiality with the assumption that it is incumbent on a *broadcaster* to be impartial, rather than a *programme*.

A few participants noted that a key issue for the future was whether a *whole service* or *individual programmes* should be regulated: sometimes they felt that individual programmes (specifically documentaries) needed to show a partisan view in order to make a point. In this case, a mix of partial programmes from different viewpoints across a whole service would be acceptable.

“Do you always have to give a balanced view? Or does Terry Pratchett, who has a diagnosis of Alzheimer’s ... doesn’t he have the right to do a programme focusing on [the case for assisted suicide]?”

Male, Manchester, low-tech, event 1

Regarding news programmes, a minority of participants felt strongly that the terrestrial channels had historically been voices of authority and that key programmes such as news bulletins or current affairs (e.g. *Question Time*) represented impartiality and should continue to be required to do so.

“I hate to use words like bastion of values, but that’s what I mean”

Male, London, high-tech, event 2

How its importance changes across platforms

On **broadcast TV** there was considerable variability around the absolute ranking of impartiality. Reasons for this are reported in the previous section.

Impartiality was broadly felt to be less important for **catch-up and VoD services than for broadcast TV**. This was a general feeling across all types of participant, and was based on the idea that VoD represents a smaller subset of the same programmes on broadcast television, and because these services offer programmes which are sought out by viewers and are not part of a schedule.

Participants also typically felt that it was less important to enforce impartiality on the **open internet**. This was because they believed that the value of the internet was that it represented a very diverse range of views without any mediation. This breadth of views was felt to be valuable; participants thought that to regulate for impartiality on the open internet would undermine the spirit of the medium, typically reporting that they *expected* content on the open internet to be biased or partial.

Looking forward to a **converged world, in which** open internet services appear on mobile devices and smart TVs, opinions were more divided. Some 'Inform Me' participants felt that it would be important to maintain the levels of regulation existing on broadcast TV today. These participants tended to be more familiar with technology and could envisage this future scenario clearly. They considered that connected TVs could change the status of content viewed in the living room at home: TV may no longer represent a trusted authority, and some viewers may not realise this.

These participants thought it would be important in the future to include clear signalling on converged devices about the provenance of content. They felt that this would help viewers distinguish between impartial content generated by recognised broadcasters, and potentially biased content from other sources.

"You should know what to expect. Like if a channel is a republican channel, you can't expect it to take a pro-royalist stance, or be impartial about issues about the Queen"

Male, Cardiff, high-tech, event 2

A small number of participants in the 'Inform Me' group saw less need to regulate for impartiality in the future for similar reasons: they believed that access to multiple sources would give people easier access to a range of views. They believed that this was a positive and beneficial future shift, and that bias in audio-visual content would be mitigated because there would be a wide range of sources available to viewers.

Participants in the 'Protect Me' segment did not consider impartiality to be an important area for regulation in the converged world, although some participants in this group did increase its importance slightly in this scenario. This was because they felt it would be useful for viewers to have access to information about what content was regulated and what was not, so as to make informed choices. We consider this issue in more detail in section 5.3.

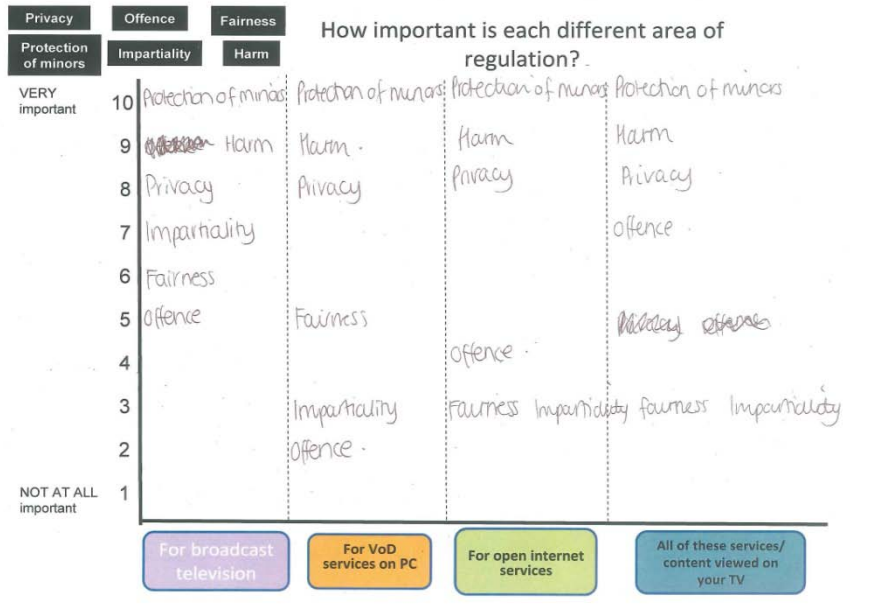
Participants did not typically feel that regulating impartiality was important on **mobile devices**. This was because they felt it was generally best regulated through ensuring that standards prevailed in the creation of content, and through the provision of signposting as to what was and was not regulated content.

6.6 Fairness

Participants were informed that regulation around fairness aims to ensure that portrayal of individuals on programmes is not one-sided and they are given a chance to speak directly.

Importance to viewers

Views on fairness were very similar to views on impartiality: participants tended to link the two concepts and some found it difficult to disentangle them. In the exercise, participants frequently ranked them together as one area, as illustrated in the following example.



As many participants viewed impartiality and fairness as similar concepts, they gave them similar rankings. This meant that, overall, most participants tended to rank fairness after protection of minors and harm, and, in some cases, after offence. A minority, who were able to see the wider social benefit of regulation, thought this was more important. These participants tended to be older, 'Inform Me' types, who felt that the balanced portrayal of individuals in programmes was important and ought to be protected.

"If you're making allegations against someone you've got to give that person or their organisation chance to either refute it or say 'no comment.'"

Male, Birmingham, high-tech, event 1

A further difficulty around fairness was that most participants found it difficult to understand how it might apply to them. They saw it as an area that would protect individuals and organisations featured in news or factual programmes, who needed to be able to defend themselves, but not as something relevant to them personally. It was difficult for participants to empathise with a situation in which they might be defamed on television and would themselves require this kind of protection.

16 and 17 year-olds

A few of the youngest participants understood the term 'fairness' in the wider sense of group rights, rather than the rights of an individual or organisation. 16 and 17-year-olds felt that the term might refer to television portraying young people 'fairly', and ensuring that prejudices about teens were not perpetuated.

"No one wants to see a kid in a library reading. They want to see kids that are smacking cars up"

Female, London, high-tech, 16/17 year old

For these reasons, where fairness was seen as distinct from impartiality, it tended to be ranked lower. Participants who had made a distinction between the two tended to see impartiality as the greater social benefit, and the one which was more relevant to their own media consumption.

How its importance changes across platforms

As discussed above, participants made little distinction between impartiality and fairness, and often ranked the two together. Most participants felt that it was **less important on VoD and the open internet than on broadcast services**.

However, for those who valued it for broadcast television, impartiality also became more important for the **converged services** world, and similar to levels in broadcast. Participants across all attitudinal segments felt that this was a concern, and that regulation for fairness would be more important when all platforms were available on a single screen. As with impartiality, this tended to relate to the provision of information, with participants reporting that they would like to see clear signalling about the origin of content on converged devices. They felt that this would help viewers distinguish between regulated content generated by regulated sources, and potentially one-sided content from non-regulated sources.

6.7 Privacy

Participants were told that regulation to ensure **privacy** aims to ensure that programmes include details from individuals' private lives only where it is justified by the public interest.

Importance to viewers

Privacy was the **most consistently misunderstood of the regulatory areas**, to some extent as a result of the context and timing of the study. The research was conducted during widespread publicity about super-injunctions and the phone-hacking controversy. Many participants felt that issues of privacy did not apply to them personally, only to celebrities and public figures. In such cases **many participants felt that disclosure of private details was in the public interest**, and they found it hard

to empathise that their own privacy could be potentially be at risk if they were featured in content.

M: "An individual needs to live in society so their privacy needs to be protected"

F: "But if someone is drunk in the street why shouldn't we see them?"

Male and female, London, high-tech, event 1

Participants aged over 40 tended to consider privacy relatively less important to other areas. This was, to some extent, because they did not understand its relevance to them as viewers; although, after deliberation, many ranked it higher. But because many people felt that privacy affected only very small numbers of people, they typically struggled to put themselves in the shoes of someone whose privacy had been violated.

"I don't think it's as important as the other factors because it's essentially one person, whereas something like offence, a lot of people are going to be adversely affected."

Female, York, high-tech, event 1

However, there were some people to whom privacy was highly important. These were typically the youngest participants in the research, who tended to rank privacy higher than impartiality and fairness. Some of the very youngest in the workshops (18-19 years old) even ranked it above protection of minors. This was because, as heavy users of the internet and social media, they had personal, or at least anecdotal, experience of how an individual's privacy could be violated by disclosure of details on widely-available online services.

16 and 17 year-olds

This was also the case among the 16-17 year old high-tech users. Protecting privacy was more relevant to them than to any other segment in the research, and they particularly focused on the implications of an online invasion of privacy.

Privacy was also important to the under-35 age group. These participants were the most able to adopt the citizen perspective in relation to the risk of an invasion of privacy. They also noted that there were some instances when privacy took second place to the public interest of investigative journalism, as the following comment illustrates:

"*Panorama* on old people's homes meant people had their privacy invaded. But it was warranted as bad things were exposed."

Male, Birmingham, high-tech, event 2

How its importance changes across platforms

Views differed less according to *regulation on different services* and more about *whose privacy it was important to protect*. **When participants were able to understand that an individual's personal privacy could be protected from unwarranted intrusion by regulation, they tended to rate it higher.** When they felt that regulation was simply protecting people who might have done something to warrant investigation: e.g. people who behaved antisocially, celebrities, criminals or illegal immigrants, they rated it lower.

Attitudes to privacy were influenced less by attitudinal typologies than by the extent to which the respondent adopted a citizen view. Where participants had little empathy with those whose privacy was invaded, this was one of the hardest areas to communicate; where participants did empathise it was considered the issue with perhaps the highest potential for damage to any individual.

"I didn't think that the privacy one affected too many programmes to be perfectly honest and that's the only reason why I ranked it so low."

Male, Birmingham, high-tech, event 1

For these reasons, privacy regulation was **considered to be platform independent**; its importance did not change a great deal according to the service. Participants who felt it was important thought it was best regulated by enforcing regulation for intrusion of privacy at the content-creation stage.

6.8 Conclusion

Protection of minors was consistently the most important regulatory area for all participants, across all platforms. Participants across all attitudinal segments and levels of technology use typically wanted to see a high level of regulation to protect young children.

Harm was consistently the second most important area for participants across all platforms. However, most required prompting before they were able to visualise the types of people for whom protection from harm would be relevant.

Impartiality, privacy and fairness were all rated lower across the board than protection of minors and protection from harm overall, and **were much more dependent on the personal experiences, attitudes and age of participants** for how they were perceived and prioritised.

Offence displayed the most variability between very high and low ranking of importance. Attitudes were also important here. Whereas many 'Protect Me' types felt that offence was highly important and should be considered by regulators at the production stage of content, 'Inform Me' participants felt very differently. These participants felt that offensive content should be made and broadcast, but with the relevant information in place to allow viewers to choose whether or not to view it.

Participants tended to increase the importance of regulation for all six areas for converged services, compared to a lower importance on the open internet generally. This was because they felt that a converged world – and the combination of broadcast and internet content, some of which would not be regulated - brought *increased risks for vulnerable people, and a greater threat to values such as impartiality, fairness and privacy, which are currently regulated for in broadcast TV.*

7. Preferences for regulation in the future

7. Preferences for regulation in the future

7.1 Background

This section presents our findings on **what kind of regulatory regime audiences would like to see** in a future 'converged' world. It also details which regulatory regimes and mechanisms the public feel are most suitable for the *different regulatory areas*, and where the public thinks that *responsibility* for regulation should fall. We will draw on evidence from the distinct segments of the research presented in Section 5 of this report.

Research materials and processes

In the Event 2 workshops, four 'regulatory scenarios' were presented to participants. These scenarios detailed varying *levels of regulation*, ranging from all audio-visual content being regulated across all services through to no regulation at all. The four scenarios discussed with participants are presented below.

Table 5.1: The four regulatory scenarios

Regulatory scenario	Description	Level of regulation
1. All services regulated	Regulation of all audio-visual services (whether TV, internet or mobile-delivered) in the UK that supply programmes. These services would have to register with the regulator and comply with regulations. There may be different tiers of regulation by type of service, but all services would be regulated.	High
2. Only broadcast TV regulated	TV broadcasters would be bound by the Broadcasting Code, administered by Ofcom.	Medium
3. Industry agrees own rules	No formal regulation of audio-visual services. Instead, services would be encouraged to publish and comply with a set of rules. Services agreeing to abide by these rules would be kitemarked to indicate that they adhered to industry regulations.	Low
4. No additional regulation	No specific regulation of programmes. All services would be subject to general law, which protects against discrimination, hatred and obscenity. Services may choose to set their own rules and standards at a higher level than this.	None

The following slides illustrate the stimuli given to participants on the four scenarios.

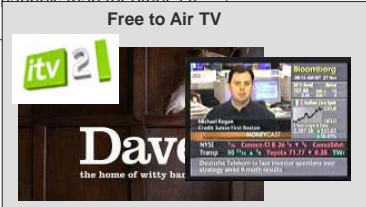
Only broadcast TV regulated C1

What are the rules?
TV broadcasters are bound by the Broadcasting Code, administered by Ofcom.

What is included?
 All TV channels operating under a UK Broadcast licence. This includes the vast majority of channels carried on analogue, Freeview, Freesat, Virgin Media and Sky.


 Only catch-up programmes that have been previously broadcast are regulated (pay/subscription TV)

 There may be different rules or tighter restrictions for Public Service Broadcasters (BBC, Channel 4, ITV1, Channel 5) or free to air channels than for other TV channels




What's not included?
Any Web streamed programme which is available via the internet on your TV or PC which has not previously been shown on broadcast television

Comedy video podcast only shown on the web (not previously on broadcast TV)



Exclusive music sessions recorded for the web




All content services regulated C2

What are the rules?
 Regulation of all services (whether TV, internet or mobile delivered) in the UK that supply programmes.

 These services would have to register themselves with the regulator and comply with regulations.

What is included?
 All UK generated programmes on any platform in UK to be regulated

 There may be different rules or tighter restrictions
 - more on **Broadcast TV** compared to;
 - **Video on Demand**
 - and fewer rules for **Open internet services**

What's not included?
 Programme on the web which is user generated.



Content on the web that originates outside the EU – as we are not able to oversee this






Industry agrees own rules c3

What are the rules?
 No formal regulation of video services.
 Instead, services are encouraged to agree and publish a set of rules to follow.
 Services agreeing to abide by these rules are kite-marked to indicate that they adhere to industry set regulations.

What's not included?
 Other services not agreeing / meeting the kite-mark set their own rules, and remain subject to general law.

What is included?
 The industry would agree on a common set of rules and standards

Youtube polices its content against the rules immediately takes down rude or offensive programmes




Channel 4 check their schedules against the rules and standards in order that it is included in the Sky EPG.







Safety kite marks set by industry
Ipsos MORI




No extra content regulation C4 - Common law and providers own rules

What are the rules?
 No specific regulation of programmes.
 All services remain subject to general law – which protects against discrimination, hatred and obscenity.
 Services may choose to set their own rules and standards at a higher level than this.

What's not included?
 There would no longer be dedicated regulation for Broadcast TV services, as currently.

What is included?
 Brands themselves would set their own rules for programmes

Youtube polices its content and immediately takes down rude or offensive videos

Channel 4 may show some extreme content with a warning, but ITV2 might choose not to because their audiences are very different

Ipsos MORI

Participants discussed each scenario in turn and were encouraged to consider the relevance and importance of each, both as **consumers and citizens**. By this point in the workshops, participants had discussed case studies looking at the role of regulation for vulnerable people. This exercise was included in order to help participants to adopt a citizen-focused view.

After considering all four scenarios, participants were asked to select which of the four scenarios felt most appropriate for them in a future converged world. They also considered which scenario was most appropriate for *each of the six individual regulatory areas*. This exercise helped us understand *what level of regulation* participants felt was appropriate for each of the areas, and also *what they felt the risks might be* around each scenario.

Finally, we asked participants to work together in smaller groups to develop their own ideal future regulation scenario, based on everything they had learned and discussed in the workshops. This exercise allowed participants to develop an optimal regulatory scenario that included their desired *level of regulation* and the *tools* they would use within it.

7.2 Overall preferences for regulatory scenarios

Overall, **most participants felt that regulation overall should be maintained or potentially increased in a converged world**: particularly for broadcast television and for content produced by the main terrestrial channels across all platforms (VoD and catch-up services). There was little appetite for a reduction in regulation from existing levels (scenarios 3 and 4).

"I think if we're regulating television ... the same standards should apply through whatever medium."

Male, Edinburgh, high-tech, event 2

This was the case across all attitudinal types and demographic segments, but for different reasons. The 'Protect Me' segment tended to feel that the same, or higher, levels of regulation were required to ensure that viewers were adequately protected, given the increase in services and sources of content. The 'Inform Me' segment wanted to ensure that regulatory principles particular to broadcast TV - impartiality, fairness and privacy - continued to be applied by programme makers and that vulnerable viewers were made aware of potentially offensive or harmful content.

Support for scenario 1: All services regulated

Many participants felt that current levels of broadcast regulation should remain and that protection should extend to all audio-visual services. This view was expressed by people of all ages, and from all demographic and attitudinal segments. This was because participants felt that a converged world brought increased risks, particularly for children and other vulnerable groups. Their key concern was to ensure that any future approach to regulation would be simple and easy to understand, so that people would not accidentally find themselves watching unregulated or differently-regulated content. As discussed below, this could be achieved either by clearly differentiating between regulated and unregulated content, or by regulating types of content on a consistent basis. For most the latter would be preferable.

"I like [more regulation] because it would protect children, and they're the ones who are mainly flicking through channels"

Female, Cardiff, low-tech, event 2

"I still think there needs to be more [regulation]. People are vulnerable if you do not have it"

Male, Manchester, high-tech, event 2

Some of those who advocated this scenario, who tended to be people in the 'Inform Me' segment, said that providing accurate information about programme content would be sufficient. However, they felt that this would need to be 'policed' by an independent organisation, to ensure that the information was accurate and standardised, and that sanctions should be imposed if they were not.

Support for scenario 2: Only broadcast TV regulated.

There was also strong support for the scenario, which maintained the current levels of regulation. Often, this view was based on the premise that **what is effective about existing regulation ought not to be lost**, even if the convergence of services change the conditions in which it operates. Advocates for this scenario were more likely to believe that they would continue to be able to tell the difference between online and broadcast content, and if this line became unclear they would expect a regulator to make it clear (e.g. through a kitemark system, as discussed below).

"We shouldn't change what we've got. Why get rid of something that works?"

Male, York, high-tech, event 2

Support for scenario 3: Industry agrees own rules

Most participants were **less keen on a future regulatory scenario in which the industry agreed its own rules, although a few did choose this option**. It was felt that self-regulation of the industry could lead to more permissive rules, as broadcasters would be likely to favour commercial priorities over upholding high standards. They also felt that without an independent regulator involved in some way, it would be unlikely that broadcasters would be able to develop a consensus on what regulation would be suitable, or the standards required. They wanted any processes that developed an industry consensus to be open to public scrutiny and comment.

Participants who supported the idea of the industry agreeing its own rules assumed that an independent overseeing body would monitor *quality control and oversee the process*. In other words, they adapted the scenario to include an independent monitoring authority/ regulator, as without this they could not see the scenario working.

"Maybe Ofcom could push the broadcasters in a direction. [Broadcasters] need pressure from people like Ofcom if they don't conform"

Female, Cardiff, Low-tech, Event 2

Support for scenario 4: No additional regulation

All participants were **opposed to a scenario in which there was no additional regulation in audio-visual services** (i.e. beyond what is required by law). They felt at the very least, that clear information was required to ensure that vulnerable people were protected in the future.

"This scenario is dangerous, really dangerous. Especially for vulnerable people. TV channels cannot be trusted"

Male, Manchester, low-tech, event 2

A very small minority of 'Inform Me' participants could envisage less regulation, but only subject to visible, effective signposting such as clear pre-warnings.

16/17 year-olds

Teenage participants felt that education and awareness-raising around the role and nature of regulation was important in a converged world. They felt that if people did not know how to tell the difference between the different types of services they would need more support to do so.

"We have grown up with regulation and we know how to analyse all the things we see. For future generations who haven't grown up with regulation, that world would not work".

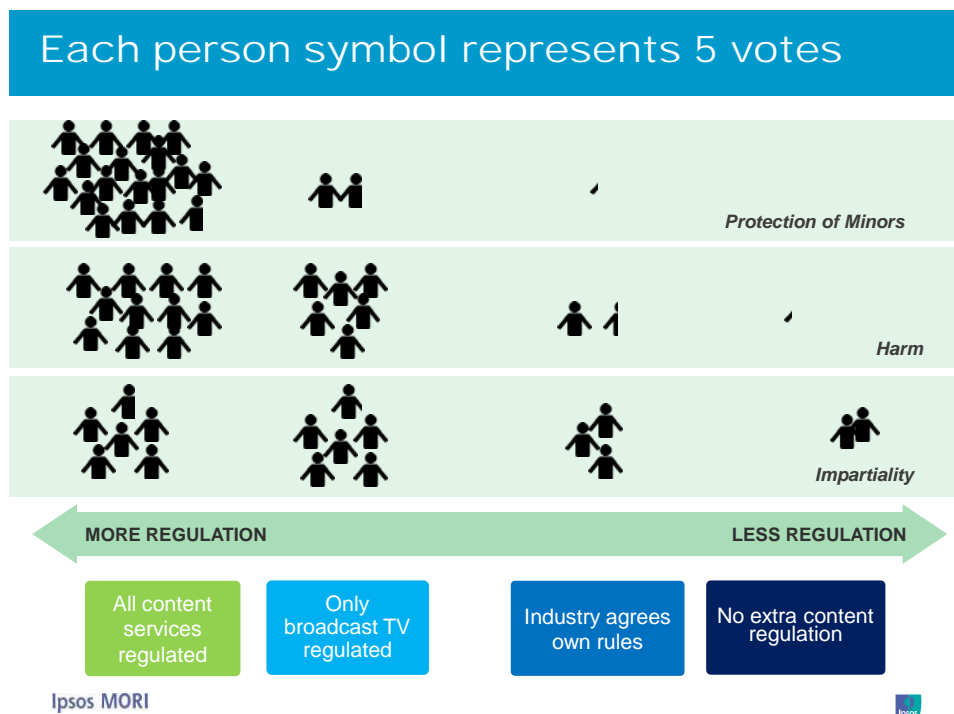
Male, London, high-tech, 16-17 year-olds

They also liked the way YouTube regulates itself, and, having seen it in practice for themselves, were much more comfortable than typical participants in the workshops with the scenario in which the industry regulated itself.

7.3 Implications for regulatory areas

In the workshops participants were asked to choose which regulatory scenario they felt was most suitable for each of the six regulatory areas discussed. The following *indicative* charts illustrate the outcome of a voting exercise, in which each person was asked to show their preference by raising their hand. A few participants in the workshops did not cast votes for all of the areas, finding it difficult to allocate a scenario to each area. For this reason, the charts provide an *indication* of how strongly participants overall felt about levels of regulation for each area. Where only an arm is depicted, this shows that very few participants voted for an option, but that at least one person across the workshops expressed that view.

Figure 5.1: Support for scenarios, by regulatory area



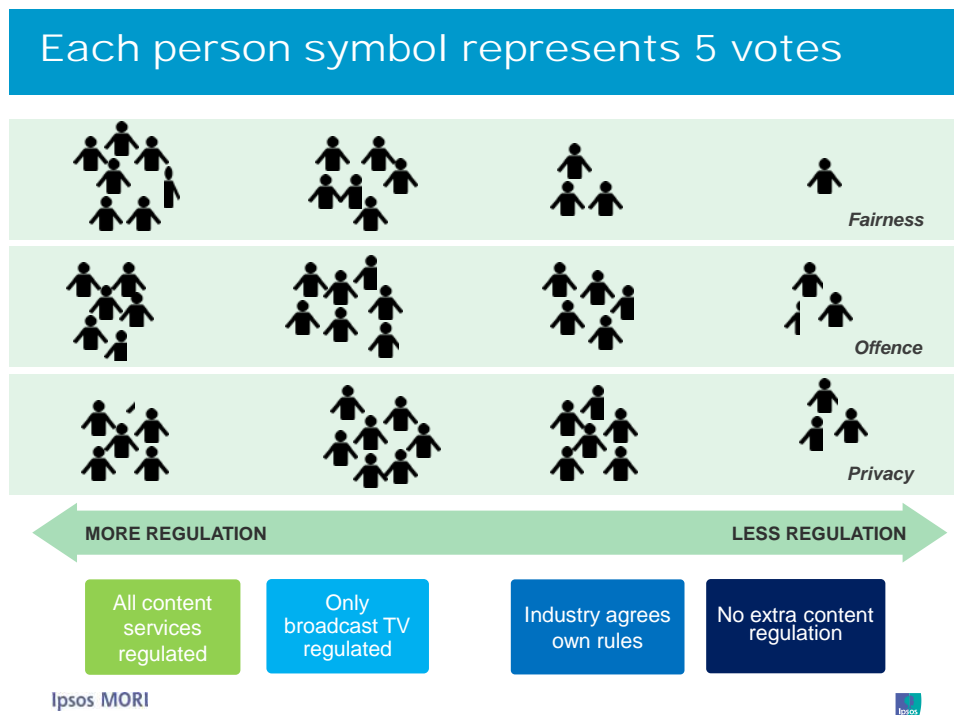
This chart illustrates that the strongest support across the workshops was for increasing regulation to ensure the **protection of minors** across all platforms. Many participants wanted to see *all content* regulated to ensure the protection of young children, and while some participants supported protection of minors limited to broadcast TV only, only a very small minority were prepared to see less regulation than today. Participants generally felt that there was a *moral obligation* to ensure that vulnerable children were protected, and that a regulator should fulfil this role.

The chart also illustrates that there was strong support for either maintaining the status quo or increasing regulation for **harm**. At this point in the workshops, participants had explored the area of harm in greater depth through the use of case studies. They were more likely to have developed a citizen viewpoint, and typically felt more strongly that it was important to regulate for harm to ensure that vulnerable adults were protected. As with protection of minors, only a few participants supported lower levels of regulation. For harm, as with protection of minors, participants tended to feel that there was a moral obligation to ensure that vulnerable citizens were protected.

For **impartiality**, there was a greater spread of views, with larger numbers feeling that it would be acceptable to have lower levels of regulation. This was because fewer

participants felt that it was important to regulate for impartiality (as discussed in Section 3). Also, some felt that in a connected world people would naturally have access to more sources of information and therefore the need for impartiality would be reduced.

Figure 5.2: Support for scenarios, by regulatory area



This second chart illustrates a spread of responses, across the full range of regulatory scenarios, for fairness, offence and privacy. In these three areas, there was less consensus on how to best to regulate, which can be accounted for by the wider spectrum of attitudes to these three areas described in Section 3. While many considered that regulation of these areas on broadcast TV only was most appropriate, some thought that regulation should be extended to additional services, while others would make it optional, or voluntary, for providers.

Preferences on how regulation should work in practice

In the workshops we also asked participants to develop their own ideal future regulation scenario, based on everything they had learned and discussed in the workshops. This exercise allowed participants to consider the *tools* they would prefer a regulator to use.

The two attitudinal segments identified earlier were important to how people felt regulation should work in practice. While both segments were likely to say that maintaining or increasing regulation were important, they felt this should be done in different ways. Most **'Protect Me' types generally felt that programme-makers and broadcasters should shoulder the responsibility** for protecting audiences and *not produce content that contravened regulatory rules*. However, **'Inform Me' participants felt strongly that regulation should mean the provision of information and security** and as such they felt there was more of a role for *intermediaries and viewers themselves*.

"We shouldn't stop [creative programme makers] ... we should regulate them. Censorship and regulation are very different"

Female, Cardiff, low-tech, event 2

Participants who were concerned about **impartiality, fairness and privacy** typically felt that broadcasters and programme makers should be responsible for ensuring standards, because this would be most practical. But some felt that a system of providing warnings/information about content that did not abide by these principles (e.g. a warning that a programme contained partial views) might be adequate in some circumstances.

The following table shows how participants would like audio-visual content to be regulated in the future, by regulatory area and attitudinal type.

"**Source content**" refers to broadcasters and producers making efforts to maintain broadcasting standards by amending content at source.

"**Information**" refers to warnings and labelling provided by producers, broadcasters or intermediaries.

"**Viewer controls**" refers to technical tools provided by intermediaries and used by viewers to filter out content according to their preferences.

Table 5.2: Preferences for regulatory mechanisms in a converged world (after deliberation)

<i>Regulatory area</i>	<i>Attitudinal type</i>	
	'Protect Me'	'Inform Me'
Protection of minors	Source content/ Information/ Viewer controls	Information/ Viewer controls
Offence	Source content/ Information/ Viewer controls	Information/ Viewer controls
Harm	Source content/ Information	Information/ Security
Impartiality	Source content/ None	Source content/ Information
Fairness	Source content/ None	Source content
Privacy	Source content/ None	Source content/ None

There was strong **support for the labelling of content** through the provision of detailed descriptions of content in trailers and in EPG information, and *audio-visual indicators* and warnings about potentially offensive or unsuitable content. Participants reported that a range of information, including warnings before broadcast, as well as on trailers and EPGs, would be useful. They felt that intermediaries and broadcasters had a role to play in providing this information.

Participants who felt that security was important wanted intermediaries, such as manufacturers, service providers and platforms, to ensure that consumers had suitable **technical controls to block and screen content in the home**. They felt that *individuals* had a responsibility to ensure that vulnerable people in their household were protected, using these tools, but that providers had responsibility for making it easy to do.

"It's a good opportunity for self-regulation ... controls are there, if things get out of hand"

Cardiff, high-tech, event 2

7.4 Provision of information

There was a strong preference for **clear information in consistent formats across all platforms**. This was because some participants felt that the current information was confusing, and they felt it was important that information about risks in programmes was clear and simple for viewers to understand.

"All catch-up services have a different set of rules ... one says it's about violence and one has a PIN, one has PG"

Male, Birmingham, high-tech, event 2

There was strong support for a **symbol or kitemark which would give an indication about the content of programmes and flag any potential issues** (e.g. highlighting programmes which could contain offensive or potentially harmful content, or content inappropriate for younger viewers). Participants felt that this would need to be developed and put into practice through consensus with the industry, and with support and enforcement from a regulator. Participants across all attitudinal segments supported this as they felt it was the most effective way of ensuring that the most vulnerable groups were protected.

"There should be a simple symbol or something to advise people on content and [they should] replicate this across all channels"

Female, York, high-tech, event 2

As well as protecting young children, participants felt that this symbol would help protect the vulnerable from harm, and from being influenced by biased journalism, as viewers would be able to know immediately if they were watching biased content.

Some participants also suggested having more detailed information about the content of programmes on EPGs. They felt that this could be best presented as a **'traffic-light system'**, with red indicating potentially offensive content or content that might be harmful to minors, and green indicating content that was safe for anyone to view. They felt that this simple mechanism would allow viewers to make informed choices about what was suitable viewing for their household.

7.5 Provision of security

Participants felt strongly about the provision of suitable security mechanisms and checks in relation to the protection of minors, and offence, particularly where very young children might be viewing content. Security was important because people thought that children would have increased access to time-shifted content in the future, and for some it was already a problem. Parents and grandparents, in particular, were concerned at how best they could control this kind of access.

*"If you think your son and daughter are watching *Dave* on Playstation at 7.30 in the morning, how can you have guidelines?"*

Male, London, high-tech, event 1

Both parents and non-parents were concerned that existing security checks on VoD were not sufficient to ensure the protection of young children, and many younger people in the workshops admitted that they had regularly ignored security checks such as tick boxes for over-18s. For this reason, many in the 'Protect Me' segment advocated more stringent technical controls. These controls included dedicated passwords and PIN numbers for watching post-watershed content on converged televisions. Current provision was not deemed adequate, as one passcode or PIN is used for everything, so in time a child comes to know the PIN (for example, to download a children's film) and is then able to access all content.

"Any child can say they are over 18 ... You should have to do more than tick a box; you should need your address, or even a National Insurance number"

Female, Cardiff, low-tech, event 2

Participants in the 'Inform Me' segment felt that individuals should take responsibility for monitoring content in their household. These participants typically felt that parents should be able to choose the controls that suited their household, and that the manufacturers of mobile devices and connected TVs should provide appropriate tools.

"It's up to parents to learn how use the regulations and controls"

Female, Cardiff, high-tech, event 2

“It would be good to let your user choose, in order to access certain channels and sites you should have to type in a code that you purchase with the package; with the Smart bundle”

Male, Manchester, high-tech, event 2

Finally, participants felt that they **needed support** in taking responsibility for monitoring content in their homes. They felt that it would be useful to have a channel that provided clear information on how to set up and maintain PIN numbers and monitor viewing. They felt that the regulator had a role to play in ensuring that manufacturers and service providers offered this support.

Distinguishing between regulated and unregulated content

Irrespective of their views on how regulation should work in practice, **participants wanted clear signposting on regulated and unregulated content, so that the difference between them was clearly identifiable to all users.** They felt that this would help people make better decisions about the risks associated with watching a programme. It would help them to judge whether content was likely to be appropriate for them or for people in their household to watch, and the level of risk in doing so. Many felt that it might be necessary to have an organisation responsible for ensuring this distinction was clear.

Across both segments, ensuring that regulated content was identifiable was seen as particularly important in a converged world, in order to help viewers distinguish between regulated and non-regulated content which looked like television; for example, user-generated content.

“How could you tell if something is made by an amateur or not? If I made an obscene soap opera, would I get fined?”

Cardiff, high-tech, event 2

7.6 Conclusion

Overall, almost all participants wanted some level of independent regulation to provide protection to vulnerable groups, especially children, and to supply information to enable viewers to make informed decisions. However, most participants were also prepared to take some responsibility for ‘regulating’ content personally. Tools to ensure that only those with the correct permission could view content were considered essential for the protection of young people.

Many participants suggested that clear labelling of regulated and non-regulated content would be useful so that viewers in the future would know to be more wary of content from unregulated sources.

Participants differed in their views about what regulatory mechanisms should be used and who should take responsibility for regulation. Most felt that broadcasters have a role to play in amending content at source, so that it is appropriate for audiences, that intermediaries have a role to play in providing information and tools to protect audiences, and that individuals also have to take responsibility for exercising choice and control over what their households watch.

Glossary

Glossary

Aggregator	The means by which audio-visual services are brought together e.g. Freeview, YouTube,
Broadcast television	Programmes on TV channels which are watched at the time the programme is broadcast/ scheduled
Catch-up services	A service which offers an opportunity to watch programmes already broadcast, either on a dedicated service (Sky Anytime) or through an internet App/website (iPlayer, 4oD etc)
Connected television	A television with integrated internet access
Converged services	Mobile or television services with integrated internet access.
Device	The hardware used to watch content e.g. mobile, connected TV
Digital terrestrial television	Television with access to Freeview channels
EPG	Electronic programme guide
Interface	The means of accessing a service e.g. EPG, search-box
ISP	Internet service provider
Mobile/Portable device	A device which can be used to view audio-visual content anywhere such as an iPad, iPhone
PIN	Personal identity number
Platform	The means by which audio-visual services are distributed e.g. digital satellite, digital terrestrial television
PSB	Public service broadcaster
Smart TV	See connected television
Time-shifted content	Previously broadcast content which can be viewed at another time
Video on demand (VoD)	Video on demand includes new or previously broadcast programmes which are watched at a time chosen by the viewer

Explanation of regulatory areas

Protection of minors	To ensure that children are protected from potentially unsuitable or harmful material.
Offence	To ensure that members of the public are adequately protected from the inclusion of offensive material.
Harm	To ensure that members of the public are adequately protected from harmful material.
Impartiality	To ensure that programmes treat matters of political or industrial controversy and matters relating to current public policy with due impartiality.
Fairness	To avoid unjust or unfair treatment of individuals or organisations.
Privacy	To avoid any unwarranted infringement of privacy.