**‘Distinctiveness’ and the BBC: A new battleground for public service television?**

A new BBC Charter, granted by the British government to define the BBC’s scope, governance and independence from the state, takes effect at the end of 2017. In preparation for this, the responsible government department (Department for Culture, Media and Sport (DCMS)) began its consultation over the process of Charter renewal by publishing a Green Paper consultation document in July 2015 (DCMS, 2015). A noteworthy aspect of the Green Paper’s discussion of the role, value, funding and governance of the BBC was frequent reference to the BBC’s ‘distinctiveness’. In fact, the words ‘distinctive’ or ‘distinctiveness’ appear 21 times in the Green Paper. As the consultation progressed, how distinctive the BBC’s output is, or should be, became a matter for animated debate involving the BBC, its supporters and its critics, who included the responsible government minister, then-Secretary of State for Culture, Media and Sport John Whittingdale. So it is not surprising that ‘distinctiveness’ also had a prominent role in the DCMS’s White Paper, published in May 2016, setting out the government’s plans for the new Charter (DCMS, 2016a). ‘Ensuring the BBC is sufficiently distinctive – discernibly different in approach, quality and content to commercial providers – is a central objective of this Charter Review’, the White Paper explains (DCMS, 2016a: 27), and ‘distinctive’ or ‘distinctiveness’ appear in this document no fewer than 95 times.

During the Charter Review consultation, discussions and claims about ‘distinctiveness’ often seemed to treat it as a clear-cut concept, and the Green Paper made no attempt to define the term. Conflicting or unclear definitions muddied the debate about the BBC’s present distinctiveness and sometimes led to disagreements between the BBC and Whittingdale, in which both employed different data to back up their claims (see, for example, BBC, 2016a; DCMS, 2016b). It was even less clear how distinctiveness could be measured. That is why it is worth exploring the implications of distinctiveness as a public service television concept here, particularly in relation to the types of popular entertainment television where these discussions of the BBC’s output are most salient. We begin by asking why it was such a prominent feature of the Charter Review process, before examining how distinctiveness might be defined and whether it can be measured. Later we examine its particular significance for the public service television model and the connections made in the debate with the market impact of the BBC. Finally, we consider whether this emphasis on ‘distinctiveness’ represents a useful new development for public service television.

**Why are we debating distinctiveness?**

So why did distinctiveness become such a focus for debate about the new BBC Charter? The Green Paper explains: ‘Questions also persist around the distinctiveness of the programmes the BBC delivers, and whether it uses its broad purposes to act in too commercial a way, chasing ratings rather than delivering distinctive, quality programming that other providers would not’ (DCMS, 2015: 2). So it is clear that these questions about distinctiveness were not being asked for their own sake, or merely with the aim of improving the quality of the BBC’s output. Instead, they seemed to reflect government concerns firstly about the market impact of the BBC’s programmes and secondly about the fact that it competes with other broadcasters for audiences and might impact upon their profitability. This is borne out by a later Green Paper reference to the BBC’s role in serving audiences who are seeking entertainment, where it might be ‘encroaching on TV genres and formats that could be served well by its commercial competitors, particularly during the peak hours that are crucial for their ability to raise revenue’ (DCMS, 2015: 38).

So, in an otherwise relatively balanced Green Paper, these concerns about market impact rather than public value seemed to favour the profitability of the BBC’s competitors over the value of the BBC’s mission to continue to show the kinds of popular programming that, by definition, the majority of licence-fee payers are seeking. Or, as Des Freedman has put it: ‘the starting point of the Green Paper is that the BBC’s very success is now its problem’ (Freedman, 2015). Moreover, it is not clear why ratings success and ‘distinctive, quality programming’ should have been presented as alternatives to one another. Hitherto, the BBC has always been cast as a universal broadcaster, seeking to provide quality programmes for its audiences across all genres including the kinds of popular programming where the BBC’s impact on the broadcasting market is most likely to be felt. So this focus on distinctiveness concealed a threat to the notion of the BBC as a universal broadcaster as well.

In its White Paper, the DCMS largely rowed back from this implicit threat to the BBC’s universal mission and from seeking to use Charter Review to curtail BBC content in order to support the profitability of the BBC’s commercial competitors. A whole chapter is devoted to ‘Prioritising distinctiveness and serving all audiences’ (DCMS, 2016a: 26-45), but there is no reference here to the BBC’s impact on the profitability of Britain’s wider television market. Nevertheless, the pursuit of ‘distinctiveness’ as a vehicle for justifying or condemning public service broadcasting remains a cause for concern, especially in the hands of a right-leaning government such as the UK’s which instinctively favours market solutions.

**Defining distinctiveness**

Despite its prominence in the Charter Review debate, it is interesting to note that the notion of distinctiveness is relatively new in UK regulatory terms. The words ‘distinctive’ or ‘distinctiveness’ do not appear at all in the 2007 BBC Charter and only once (requiring the BBC to enrich ‘the cultural life of the UK through creative excellence in distinctive and original content’) in the accompanying Agreement (DCMS, 2006a; 2006b). At Ofcom, the UK’s communications regulator, which has a leading role in monitoring the delivery of public service broadcasting, ‘distinctive’ was added to the list of ‘PSB purposes and characteristics’ only as recently as 2014 (Ofcom, 2015). It is solely in relation to Britain’s Channel 4 that ‘distinctiveness’ has a significant history. The 1980 Broadcasting Act, which established Channel 4, required the regulator to ‘to give the Fourth Channel a distinctive character of its own’ and Channel 4 is still required to exhibit ‘a distinctive character’ (Ofcom, 2014: 10), but legislation has never defined this notion of distinctiveness in further detail. Distinctiveness in this formulation seems to be a comparative term, measured against output in the rest of British television. In view of the radical changes undergone by British broadcasting since Channel 4’s foundation, this must mean that its distinctiveness is being measured against an ever-changing target, and the Channel has repeatedly modified its own interpretation of distinctiveness (see Žilić Fišer, 2010).

In the 2015 Green Paper, a comparison between *Strictly Come Dancing* (BBC 2004- ) and *The Voice* (BBC 2012- ) was presented as an illustration of what distinctiveness might mean in entertainment programming. In arguing that the BBC should be ‘providing distinctive programming across all genre types’ including entertainment, it contrasts *The Voice*, as a bought-in format similar to ITV’s *X Factor* (ITV 2004- ), with *Strictly* ‘which was developed by the BBC in-house and then sold abroad’ (DCMS, 2015: 39). *Strictly* is the source for the international format known as *Dancing with the Stars*, a celebrity dancing competition. *The Voice*, a talent show and singing contest, is based on *The Voice of Holland* (RTL4 2010- ). Both air in local versions throughout the world. Here then, distinctiveness seems to support originality rather than imitativeness, with the added bonus that developing distinctive formats might attract international sales revenues for the BBC. Notably, distinctiveness here seems to be identified in relation to individual programmes. The Green Paper also reports research by the BBC Trust, which regulated the BBC’s performance under the 2007 Charter, into whether audiences find its programmes to be ‘fresh and new’ – perhaps an analogous, if rather vague, description of ‘distinctiveness’ (DCMS, 2015: 38).

As part of its Review, the DCMS commissioned independent research into the market impact of the BBC. The subsequent report, prepared by Oliver & Ohlbaum Associates with Oxera Consulting (hereafter the O&O Report), was entitled ‘An assessment of market impact and distinctiveness’ and evidently understood the two concepts to be closely linked (DCMS, 2016c). Here again, however, no explicit definition of distinctiveness is offered, although the concept is largely discussed at service level, either in relation to individual BBC channels or the genre mix in its output. Distinctiveness here seems to be associated with innovation, risk-taking, the overall volume of what the report calls ‘PSB genres’ in peak-time (identified rather narrowly as ‘including specialist factual, arts, classical music and comedy’), ‘challenging genres’ and programmes, as well as ‘service innovation’ and the extent to which the BBC1 schedule overlaps with that of ITV1 (Britain’s other main entertainment channel) and other commercially-funded competitors (DCMS, 2016c: 10, 11, 18). Later, in discussing BBC1/ ITV1 competition, the report focused on four ‘dimensions of schedule distinctiveness’ – genre mix, mix of types within genres, schedule refreshment rate as measured by numbers of new titles, and amount of head-to-head scheduling of similar genres between the BBC and its competitors (DCMS, 2016c: 96). The report also considered the consequences for the BBC’s market impact if BBC services were to become more distinctive by increasing ‘PSB genres’ in peak and reducing what the report calls ‘high output long-term titles’ (DCMS, 2016c: 95-106). This latter approach seems to associate distinctiveness with output that is more upmarket and which appeals to smaller audiences.

Anticipating the DCMS White Paper, the BBC produced a paper on distinctiveness in April 2016 which proposed tests both at programme and service level: ‘that every BBC programme … should aspire to be the best in that genre, and that overall the range of programmes in every BBC service … should be clearly distinguishable from its commercial competitors’ (BBC, 2016b: 4). Here, the former seems to reflect a combination of quality (‘the best’) and public value, while the latter is comparative – measured against the output of other broadcasters. The paper went further, proposing four additional measures of distinctiveness at service level: creative and editorial ambition, high editorial standards, generic range and depth, and a high level of first run UK-originated content based on home grown ideas and talent (BBC, 2016b: 4). But it also urged care in the application of tests for distinctiveness, warning that a focus on distinctiveness should not undermine the BBC’s pursuit of universality or quality, and that the term should not be interpreted so narrowly as ‘to say that the BBC should only make a programme if another broadcaster never would’ (BBC, 2016b: 4).

So distinctiveness was a key focus, yet evidently a rather elastic and sometimes contradictory term, in the debate leading up to the publication of the White Paper. It seemed to be applicable either at programme or service level, as well as to scheduling policies. And, in different usages, it could be taken to foreground originality rather than imitativeness, innovation and risk-taking, quality and public value, creative ambition, the mix and breadth of genres (including ‘challenging’ genres), UK-originated content and ideas, the refreshment rate and extent of competiveness within a schedule, and the comparative differentiation of one service’s schedule from those of others. The O&O Report even associated it with a calculated appeal to smaller audiences. Moreover, where it is employed comparatively, distinctiveness must inevitably be a dynamic concept, changing as the wider broadcasting ecology changes.

In its Charter Review White Paper, the DCMS acknowledged that ‘distinctiveness’ is difficult to define and that a formal definition is needed for the purposes of the new Charter (DCMS, 2016a: 32). Clearly, the BBC’s suggested definition influenced that offered in the White Paper:

[T]he BBC should be substantially different to other providers across each and every service, both in prime time and overall, … in terms of:

* the mix of different genres, programmes and content;
* the quality of output;
* the amount of original UK programming;
* the level of risk-taking, innovation, challenge and creative ambition; and
* the range of audiences it serves (DCMS, 2016a: 32).

The new Charter also rewrites the BBC’s ‘Public Purposes’ to embed distinctiveness specifically within the framework of what it is required to achieve, so BBC television is now directed to show ‘the most creative, highest quality and distinctive content … [S]ervices should be distinctive from those provided elsewhere and should take creative risks, even if not all succeed, in order to develop fresh approaches and innovative content’, runs the accompanying explanation in the White Paper (DCMS, 2016a: 31). Although, as with the BBC’s, this prescription seems to accept distinctiveness as both a programme and service level concept, it is noteworthy that the BBC’s caveats over its application are absent here.

**Measuring distinctiveness**

So the White Paper went a long way to clear up the confusion about how distinctiveness might be defined that had marked the debate leading up to its publication. But it left a significant problem in its wake – how can the distinctiveness of the BBC’s output be measured, since it is essentially a subjective concept, rather like quality (with which it had been linked in the Green Paper (DCMS, 2015: 36))? Measuring distinctiveness will necessarily become an important regulatory function under the new Charter, where the BBC’s performance of it will be monitored by Ofcom (DCMS, 2016a: 37). Hitherto, the BBC and Ofcom have used measures based on audience perceptions of the distinctiveness and ‘freshness’ of its services (BBC, 2016b: 12-15), but this is essentially a *post hoc* measure of audience response and thus difficult to translate into future programming ambitions. In contrast, the O&O Report attempted to identify distinctiveness through recourse merely to what is measurable, notably broadcast hours devoted to different genres and the extent of schedule refreshment (the ratio of new commissions to recommissions of existing titles) (DCMS, 2016c: 95-106). The new approach proposed in the White Paper is also largely quantitative as well as prescriptive. The BBC is to be set a more stringent system of content requirements for its television services, notably: ‘Greater coverage of public service genres’ (identified as arts, religion, current affairs and children’s programing), ‘more unique titles in peak and non-peak’, and ‘fewer high-output long-term titles’ (DCMS, 2016a: 37-8). In counting the coverage given to different genres and in prioritising schedule refreshment, this approach seems to have been influenced by the O&O Report.

However, this is potentially problematic: As a subjective notion, distinctiveness should properly be understood as an ambition rather than a determinate quality, which makes it particularly hard to monitor in this way as part of regulatory policy. In the absence of readily-available qualitative measures of distinctiveness, the DCMS has opted for a quantitative approach. But the inevitable result of applying quantitative measures to a qualitative concept is that they can only give a narrow and partial picture at best.

**Distinctiveness, the public service model and the market**

In the BBC’s own words, quoted approvingly by the DCMS, its publicly-funded business model gives it ‘the privilege of being able to make good programmes without also having to consider whether they will make a profit’ (BBC, 2015: 24; DCMS 2016a: 27). The fact that the nation’s most prolific creator of television content has no need to produce programming which aims for a commercial return has been a key driver of globally-significant innovation in British television. This has helped to grow the UK’s thriving production sector and spawned Britain’s remarkable status as the second most successful exporter of programmes and largest exporter of formats in the world (Chalaby, 2016: 4).

Arguably, the ability of this not-for profit model to develop distinctive content lies behind the success of many of the BBC’s most celebrated popular entertainment programmes of recent years. Writing in the *Guardian*, Mark Oliver, endorses this view: ‘Programmes such as *Doctor Who* [BBC 1963- ], [*The Great British*] *Bake Off* [BBC 2010- ] and *Strictly Come Dancing* are both distinctive and popular – they are public service “breakout hits”, and are precisely what BBC1 should be doing’ (Oliver, 2016).[[1]](#endnote-3) *Top Gear* (BBC 1977- ), supposedly the world’s most widely-watched factual programme (BBC News, 2012), represents a similar case. *Strictly* and *Doctor Who*, a sci-fi drama series,are based on BBC properties originating in the less competitive days of black and white television, *Top Gear* has been grown out of a conventional motoring magazine programme to become something unique, while *Bake Off* (a competitive baking show) originated as a minority interest series with modest ratings. None represented obvious candidates for commercial success, and the audiences for *Top Gear* and *Bake Off* were generated gradually by the BBC through years of relative invisibility when, presumably, they were supported because of their public value rather than any perception of commercial potential. Today, all four are among the most lucrative television properties internationally due to programme or format sales or, in the case of *Top Gear*, both. In the UK, *Bake Off*’s enhanced commercial potential is illustrated by Channel 4’s recent decision to outbid the BBC when the series came up for recommissioning. Crucially for the value of British television to domestic audiences, programmes such as these also maintain a focus on what Robin Foster calls ‘UK stories, topics and faces’ (Foster, 2015: 5).

But this is where the DCMS’s new measures of distinctiveness come into conflict with the key strengths of the BBC’s publicly-funded, not-for-profit model. The BBC is rightly praised for its ability to create and sustain distinctive ‘breakout hits’ like these, even though recommissioning them has the effect of lowering the schedule refreshment rate. Yet the White Paper demands ‘fewer high-output long-term titles’ (DCMS, 2016a: 37-8) as one of its measures of service distinctiveness. There is a similar paradox in the idea, so prominent in the debate leading to the publication of the White Paper, that such popular and distinctive programming ‘steals’ audiences from commercial broadcasters and impacts on the profitability of the British broadcasting market. Besides the public value that such programmes create, they represent a strong example of the BBC *combatting* market failure. It has also been suggested that they help to ‘de-risk’ private sector investment in programming by leading the way (Mariana Mazzucato, quoted in Goldsmiths, 2016: 34). Of course, this means that distinctive and successful BBC commissions may be imitated when the BBC’s competitors identify the likelihood of commercial returns. But, as we have seen, some measurements of the BBC’s distinctiveness are to be based on comparisons with the outputs of rival broadcasters, where the effect may be to penalise the Corporation for commissioning and sustaining novel programme forms that its competitors then copy. This must surely act as a perverse disincentive to an innovative and distinctive BBC. So criticism of the BBC for its recommissioning of popular, distinctive programming and for its market impact seems to place the BBC in a nonsensical position and defy logic – ‘generate popularity from distinctive programming but don’t be too popular’.

**Competitive scheduling and market impact**

A further issue in recent debates about the BBC’s role within the ecology of British broadcasting is the market impact of its scheduling of popular programming. This was a key concern in the DCMS-sponsored O&O Report (DCMS, 2016c). With the rise of on-demand viewing, scheduling no longer has the hold on audiences that it once had (see Goldsmiths, 2016: 41-4). Nevertheless, it seems likely that it will remain significant in two important areas for the foreseeable future – as a ‘shop window’ for new programming, around which marketing activities can be focused, and at times of the week most associated with shared family viewing – notably Saturday night (Goldsmiths, 2016: 129-30). It is no coincidence that high-ratings entertainment programmes such as *Doctor Who* and *Strictly*, along with *The Voice*, are part of BBC1’s Saturday night schedule.

The O&O Report (DCMS, 2016c) proposed that a more ‘distinctive’ BBC schedule involving less aggressive scheduling would be beneficial, although the assumed benefits seem to relate to the profitability of commercial channels rather than to viewers. Nevertheless, this view of the benefits of more ‘distinctive’ scheduling tallies with longstanding criticisms of the BBC’s competitive behaviour by commercial rivals, such as that of James Murdoch, CEO of BSkyB, Britain’s largest broadcaster by revenue: ‘Rather than concentrating on areas where the market is not delivering, the BBC seeks to compete head-on for audiences with commercial providers’, declared Murdoch in his much-quoted 2009 Edinburgh speech (Murdoch, 2009). However, even the O&O Report concluded that the impact of BBC1 entertainment clashes with ITV1 is not statistically significant (DCMS, 2016c: 217-218).

Actually, however, competitive behaviour in the BBC’s approach to entertainment scheduling can have substantial benefits for viewers. BBC1 and ITV1 have sought to compete for popular audiences through scheduling since the 1960s, despite sharing a largely public service orientation.[[2]](#endnote-4) Crucially, unlike the US model, this was not direct competition for revenue but merely for viewers – in effect, competition for quality and prestige. Even in today’s advanced broadcasting market, the BBC continues to act as a ‘beacon of quality’ in British broadcasting and internationally (the White Paper speaks of it as ‘an international benchmark for quality’ (DCMS, 2016a: 19)). As a result, it forces competitor broadcasters to embrace its standards - investing in programming, in UK content production and in Britain’s thriving production sector – the so-called ‘crowding-in’ effect (see DCMS, 2016c: 89-90, for example). It does this by competing for viewers. Quantitative evidence supports this: Asking what would happen to UK television in the absence of the BBC, Patrick Barwise and Robert G. Picard (2014) show that investment in content, especially in UK first-run content, would be substantially lower, with an accompanying reduction in choice and value for viewers, and – crucially – in revenue for the industry. Similarly, BBC data shows that as its spending on original British content has fallen in recent years, the market has not made up the gap, so overall content investment has fallen (BBC, 2015: 8).

So a competitive BBC benefits the viewer and the industry in Britain significantly because it is focused on quality and innovation rather than profit. This means that it is appropriate for the BBC, as a universal broadcaster, to seek to produce programming which is both distinctive and popular and to use it to compete for audiences. Despite the prominence of concerns about scheduling in the Charter Review debate, the White Paper acknowledges this, asking merely that the BBC ‘carefully consider’ negative impacts of its scheduling on viewers, while sensibly noting that scheduling conflicts are not the BBC’s responsibility alone (DCMS, 2016a: 71).

**Does a focus on distinctiveness bring anything new to the debate?**

Ever since its days as a monopoly broadcaster, the BBC has committed to provide its audiences with ‘the best of everything’ (Reith, 1924). In 1954, this was reformulated as ‘the best available in every field’ by its then Director-General, emphasising that the Corporation was not making judgments of value about different types of programming but aiming to satisfy every taste with programming of the highest possible quality (Tracey, 1998: 74-5). This philosophy remains today, as is evident from the BBC’s own paper on distinctiveness: ‘every BBC programme … should aspire to be the best in that genre’ (BBC, 2016b: 4). Under the 2017 Charter, the BBC’s mission is set out in exhaustive detail through five Public Purposes, which modify those to which it already worked under its previous Charter, as well as numerous policies and guidelines. So it operates under a very strict remit which governs every aspect of its behaviour as a public service broadcaster, with its performance now to be monitored externally by Ofcom too. The 2007 Charter already incorporated ‘Stimulating creativity and cultural excellence’ as a Public Purpose, which charged the BBC with ‘establishing a leading reputation for creative and innovative programming’ which ‘should regularly include output that breaks new ground, develops fresh approaches, sets trends, and takes creative risks, from drama and comedy to entertainment and sport’ (BBC, 2016c).

So if the BBC is already required to meet most of the definitions of distinctiveness that we have discussed, and perceives it to conform with its existing philosophy of seeking to provide ‘the best’ across all genres to all audiences, it is difficult to understand why distinctiveness should have been a ‘central objective’ of the recent Charter Review’, as the White Paper put it (DCMS, 2016a: 27). Introducing it as such, however, contains some potential threats to the BBC and the public service broadcasting model. As we have seen, distinctiveness is best understood as an aspiration rather than as a benchmark against which a broadcaster must perform. The BBC’s performance against its new content requirements to be distinctive will now be measured and the proposed measures will be quantitative ones, however narrow and inappropriate they may be in capturing such a subjective concept. This raises the threat of distinctiveness being employed by critics of the publicly-funded, not-for-profit television model as a tool for condemning and limiting the impact of the BBC, especially when it develops programming which gains mass audience approval. This threat is compounded, as Ed Braman explains, by an increasing move globally towards the availability of quality content through subscription. As a result, the BBC’s not-for-profit, free-to-air model faces a growing need to emphasise its distinctiveness both by privileging ‘potentially costly, high profile shows that take on Netflix and Amazon’ and by delivering ‘what a rapidly developing market chooses not to; a “market failure” BBC offering residual areas of public service’ (Braman, 2016). Such is the BBC’s global significance as ‘the world’s leading public service broadcaster’ (DCMS, 2016a: 22), it seems unlikely that this new-found emphasis on ‘distinctiveness’ will go unnoticed in other nations where the model of public service television faces existential threats from competitors and governments who favour market solutions instead.

**Conclusion**

So, at best, ‘distinctiveness’ might be regarded as a valuable aspiration for a public service broadcaster, albeit one that the BBC already seeks to meet. Yet the BBC is right to warn of the need for clarity about its meaning and implementation (BBC, 2015: 24). And the new Charter’s desire to monitor the BBC’s distinctiveness and to measure it bluntly and narrowly should ring alarm bells. As a successful and popular publicly-funded organisation, the BBC is an anomaly in modern Britain and a challenge to an economic orthodoxy which generally prioritises market solutions over public value or user satisfaction. So there is a real danger that distinctiveness risks becoming a weapon with which the BBC’s output can constantly be questioned and its role undermined, especially in popular television. The explicit linkages that we have seen made between distinctiveness and the BBC’s market impact in the Charter Review debate seem to support this reading. Distinctiveness sounds like a quality which can only be understood, uncontroversially, as positive. Yet it conceals hidden dangers for public service television, not only in Britain but worldwide.

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1. Oliver is the lead author of the O&O Report. [↑](#endnote-ref-3)
2. ITV1 continues to be regulated as a public service broadcaster, although nowadays has a much weakened remit. [↑](#endnote-ref-4)