

# Universality: A Battleground for UK Public Service Media in the Platform Age

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## Abstract

This article examines how UK policy makers are redefining the value of universality in the transition from public service broadcasting (PSB) to public service media (PSM). Over the past decade, the UK's media landscape has undergone a significant transformation, driven by the economic, infrastructural and social influence exerted by global platforms. These transforming conditions have profoundly complicated the relationship between PSM and the principle of universality—in particular, the core values of universal access and universal appeal—with potential consequences for the broader legitimacy of the future public service mission. In an age of apparent media abundance, the question of how PSM can effectively reach and engage its audience remains a persistent inquiry. Presenting findings from an analysis of key and contemporary media policy and regulatory documents, this article demonstrates how universality has become a key battleground in current debates around the future of PSM.

**Keywords:** public service media, media policy, universality, access, appeal, platforms

IN A 2022 SPEECH to the Royal Television Society, the BBC's director-general, Tim Davie, warned that Britain's public service broadcasting (PSB) was set to face 'a period of real jeopardy'. As television moves increasingly online and Britain's public service broadcasters (PSBs) transition to public service media (PSM) organisations, Davie urged policy makers to safeguard the democratic values of public service for the digital future. The concept of universality was central to Davie's case for PSM, which he outlined in three parts: 'Access—making sure all audiences can get to the BBC'; 'Relevance—making content that appeals to all UK audiences and not just monetizable groups'; and 'Engagement—reaching and being used by the vast majority of UK audiences'.<sup>1</sup> That the BBC's director-general *needs* to publicly re-state these principles reflects a context in which universality is being contested.

In Davie's warning, achieving universality has never been more difficult, yet more important. This article contextualises his call to policy makers by mapping how the concept of universality is mobilised, debated and erased in UK

media policy discourses. In our analysis, universality emerges as a particularly slippery term that is especially contested in debates about the future role of PSM, underscoring a broader challenge in establishing a unified legal, infrastructural and political consensus concerning the role of PSM.

Universality has long been a central tenet of normative theories of PSM, encompassing two key principles: universal access and universal appeal. Universal access is traditionally defined as 'the provision of infrastructure whereby all members of the population who wish to can receive a high-quality broadcast signal for all free-to-air ... services, regardless of geographical or social location'.<sup>2</sup> Universal access encompasses geographical universality—available to all regardless of infrastructural costs—and a universality of payment—free at the point of use and paid for on an equitable basis with costs shared across users. Universal appeal is the principle that PSM should actively serve all possible audiences, by providing a wide range of programming that

<sup>1</sup>T. Davie, 'Leading the UK into digital', Royal Television Society Speech, 7 December 2022.

<sup>2</sup>G. Born and T. Prosser, 'Culture and consumerism: citizenship, public service broadcasting and the BBC's fair-trading obligations', *Modern Law Review*, vol. 64, no. 5, 2001, pp. 657–687, at p. 676.

caters for diverse national audiences, serving both mass and minority interests and tastes. In the broadcast era, this ideal was developed through a generalist approach to scheduling, with PSBs promoting a mixed diet of programmes in the linear broadcast schedule. In other words, universal appeal reflects a mission to inform, educate and entertain the nation.

The rise of platforms and streaming in the UK has challenged both principles of universality. In 2022, the media regulator Ofcom's *Media Nations* report revealed a significant decline in the reach and viewing of broadcast TV. While even older viewers have increasingly turned to online services, the loss of reach has been particularly severe among 16–34 year-olds who tuned away from broadcast TV (only 9 per cent of weekly viewing) and on-demand services (only 24 per cent of weekly viewing) in record rates, in favour of commercial online competitors, like Netflix, YouTube and TikTok.<sup>3</sup> To maintain universal access, PSBs have accelerated their transition to PSM, offering their content in a digital-first context to engage and remain relevant to audiences as they transition away from linear broadcast television. However, Ofcom's Technology Tracker estimates that 7 per cent of UK households lack internet access at home, rising to 18 per cent for lower socioeconomic groups and those aged over 65 years.<sup>4</sup> To ensure universal access, therefore, PSBs need to maintain both linear and on-demand services.

In the evolving media landscape, changes go beyond shifting audience behaviours. Platforms like Amazon, Apple, Google and Facebook have transformed the media market where PSBs operate. These global giants dominate the basic infrastructures and markets required to deliver online video-on-demand services (VoDs), from app stores, digital advertising and online search to social networking, cloud infrastructures and viewing devices/software. The power of operating across these different areas is cumulative, each working together to support a business

model that thrives on the extraction and manipulation of vast user data, which is turned into tradeable products and services and used to shape user behaviour on- and offline. This gives platforms gatekeeper power (the ability to pick winners and losers), control over infrastructure that can be used to extract data to maintain competitive advantage, and intermediary roles that can be used to entrench and maintain market dominance. The UK's PSBs now serve as content providers (of programmes and VoD services) to the platforms against which they also compete for audiences, legitimacy and (for Channel 4 and ITV) advertising revenue, in a market where the platforms set the terms of engagement. At the same time, PSBs are increasingly reliant on the infrastructure provided by global giants to maintain everything from basic functionality—with, for instance, BBC iPlayer using Amazon Web Services for the massive amount of data processing required to stream audiovisual content—to third-party promotion and distribution—such as placing content on TikTok to reach younger audiences.

The platform era has renewed debate around the importance of the PSM ideal, particularly as it aspires towards universality. One side predominantly values PSM as a solution to market failure. This perspective argues that PSM should only provide 'services that are not delivered by commercial media companies ... limited to certain niche services such as documentaries, investigative journalism and local news' that are socially and culturally beneficial, but not sufficiently popular and profitable.<sup>5</sup> From this perspective, universal access and appeal are less relevant principles for PSM organisations in the digital age. As television has shifted from a scarce public commodity to an abundant private commodity, a narrower public service remit is desirable.<sup>6</sup> For those who champion PSM,

<sup>3</sup>K. Donders, *Public Service Media in Europe: Law, Theory and Practice*, London, Routledge, 2021, p. 39.

<sup>4</sup>H. Weeds, 'Digitisation, programme quality and public service broadcasting', in R. G. Picard and P. Siciliani, eds., *Is There Still a Place for Public Service Television?*, Oxford, Reuters Institute/BBC Trust, 2013, pp. 9–20; see also, M. Armstrong and H. Weeds, 'Public service broadcasting in the digital world', in P. Seabright and J. Van Hagen, eds., *The Economic Regulation of Broadcast Markets: Evolving Technology and Challenges for Policy*, Cambridge, Cambridge University Press, 2007, ch. 4.

<sup>3</sup>Ofcom, *Media Nations 2023*, London, Ofcom, 2023, pp. 3–33; [https://www.ofcom.org.uk/\\_\\_data/assets/pdf\\_file/0029/265376/media-nations-report-2023.pdf](https://www.ofcom.org.uk/__data/assets/pdf_file/0029/265376/media-nations-report-2023.pdf)

<sup>4</sup>Ofcom, *Technology Tracker 2023*, London, Ofcom, 2023, p. 217; [https://www.ofcom.org.uk/\\_\\_data/assets/pdf\\_file/0016/262510/technology-tracker-2023-data-tables.pdf#page=217](https://www.ofcom.org.uk/__data/assets/pdf_file/0016/262510/technology-tracker-2023-data-tables.pdf#page=217)

this perspective impoverishes the social and cultural value of media produced in the public interest and underestimates the tendencies of platforms towards consolidation and the gate-keeping of media. This side argues that the shift to online media has raised issues of democracy that justify the universality of PSM more than ever. At its most optimistic, this normative position calls for PSM organisations to drive the development of a ‘digital public commons’ or a ‘public service internet’, radically reorganising online infrastructure as an open access public utility.<sup>7</sup>

Debates around the relevance of universality for PSM need understanding before they can be effectively addressed. To this end, what follows are findings of document analysis comprising three categories of policy and regulation: media law and contracts, annual reports, and current policy debates. The primary focus is on the three major UK PSBs (BBC, ITV and Channel 4) each representing different models of public service: licence fee funded (BBC), commercial (ITV), and commercial non-profit (Channel 4). While many of these documents cover radio services, we analyse television, the area of PSM operations most acutely impacted in the platform age. Each of the categories mark different stages in the legislative process and characterise different stakeholder perspectives, but they collectively form a discursive field within which the social and cultural values of PSM are framed and interpreted. The analysis delves into how each text interprets and puts universality into practice as a concept (see tables 1–3). Across these documents, divergent perspectives on universality underscore a broader inability or reluctance on the part of policy makers, regulators and PSBs to confront directly the challenges posed by the platform age to the future of PSM.

## Media law and contracts

Media law and broadcast licensing contracts form the constitutional foundation for UK PSM, defining the roles and objectives of organisations and regulators. The *Communications Act 2003* and Royal Charter establish the broad remit for PSM, while contracts detail practical requirements for broadcasters to fulfil their remits, outlining performance criteria through specific quotas for content production and delivery for each organisation. Universality is a central theme in regulating the public service mission, emphasising universal access and appeal. However, the interpretation and significance of universality within these documents remains somewhat vague, despite serving as a normative foundation for universal values in the legal framework.

The language of universal appeal is slippery in the media law and contracts where a normative view of public service intertwines with a marketised logic, questioning the extent of PSM’s appeal to all audiences. Current media law mandates universal appeal. The Charter requires that the BBC provides a diversity of programming to appeal to a wide range of viewing tastes and interests through both generic diversity and representation of Britain’s regions and nations.<sup>8</sup> *The Communications Act* outlines a remit in which the mission to inform, educate and entertain is associated with offering ‘a suitable quality and range of programming’ across all genres—from live sports to news to children’s television—and reflecting the full range of Britain’s diverse culture.<sup>9</sup> However, this mission is severely qualified by more market-orientated language, which implies limits to the desired reach of public service programming.

For the BBC, the law and contracts balance universal appeal against objectives for the BBC to prioritise ‘distinctive output and services’ which the Royal Charter defines as being ‘substantially different to other comparable providers across each and every UK public service’, and with criteria including ‘the mix of genres’ and ‘the range of audiences it

<sup>7</sup>T. Evens and K. Donders, *Platform Power and Policy in Transforming Television Markets*, New York, Springer, 2018; on PSM and the internet, see G. Born, ‘Taking the principles of public service media into the digital ecology’ in V. Goblott and D. Freedman, eds., *A Future for Public Service Television*, London, Goldsmiths Press, 2018, p. 210; C. Fuchs and K. Unterberger, *The Public Service Media and Public Service Internet Manifesto*, London, University of Westminster Press, 2021.

<sup>8</sup>BBC Royal Charter, *Broadcasting: Agreement Between Her Majesty’s Secretary of State for Culture, Media and Sport and the British Broadcasting Corporation*, Cm 9366, 2016, pp. 23–25.

<sup>9</sup>*Communications Act 2003*, c.21, 2003, 264 [6], p. 403.

**Table 1: Key characteristics of universality in media law and contracts**

	<i>Key Characteristics of Universal Access</i>	<i>Key Characteristics of Universal Appeal</i>
<i>Communications Act</i>	<ul style="list-style-type: none"> <li>• Accessible for all.</li> <li>• Free at point of use.</li> <li>• Broadcast-only context—On-demand not included in remit.</li> </ul>	<ul style="list-style-type: none"> <li>• Consumer choices—meeting ‘needs and interests’ of viewers.</li> <li>• Wide range of high-quality content.</li> <li>• Reflecting cultural diversity of the UK.</li> </ul>
<i>Royal Charter</i>	<ul style="list-style-type: none"> <li>• Accessible for all.</li> <li>• Accessible across all current and future services.</li> <li>• Free at point of use.</li> <li>• Accessible in language of nations—Welsh, Irish, Scottish.</li> </ul>	<ul style="list-style-type: none"> <li>• Distinctive content and services.</li> <li>• Serve diverse communities.</li> </ul>
<i>BBC Operating Licence</i>	<ul style="list-style-type: none"> <li>• Accessible for all.</li> <li>• Accessible across all current and future services.</li> </ul>	<ul style="list-style-type: none"> <li>• Distinctive content and services</li> <li>• Represent, reflect, and serve diverse communities.</li> <li>• Diversity of genre.</li> </ul>
<i>ITV Licence</i>	<ul style="list-style-type: none"> <li>• Accessible for all.</li> <li>• Broadcast only context.</li> </ul>	<ul style="list-style-type: none"> <li>• Content for regionally specific audience (mostly news).</li> </ul>
<i>Channel 4 Licence</i>	<ul style="list-style-type: none"> <li>• Accessible for all.</li> <li>• Broadcast only context.</li> </ul>	<ul style="list-style-type: none"> <li>• Should appeal to underserved and/or minority viewing groups—young people, ethnic minorities.</li> </ul>

serves’.<sup>10</sup> This definition not only recontextualises the scope of universal appeal, but changes its meaning. Universal appeal is defined and limited by the market; the BBC must appeal to a wide audience, but not too wide; it should provide diverse formats, but without stepping on the toes of competitors; any generalist programming strategy must be tempered by what the market is providing for specific groups of consumers. In other words, distinctiveness characterises a drift towards a market-centred focus in UK policy making. From this position, universal appeal is viewed as offered by the whole marketplace, with PSBs only delivering content that is less likely to be served by commercial producers. For ITV and Channel 4, also, market-based logic is evident in how the *Communications Act* repeatedly defines universal appeal with reference to PSM meeting the ‘needs and interests’ of viewers across all services ‘taken together’.<sup>11</sup> This phrasing exemplifies a common criticism of the *Communications Act* as marking a moment where

‘consumer interest’ overtakes ‘citizen interest’ in PSM policy.<sup>12</sup> Like ‘distinctiveness’, ‘needs and interests’ suggests a definition of appeal fitted to satisfying individual consumer choice rather than fostering a space of collective civic expression.

In contrast, universal access is comparatively uncomplicated at this level of policy. Media law affirms access as a foundational principle. The Royal Charter requires the BBC to ‘do all that is reasonably practicable to ensure that viewers, listeners and other users (as the case may be) are able to access the UK Public Services that are intended for them, or elements of their content’, with ‘no charge to be made for reception’ (disregarding the licence fee).<sup>13</sup> There is a similarly clear statement in the *Communications Act* where universal access underpins the broader purposes of PSB. Specifically, other core normative values, such as producing quality and diverse programming, are consistently referenced in

<sup>10</sup>Royal Charter, p. 52; see also, Ofcom, *Operating Licence for the BBC’s UK Public Services*, London, Ofcom, 2022, 1.15, p. 3.

<sup>11</sup>*Communications Act 2003*, 264 [6], p. 403.

<sup>12</sup>S. Livingstone, P. Lunt and L. Miller, ‘Citizens and consumers: discursive debates during and after the Communications Act 2003’, *Media, Culture and Society*, vol. 29, no. 4, 2007, pp. 613–38.

<sup>13</sup>*Royal Charter*, pp. 40–57.

**Table 2: Key characteristics of universality in annual reports 2021/22**

	<i>Key Characteristics of Universal Access</i>	<i>Key Characteristics of Universal Appeal</i>
<i>BBC Annual Report</i>	<ul style="list-style-type: none"> <li>Digital first—maintaining universal access.</li> <li>Broadcast and online.</li> </ul>	<ul style="list-style-type: none"> <li>Value for all audiences.</li> <li>Distinctiveness content and services.</li> <li>Shared national moments—live broadcasts and live streaming.</li> </ul>
<i>ITV Annual Report</i>	<ul style="list-style-type: none"> <li>Digital first—maintaining universal access.</li> <li>Seamless relation between broadcast and online.</li> <li>Mass viewership.</li> </ul>	<ul style="list-style-type: none"> <li>Mass appeal and popular formats.</li> <li>Shared national moments—live broadcasts.</li> <li>Reflecting British culture.</li> </ul>
<i>Channel 4 Annual Report</i>	<ul style="list-style-type: none"> <li>Digital first—maintaining reach with younger viewers.</li> </ul>	<ul style="list-style-type: none"> <li>Diversity—representing the whole UK.</li> <li>Social and cultural inclusion.</li> </ul>

relation to the goal of making television available to ‘as many different audiences as practicable’.<sup>14</sup>

However, this definition of access assumes the context of broadcast television. The *Communications Act* barely discusses PSM in an online context and its most significant reference to on-demand services is to exclude them from the public service remit of ITV and Channel 4 altogether. A major consequence of this omission is that neither ITV’s (ITVX) nor Channel 4’s (4) VoDs are currently covered by their public service remit. As such, there is no explicit PSM obligation behind either service; both need to compete with global platforms like Netflix on purely economic terms

<sup>14</sup>*Communications Act*, 264 [3b], p. 402.

and, as a result, have turned to more commercial strategies of monetisation such as providing subscription only content on the VoD service. The Charter and operating licence go further in this regard, situating the BBC’s provision of online services within its broader obligations for universal appeal. Yet, neither document fully considers the challenges that the platform age raises for universal access and appeal.

## Annual reports

While media law and broadcasting contracts do not assess universality in the platform era, broadcasters are all consumed by the challenges of being a universal PSM organisation in this context. In their 2021/22 annual reports, BBC, ITV and Channel 4 discuss the challenges and opportunities posed by digital platforms, emphasising the development of ‘digital-first’ strategies to ensure universal access and reach all potential audiences (see Table 2 below).

Across these reports there is clear anxiety about losing touch with 16–35 year-olds, an audience which has ‘continued to move away from traditional TV faster than other groups’.<sup>15</sup> The fragmentation of demographics caused by online migration by definition undermines broadcast guarantees of universal access; all audiences no longer treat linear television as a point of access. This is a tension missed in the media law, but recognised in reports of PSM strategy. In the BBC’s report, digital first is ‘an opportunity to secure something important for the UK: world-class public service content and services in a fully digital age, freely available universally, for the good of all’.<sup>16</sup> ITV frames its ‘Digital Acceleration’ project as upholding its role as a ‘national media champion’, where moving to digital-

<sup>15</sup>Channel 4, *Altogether Different: Channel Four Television Corporation Report and Financial Statements 2021, 2022*, p. 92; [https://assets-corporate.channel4.com/\\_flysystem/s3/2022-07/Channel%204%20-%20Annual%20Report%202021%20-%20FINAL%20%28Accessible%29\\_0.pdf](https://assets-corporate.channel4.com/_flysystem/s3/2022-07/Channel%204%20-%20Annual%20Report%202021%20-%20FINAL%20%28Accessible%29_0.pdf)

<sup>16</sup>BBC, *100 Years of Our BBC: BBC Group Annual Report and Accounts 2021/22, 2022*, p. 15; [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/1098831/BBC\\_Group\\_Annual\\_Report\\_and\\_Accounts\\_2021\\_22\\_1\\_.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1098831/BBC_Group_Annual_Report_and_Accounts_2021_22_1_.pdf)

**Table 3: Key characteristics of universality in policy debates**

	<i>Key Characteristics of Universal Access</i>	<i>Key Characteristics of Universal Appeal</i>
DCMS Inquiry, <i>The Future of Public Service Broadcasting</i>	<ul style="list-style-type: none"> <li>• Accessible to all.</li> <li>• Free at point of use.</li> </ul>	<ul style="list-style-type: none"> <li>• Wide range of programming.</li> <li>• Bringing nation together—fighting political polarisation.</li> <li>• Consumer choice—personal value.</li> </ul>
White Paper, <i>Up Next: The Government's Vision for the Broadcast Sector</i>		<ul style="list-style-type: none"> <li>• Distinctively British content.</li> <li>• Consumer choice—enjoyed by range of audiences.</li> </ul>
Ofcom, <i>Review of Prominence for Public Service Broadcasting</i>	<ul style="list-style-type: none"> <li>• Accessible to all.</li> <li>• Bringing the nation together.</li> </ul>	<ul style="list-style-type: none"> <li>• Shared national moments.</li> <li>• Providing public <i>and</i> personal value.</li> <li>• Consumer choice—personal value.</li> </ul>
Ofcom, <i>Small Screen, Big Debate: Consultation</i>	<ul style="list-style-type: none"> <li>• Universal reach and relevance.</li> <li>• Access needs to be online.</li> </ul>	<ul style="list-style-type: none"> <li>• Reflecting life and values of British society.</li> <li>• Providing underserved genres.</li> </ul>
House of Lords Committee, <i>Licence to Change: BBC Future Funding</i>	<ul style="list-style-type: none"> <li>• Bringing the nation together.</li> <li>• Valuable in abstract but unachievable in practice.</li> <li>• Difficulty with delivering broadcast and online.</li> <li>• Hybrid funding—subscription.</li> </ul>	<ul style="list-style-type: none"> <li>• Distinctively British values and content.</li> <li>• Countering disinformation.</li> <li>• Questions whether all content needs to be universal.</li> </ul>
DCMS, <i>Draft Media Bill</i>	<ul style="list-style-type: none"> <li>• ITV's and Channel 4's online services included.</li> <li>• Remit can be met across services taken together, less regulation for each specifically.</li> </ul>	<ul style="list-style-type: none"> <li>• Programme obligations spread across all services.</li> <li>• No longer must meet quota for proportion of programming to be a certain genre.</li> </ul>

first is necessary to 'retain our pre-eminent position' in UK television. For Channel 4, whose remit and identity revolves around younger viewers, the shift online is about digital inclusion. Its annual report affirms Channel 4's mission '[a]s the public service broadcaster for young people' that is required to 'engage with its audience however and wherever they watch TV', and justifies targets to double digital viewing by 2025 as part of a requirement to 'maintain the relevance and reach of our remit'.<sup>17</sup> Each of the reports emphasises digital-first, less as an opportunity for expansion than as a strategy for the *maintenance* of universal access and appeal.

<sup>17</sup>Channel 4, *Report and Financial Statements*, pp. 43, 144.

Becoming digital-first is essential to universal access. But, each report also emphasises the need to remain present on linear broadcast to reach universal viewership and affirms the importance of live broadcast for providing 'shared national moments' that 'reflect British culture and experiences'.<sup>18</sup> In presenting their strategic vision, none of the broadcasters acknowledge conflict between broadcast and online in terms of the values of universality; both are necessary and achievable. But

<sup>18</sup>ITV, *Digital Acceleration: Phase Two of ITV's More Than TV Strategy: ITV plc Annual Report and Accounts for the Year Ended 31 December 2021, 2022*, p. 9; [https://www.itvplc.com/~/\\_media/Files/I/ITV-PLC/documents/reports-and-results/annual-report-2021.pdf](https://www.itvplc.com/~/_media/Files/I/ITV-PLC/documents/reports-and-results/annual-report-2021.pdf); see also, *BBC Annual Report*, pp. 153–154.

practically, each report also recognises the financial and strategic precarity of achieving this balance. Channel 4's observes:

Our critical business processes are supported by complex technology chains, involving multiple third parties and legacy systems ... Without robust plans in place, our ability to maintain business operations may be compromised ... including our ability to distribute VoD content, broadcast linear TV, generate advertising revenue and pay suppliers.<sup>19</sup>

Here, the platform age introduces significant infrastructural complexity in achieving universal reach across multiple services.

While there is broad agreement on shifting to digital-first content and services to maintain reach and access, the actual definition of universality (particularly universal access) differs across the reports. For the BBC, a marketised interpretation of appeal returns, with a focus on providing 'value for all audiences'—a term which reappears throughout, often conflating value for money with the cultural value derived by viewers—and strategic plans to offer more 'distinctive' online programming 'across a broad range of genres' through box sets on iPlayer.<sup>20</sup> ITV interprets universality as reaching a mass audience. Universality is addressed from the outset as ITV's core purpose: 'we entertain and connect with millions of people globally, reflecting and shaping culture with brilliant content and creativity'. Where the BBC ties universal appeal to distinctiveness, ITV's report continually emphasises the necessity of a wide reach to the functioning of the PSM remit. Emphasising 'creativity and scale', the report subsequently frames the remit in terms of the increasing need to keep pace with competitors in a global marketplace and safeguard its unique position as a global public service broadcaster that can 'represent and reflect the whole of the UK on-screen [and] off-screen'.<sup>21</sup> Finally, Channel 4's annual report associates universal appeal with its core value of diversity. In its mission statement, the report promotes Channel 4's 'strong commitment to representing the whole of the UK ... using our strong brand and wide reach to

elevate unheard voices—from diverse communities, emerging writers and producers to those that have different points of view or experiences'.<sup>22</sup>

These recent annual reports demonstrate pragmatic interpretations of universality that emerge from lack of clarity in the media law. In the absence of a clear consideration of a digital context within the legal documentation, each of the organisations appropriates universalist concepts to promote their digital strategies. In this sense, these documents reflect the amorphous nature of universal appeal in the current legal policy. However, they also reflect a deeper anxiety about the meaning and value of universality that derives from contradictory pressures felt in responding to the platform age within the framework of current media law.

## Policy debates

The survival of PSM in the platform era is not only a concern for organisations, but is increasingly debated by policy makers. The analysed documents (Table 3) represent the most up-to-date discussions among UK policy makers about PSM's future in a landscape where global platforms control much media infrastructure. These documents address key issues: assessing the broad digital media market, updating prominence regulations to include PSM on third party devices, sustainable funding models for competitive PSM, and proposals to privatise Channel 4 to boost investment in the UK media ecosystem.

As in the annual reports, achieving sufficient reach is a key issue in policy debates, but amongst stakeholders at this level we see reach referenced in contradiction to the language of universality, particularly universal appeal. The challenge of engaging younger audiences, both on broadcast and online, underscores this. Ofcom's consultation document *Small Screen Big Debate (SSBD)* notes that global platforms like Netflix dominate weekly on-demand viewership of 16–24 year-olds, with BBC iPlayer reaching only 28 per cent compared to Netflix's 66 per cent. The document states that '[w]hile younger people recognise and value the important role PSB

<sup>19</sup>Channel 4, *Report and Financial Statements*, p. 161.

<sup>20</sup>BBC, *Annual Report*, p. 61.

<sup>21</sup>ITV, *Annual Report and Accounts*, p. 6; pp. 25–48.

<sup>22</sup>Channel 4, *Report and Financial Statements*, p. 14.

plays in society, some struggled to see the personal value they get from these channels.<sup>23</sup> Echoing Davie's speech that opened this article, Ofcom frames the problem as one of universal relevance: PSMs no longer have the same control over how their programming is viewed, as younger audiences increasingly encounter PSM content on third party platforms like YouTube. These observations revive distinctions between the viewer as a citizen and the viewer as a consumer that expects individual value facilitated by the personalised 'pull' architecture of navigating content in the multi-platform context. Universal appeal, traditionally seen as wide reach, is now in tension with the idea of personalised connections between services and individual viewers.

Recent policy documents acknowledge this tension, but often frame it as a justification for a diminished role for PSM in a digitalised media marketplace. For example, the House of Lords' inquiry into BBC funding recognises that 'growing choice in the market increases the pressure on the BBC ... the more that audiences have alternative choices for their media consumption, the less enthusiastic they may be about paying for something that does not reflect them or their needs.'<sup>24</sup> Rather than consider that increased expectations on meeting viewers' expectations might justify further funding and increased scope for PSM, statements such as this reflect a prevailing view that universal appeal is unrealistic when personal value is being supplied by a commercial platform market.

If we consider the slipperiness of the concept in media law and the annual reports, it is not that surprising that recent debates would draw such heavy attention to the contradictions of universal appeal in the platform age. However, what is more startling about these debates is the extent to which universal access—the notion that PSM should be available to all, free at the point of use—is increasingly questioned as achievable and valuable. Most documents recognise universal access

as the primary value of PSM, but frame it as an endangered concept in the context of an increasing 'digital divide' between broadcast and on-demand access. The 2021 inquiry by the Digital, Culture, Media and Sport (DCMS) Committee, *The Future of Public Service Broadcasting*, observed that:

Linear broadcast television by PSBs remains important and with delays to full fibre broadband rollout, a wholly online public service broadcasting system allowing for universal access is not yet viable ... Ofcom continues to tell PSBs to do more with less, but does not detail how they expect this to be done.<sup>25</sup>

While the abstract importance of universal access is affirmed, online delivery here presents a fundamental challenge to universality: PSBs are required to extend provision online and maintain linear services with declining revenues. This opens up space for the ideal of universal access to be challenged.

Increasingly, universal access is being directly undermined as an essential principle of public service. The notions that it is either a specifically public service principle or that it is important to the fulfilment of a public service mission are both dismissed by key stakeholders. We can see a position in these debates wherein the difficulty of achieving universal reach justifies a position in which PSM should be further marketised and commercialised. Ofcom makes this point in its assessment of the media market in its *SSBD* consultation document. While suggesting a series of solutions to increase the scale and reach of PSM, the consultation report ultimately settles on the observation that: 'it may ultimately not be possible for the current public service broadcasters to connect with all audiences online and across broadcast TV services. Given this challenge, the future PSM system may benefit from including new providers offering additional content.' Crucially, the subsequent suggestions do not presume universal access as a pre-requisite of PSM

<sup>23</sup>Ofcom, *Small Screen, Big Debate Consultation: The Future of Public Service Media*, 2020, pp. 29–56.

<sup>24</sup>House of Lords, Communications and Digital Committee, *Licence to Change: BBC Future Funding*, 2022, HL 44, p. 36; <https://committees.parliament.uk/publications/23091/documents/169130/default/>

<sup>25</sup>House of Commons, Digital, Culture, Media and Sport Committee, *The Future of Public Service Broadcasting*, HC 156, 2021, pp. 10–11; <https://committees.parliament.uk/publications/5243/documents/52552/default/>



provision. For example, Ofcom references the use of tax relief and contestable funds to 'boost production and delivery of different types of TV and audio content with a national or local focus or to support increased UK content on SVoDs and other platforms'.<sup>26</sup> Significantly, as a speculative proposal, universal access is not considered by Ofcom. The implication is that universal reach itself must be reconsidered beyond the bounds of PSM organisations and, potentially, beyond free-to-access services.

At the same time, recent government reports propose reforms for PSM which do not seem to account for universal access. The recent media white paper, notably, does not mention universality, but instead foregrounds PSM's role in delivering 'distinctively British content', a term which shifts the focus of value away from questions of access entirely.<sup>27</sup> Distinctively British content emphasises the contribution of PSM to the production sector of the UK, and to cultural representation, but there is no intrinsic sense that it needs to derive from a freely available service. Although the nationalistic tone of 'distinctively British' has proven to be short-lived, with the current draft Media Bill avoiding the term, the white paper's disregard of universality is evidence of a wider trend in UK policy making. The bill also makes no reference to universality and adopts elements of the 'shorter remit' proposed by the white paper, mandating a significantly narrower range of genres that PSM are required to offer. And while it extends the remit to the commercial PSBs' VoD services, it fails to address the impact of that extension to questions of universal access and appeal. Specifically, the questions of how VoD services contribute to the provision of PSM remits and the balance of provision between linear and VoD remain unanswered, potentially opening the door for PSMs to reduce significantly their PSM obligations on linear television.

The House of Lords committee's inquiry into BBC funding acknowledges universal

access, but contests its boundaries. The report primarily debates two funding models: taxation (licence or means tested household tax) and more commercial approaches, like iPlayer subscriptions. This debate arises from the instable definition of universality in UK policy making. The inquiry states that '[t]he concept of universality remains integral to the BBC but suffers from a lack of clarity. It does not necessarily mean delivering everything for everyone across every platform, or that everyone must pay the same'. This leads to questioning the fundamental assumption of universal access: PSM freely available to all. Hybrid subscription services, 'with flexible payment models and "windowing"' content on iPlayer are feasibly universal access. Gate-keeping genres by asking viewers to pay for popular entertainment and drama is feasibly universal access under the mantra that universal access doesn't mean all content needs to be universally accessible to everyone.<sup>28</sup>

## Conclusion

Our analysis reveals the concept of universality as a key battleground in current debates about the future of PSM in the UK. In current UK media law, universal access is relatively uncomplicated, but largely limited to linear broadcasting. By contrast, universal appeal is defined and limited by the market. Broadcasters have responded pragmatically to the absence of address to the changes wrought by platforms in existing media law and contracts by advocating 'digital-first' strategies in an attempt to maintain universal access and appeal. Yet, the concept of universality takes on different meanings for each broadcaster in ways that are shaped by existing media law: ITV emphasising its mass appeal to minimise perceived conflicts between its commercial and public service objects; Channel 4 defining universality in terms of cultural diversity in accordance with its specific remit; and the BBC focussing on distinctiveness in line with the marketised rhetoric in its Royal Charter. These annual reports reveal an anxiety about maintaining universal appeal that also appears in current policy

<sup>26</sup>Ofcom, *Small Screens, Big Debate*, pp. 58–59.

<sup>27</sup>Department for Digital, Culture, Media and Sport, *Up Next: The Government's Vision for the Broadcast Sector, 2022*, p. 17; <https://www.gov.uk/government/publications/up-next-the-governments-vision-for-the-broadcasting-sector>

<sup>28</sup>Communications and Digital Committee, *Licence to Change*.

debates. However, while the annual reports attempt to set out strategic responses to the challenges of the platform age, the policy debates further complicate the concept of universal appeal. Here, the challenge is positioned not simply in terms of regaining lost audiences, but of the continued *relevance* of PSM to younger audiences, in particular. Reminiscent of Tim Davie's articulation of universal appeal as both 'engagement' and 'relevance', these policy debates use the decline of the younger audience use of PSM *and* of recognition of the personal value of PSM to their lives to undermine the continued applicability of universal appeal. Perhaps more strikingly, the current policy debates also question the continued relevance of universal access. In a context where PSMs are operating in a crowded market, with declining audiences, the assumption that PSM should be freely accessible to all has become open to debate.

Both PSBs' strategies and policy debates use changing audience behaviours to challenge, or qualify, the relevance of universality as a fundamental value in the platform age. This approach avoids addressing what universality means in this context, its importance and the necessary policy interventions. Part of the problem here is the failure of policy debates to situate PSM policy within wider platform and internet policy debates. There is growing public and political awareness of the problems of platform power for society and democracy, resulting, for example, in the UK's Online Safety Bill. Yet, there appears to be little political or regulatory will to address the impact of these market conditions on the ability of PSM to operate in the public interest. Rather, policy debates start from the position of changing audience behaviours and seek to alter the remits of PSBs in response, typically opting to amend definitions of universality derived from the broadcast context, rather than re-evaluating what universality might mean in the platform age.

What these policy documents fail to tackle, then, are the structural challenges

underpinning the contemporary media market. Take, for example, the challenge of engaging with and maintaining relevance for younger audiences. Currently, PSBs are discentrified from distributing content on those platforms that younger audiences use (such as YouTube and TikTok) because they lack control over the environment within which their content is accessed, do not receive adequate advertising revenue or user data, and audience engagement on these platforms is not routinely measured as part of the evaluation of reach. Rather than abandon universality altogether, policy makers should confront these challenges head-on. To do so, however, requires not only a change to PSM policy, but also a need to address wider platform policy, such as examining the terms of trade through which social media sites operate to increase advertising revenue shares and access to data, and extending basic public interest regulation across the media services operated by platforms.

Current PSM policy treats the transition online as primarily a question of economic survival, prioritising flexibility over the requirement to provide PSM characterised by universal access and appeal. UK media law appears unable, or unwilling, to address head on the fundamental challenges of the platform age. Simply translating broadcast policy into the online context does little to address the more fundamental problems posed by the platform age, such as the unequal control that platforms such as Google and Amazon have over areas such as data and online advertising, that not only limit the ability of PSBs to compete, but also undermine the wider ideological project of constructing a media system that operates in the public interest.

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