

Under siege by commercial interests? BBC and DR online between the national and European policy frameworks

ABSTRACT

The increasing competition in media markets, the economic downturn and the cyclical decline in advertising revenues, have put the private media sector under increasing strain around the world. As a result, commercial operators have boosted their lobbying activities to increase their influence on media policy making. They are demanding national authorities to reduce regulatory control on private enterprises while raising oversight on public initiatives and cutting new initiative of the public sector this paper examines how two European PSBs have expanded in the online world: the BBC in the UK and DR in Denmark. It analyzes the main policies adopted by the governments of the two nations to regulate the evolution of PSBs on the Internet as well as the policies and practices adopted by the BBC and DR. Furthermore it reveals how the commercial pressure that has clearly influenced the more recent national policies on PSB in the UK and that has spread its influence in Brussels is impacting on the expansion online of PSBs. The paper eventually questions the possibility of developing a public service broadcasting philosophy across the internet (PSB 2.0).

Key Words Public service broadcasting online, internet, policy, European Commission Communication 2009, PSB 2.0

The increasing competition in media markets, the economic downturn and the cyclical decline in advertising revenues, have put the private media sector under increasing strain around the world. As a consequence private media enterprises have battled to seize new revenues solutions in digital and online platforms. Concurrently, the same corporations have boosted their lobbying activities to increase their influence on media policy making. Therefore, the pressure on national and supranational governmental bodies to reduce regulatory control on private enterprises and to cut new initiative of the public sector is radically intensifying.

This paper examines how two European PSBs have expanded in the online world: the BBC in the UK and DR in Denmark. It analyzes the main policies adopted by the governments of the two nations to regulate the evolution of PSBs on the Internet as well as the policies and practices adopted by the BBC and DR. It discusses how these developments are influenced by each PSB's national and cultural frameworks. Furthermore it reveals how the commercial pressure that has clearly influenced the more recent national policies on PSB in the UK and that has spread its influence in Brussels is impacting on the expansion online of PSBs

DR online: first the practices and later the policies

In the words of the former CEO of Danmarks Radio(DR), Christian Nissen, DR's online activities started in 1994 as an "underground experiment"(Nissen,2009).In fact, it was the inventiveness and curiosity of some internet-savvy employees working in Radio and TV that brought to launch the first web pages for DR's programmes.

During those years, DR was undergoing a massive reorganization, given that the objective was to turn DR into a more competitive institution and certainly more dedicated to its audience. The challenge of this fundamental reform for DR was contained in an important policy document issued by DR called *Danmarks Radio 1995-2005*.It contained the strategies for programmes, TV channels and Radio. It also showed a deeper reflection on the core values of DR.¹

However, the plan approved on the 8th of November 1994 enclosed in a book of more than 100 pages never mentioned the word *Internet* (Nissen, 2009).²

As Nissen explains:

“Certainly the Board of Directors knew about the taking up of the online world, but did not consider the internet as a new possibility of expansion for DR. Thus, the change came very soon and it was unexpected.”(Ibid, 2009)

In fact, in the following six months, suddenly some program unit teams were beginning, to run their own web pages without any formal assignment from the Board of Directors. As revealed by this brief account, DR online started really as an experiment. In fact, it launched on the 5th January 1996, as an half a year trial and it was not contemplated by the legal framework (Søndergaard, 2009).

At the beginning, the budget allocated to dr.dk was not independent from Radio and TV. In fact, Radio and TV's employees who wanted to take part to the new online initiatives were doing so during their normal working hours. In fact, for the first two years, very few people -4-5 people- were working exclusively for dr.dk platform (Brügger, 2009). However, as soon as it was clear that internet had an extreme potential of inclusiveness of the Danish public, the internet activities started being conceived as the third arm of DR.

As Søndergaard (2009) explains:

“the online idea of PSB has very strong within the idea of reaching a lot of population, because sometimes It's not easy in Denmark to reach certain part of the population, therefore it's a way to reach the public”(Ibid).

It was just the Broadcasting Act of December 2000³ that added (§ 10) internet as one of the platform that DR should developed. For the first time, the Act was contemplating the idea that ‘public service shall be provided via television, radio and internet or the like’. ⁴It is clear from the wording of the general policies developed then by the Danish government that the ethos characterizing DR-the broadcaster- should be informing DR's online activities .In fact, Broadcasting Act 2000 for example, clarifies that the same aims of DR should be achieved through all the platforms at disposal. The internet therefore becomes another

important tool to reach the widest possible Danish public and even the part of the population that was more difficult to reach just through broadcasting.

As Nissen (2009) recalls:

“According to the service contract, DR has to be for the many and the few. In fact, as a PSB, we should broadcast for the whole nation, therefore we should also reach minorities (cultural, age-range). That is difficult task for a broadcaster, and in fact, at DR we tended to put minorities programs later at night. But the internet gives you a great opportunity to cater for minorities” (Nissen, 2009)

The importance of reaching the wider Danish public is reaffirmed by the Service Contract between DR and the minister of culture (Service Contract, 2007) that clarifies the tasks that DR is expected to perform through “TV, Radio, Internet and the like” and identifies the scope within which the public service activities can be carried out. More precisely, the main purposes of Dr, according to the service contract are:

- Strengthen citizens’ capacity efficiency in a democratic society
 - Reflect Denmark and the Danes
 - Stimulate creativity and culture
 - Promote knowledge and understanding
- (Service Contract, 2007)

What emerges from these policies is that the principles that constitute the ethos of DR, should inform all the platforms of the Danish broadcaster. Certainly, the same ethos has to characterize the online offer. So for example, “News” has always constituted a priority for DR the broadcaster, but the same pattern is replicated by the offer of DR online. However, it is clear from the policy documents (in particular from the Public Service contract) that DR online has also received a specific additional mandate to strengthen DR’s connection with younger audiences and to enhance the educational offer of DR.

Indeed, the Public Service Contract (2007) clarifies in art 2 that “DR must pay particular attention to the use of all technological platforms, including the Internet, for educational

programmes and services” (*ibid*: art 2).Furthermore, the same art 2 of the Service Contract (2007) explicitly calls for” strengthening its Internet activities addressed at young persons”.

Practices of DR online

DR’s web platform is certainly one the most advanced and most successful in terms of unique users among European PSBs, in a country that continues to stand at the top spot for technological development in the world. ⁵

As shown in the table below, dr.dk leads the ranking of online websites and also the online news website for unique users in Denmark.

No	Release	Users	Visit	Pageviews
1	dr.dk	1,946,586	18,297,854	106,205,678
2	krak.dk	1,771,745	8,335,098	39,427,294
3	tv2.dk	1,591,634	20,116,935	150,653,671
4	mnsn.dk	1,487,273	35,266,040	101,482,303
5	ekstrabladet.dk	1,421,650	25,919,328	102,636,413
6	dba.dk	1,249,757	8,219,605	117,278,140
7	eniro.dk	1,239,958	13,115,657	50,814,986
8	degulesider.dk	1,230,271	5,149,408	21,476,774
9	dmi.dk	936,724	9,801,731	35,705,203
10	bt.dk	931,497	12,717,046	60,939,234
11	rejseplanen.dk	829,255	2,574,816	11,926,666

Source, FDIM (2009)

Among DR’s online activities, a prominent space is given to the delivery of News online, as the Public service contract affirms the importance of news online within the main objectives of DR. Moreover, both DR channels are streamed online, as well as all the Radio

channels. Besides the TV-radio platform, a new web channel, *Update* has been launched with the aim of giving the public the choice to get constant updates about programs by clicking on very small clips of 5-7 minutes. The success of Update on the Web has lead DR to the decision to launch its digital version on the digital TV platform. (Westman Hertz, 2009; Busck Porsbo, 2009)

Additionally, Dr Online has had since the very beginning of its activities the ambition to enhance the connection of DR with a younger audience. As a consequence, DR has built an incredibly successful youth community online, called Skum⁶ where kids can share news, tastes, readings, discussion forums. Besides, there is another important community, for a younger audience called T⁷ where different programs for children are available.

“With SKUM we have been the pioneer in the creation of the first youth community online it started as the biggest youth community online in Denmark, but now there is a lot more of competition. For us the aim is always to make of Skum an alternative space to commercial online places for entertainment. We have succeeded in stimulating kids in building their all space online”. (Westman Hertz, 2009)

Also, the characteristic of the web has given DR the idea of launching an online space where children can play and learn, called Oline⁸ that address a younger audience from 3 to 7 years old. Oline has also been a very welcomed online platform by the Danish public. (Westman-Hertz, 2009)

Besides these initiatives for the young audiences, also the educational aims of DR have been strengthened by online opportunities. In fact, there is an important initiative that is financed with the support of the Ministry of Education. A platform called Skole⁹(school) has been developed to offer public schools, through the payment of a small fee, a variety of educational content ranging from history, to science. Surely, one of the most important achievements of DR online has been the creation of an impressive online Archive, Bonanza¹⁰ available to the public. The project of digitalization of the archive (called cultural

Heritage project) has started in 2007 with 75 millions of Danish Kroner (more than 9 millions of British pounds). Bonanza was launched early 2008 and has now an offer of 2000 TV programs.

BBC move online

Similarly to the Danish case, also BBC's activities in the online sphere originates in the mid 1990s, when the Director General John Birt famously declared the ambition of building the third great arm of the BCC, an online public service.

At the beginning, given that the internet was a relatively unknown medium, the activities of the BBC online were limited to text based on its core programs and services, like BBC Radio 1, CBBC, the Planets, news and sports. It was then in 1997 that the new project BBC online was launched. The approval of the Secretary of State ¹¹ arrived in 1998 after a one-year pilot and a public consultation.

The objectives of BBC Online were clear:

- Act as an essential resource offering wide ranging, unique content
- Use the internet to forge a new relationship with licence fee payers and strengthen accountability
- Provide a home for licence fee payers on the internet and act as a trusted guide to the new media environment

(Letter from the BBC to the Secretary of State, 9TH October, 1998 mentioned in the Graf Report, 2004.)

After becoming a permanent service, the BBC online kept growing, thanks to its vast investments and its capacity of bringing the public online. The appointment of Ashley Highfield as the first Director for New Media and Technology in October 2000 was certainly an important turning point for the advance of the service. The expenditure on BBC online

increased from 23 million in 1998 to 40.7 million in 2000 to 57 millions of pounds in 2001. The page views of BBC online grew from 176.7 million in 2000 to 322.3 million in 2001, while the total number of BBC online users grew from 3.8 to 4.9 million in March 2001 (BBC, 2000: 80). Moreover, the News division online was already the most successful of BBC online services, with a peak of high of 120.6 million paged views in March 2001, followed by the sport division launched in 1999 and by the educational services. On the wave of its success and given the wide-ranging opportunity to expand its service according to the service approval conceded by the Secretary of State in 1998, BBC kept consolidating its position in the online world. In 2002 the new search engine tool was launched with total costs of £414,268 (BBC, 2002). Besides, the first radio player was launched offering the opportunity to listen live to all the radio programs offered.

Commercial pressure raises in the UK: the impact on BBC Online

However, the political support towards BBC online initiatives started fading under the pressure of commercial operators in the UK. Many claimed that the BBC online was expanding too much to comprise services that were not conceived at the time of the approval. The British Internet Alliance became very active in lobbying the government to reduce the large scale expansion online of the BBC.

Nevertheless, the first independent review of BBC online called by the Secretary of state, known as the Graf Report¹², concluded that the BBC delivered high quality service in an effective way and that there was a wide support and public affection for BBC online. Yet, some sites were “hard to justify in terms of the BBC’s remit or wider public purposes.” (Graf:

2004:10). Moreover, the Report underlined that there were ‘indications’ that BBC Online may have an adverse impact on competition’ (Graf, 2004, 58). As a consequence, the BBC decided to close five websites. (Smith: 2006).

Simultaneously, the negotiations for the new charter and the reform of the BBC brought to the introduction of a “public value test”¹³ for every new service of the BBC (Barnett, 2006). This means that every new service of the BBC was going to be closely investigated and subjected to a public-value and a market impact assessment.

Clearly, this closer scrutiny on the BBC and in particular on its online services has been highly demanded by the commercial competitors, both at the European and at the national level. Thus, the service license for BBC online requires today that the BBC delivers one or more of the BBC’s public purposes indicated by the Royal Charter¹⁴ and its content should comply at least with one of the public service characteristics: high quality, challenging, original, innovative and engaging (Agreement :7).

In 2008, the BBC Trust has completed the first service review of bbc.co.uk, finding that bbc.co.uk is highly valued by the public and meets the aims of the license. However, it pointed out that more managements control is needed to make a better use of the resources (on BBC online 116 million have been spent in 2006-2007 and 182 million in 2007-2008)¹⁵. Moreover, once again, the need for “distinctiveness” (BBC Trust, 2008: 13) from the services offered by commercial competitor is strongly demanded. Again, it is stressed that public values need to be balanced with the market potential negative impact (BBC Trust, 2008 Review: 14) .Therefore, “for the first time in BBC history, there is an explicit injunction to take into account not only the public interest, but the commercial interest as well” (Barnett, 2006:20) The increasing influence of the commercial world can also

be traced in the recent decision of the Trust to close BBC Jam¹⁶ after many complaints from the commercial competitors to the European Commission.

Yet, in conducting the first Public value Test in April 2007, the BBC Trust showed to be capable of fair judgment. In fact, the BBC Trust gave final approval to BBC on-demand proposals for the online seven-day catch-up TV service through the BBC I- player. As the Trust makes clear in the conclusion paper of the PVT “we have not altered our view that each of the proposals is likely to deliver significant public value, enough to justify the likely market impact” (BBC Trust, 2007:2). The BBC player, launched over Christmas 2007 with an overall spend of 3.9 million, in March 2008 has reached requests of content for 4.7 million a week. Also, bbc.co.uk has kept increasing its appeal with the British public, reaching an average of 3.6 billion per month and 16 million unique users per month (BBC Trust, 2008), being the third UK most visited website after Google and MSN (Nielsen NetRatings, 2008).

The current framework is going to be impacted by the new policies contained in the Digital Britain White Paper (Digital Britain, 2009) adopted on the 16th of June, 2009, which contains the Government’s policy strategy for communications and digital content in Britain. The White Paper shows a clearly restrictive attitude towards the new services that could be developed by the BBC. More precisely, it claims that “given the current nature of the market, new BBC activity has a higher risk than in the past of chilling or foreclosing market developments” (Digital Britain, 2009:140). Regrettably, the recently proposals drawn up by the BBC Executives within the BBC Strategy Review also contemplate the idea of reducing the budget of BBC online by 25 % by 2013 (BBC Strategy Review, 2010:9).

Commercial pressure on DR online: complaints from the Danish newspapers association.

Similarly to the UK, also in Denmark criticism from the commercial world has raised towards DR online activities. However, the impact is clearly less invasive than in the UK, because DR seems to enjoy a stronger support in the political spectrum; so far, lobbies activities perpetrated by the newspaper association have been less effective than in the UK.

This is evidently shown by the peculiar introduction in 2007 of the public value test (PVT) by the current Service Contract. In fact, the policy transfer from the UK to Denmark (Dolowitz and Marsh, 1996) that has led to the adoption of PVT has allowed a substantial transformation of this instrument .In fact, the Danish PVT is to be conducted at discretion of DR and does not entail neither a market impact assessment, nor any assessment of ‘distinctiveness’ from the commercial offer’. According to the test:

The assessment of whether a new service meets cultural, democratic or social needs in the Danish society must be based on whether:

- The service provides added value to society and/or the individual by meeting cultural, democratic or social needs; and
- The service is generally accessible to the Danish public.

(Public Service Contract, 2007)

Furthermore, the ultimate decision on the launch of the new service rests upon DR, not on an independent authority .More precisely, after conducting the test,

“DR shall present the value tests for the new services and their results to the Radio and Television Board for their opinion before the activities commence. DR must await the opinion of the Board before implementing the new activities, as the final decision on implementation will be made by DR’s management.¹⁷

(Public Service contract, 2007)

However, the criticism coming from the commercial world towards DR’s online activity has intensified in 2009 .The Association of the Danish Newspaper Publishers and the Association of the Danish Specialized Press kept filing complaints to the Government

against parts of Danmarks Radio's (DR) web activities .In a document released on the 16th of January 2009, the Association of the Danish Press clearly states:

“the Association is particularly critical about the extensive presence of Dr on the internet, which is based on a broad political agreement that the internet is attached to radio and TV as a third public service obligation” (Danske Dagblades Forening, 2009)

Furthermore, The Danish Ministry of Culture has been addressed by other initiatives aimed at restricting DR's activities, coming for example from the Confederation of Danish Industry that again called for a reduction of public funding to DR (Nordicom, 2009).

As a consequence, on the 11th of June of 2009, the Minister of Culture of the time, Carina Christensen, demanded a PVT for all new services of DR. Until then, no PVT had been conducted on new activities of DR. Therefore, in August 2009 the first two public value tests that have been conducted on two different services of DR with positive outcomes. The first service to be tested has been the successful health websites. The Radio and Television Board ¹⁸confirmed the positive result of the test, acknowledging that the aim was to support social and democratic objectives, while the editorial process was filtering commercial interests from the medical and pharmaceutical companies¹⁹. So far, the activities of DR online have not been reduced, because there is still a strong political support. Yet, the recent policy making of the European Commission has reinvigorated the critiques to DR online expansion coming from the commercial counterparts.

European Commission policy making and its pro-market inclination: the revised Communication 2009

In July 2009 the European Commission replaced the Communication 2001 on state aid to PSB with a new Communication (Communication 2009). In the words of Neelie Kroes,

the European Commissioner for Competition Policy that promoted the Communication, this instrument was needed to “consolidate our existing case practice” (European Commission, 2008:2) and take “full account of the new media environment” (ibid). By the commissioner’s own admission, Communication 2009 has been triggered by numerous complaints by PBS’s commercial competitors:

Certain initiatives by public broadcasters have led their commercial competitors to complain in increasing numbers to the Commission. And in recent years these complaints have spread beyond the broadcasting sector. For instance, newspaper publishers and other private content providers fear that State aid may be used excessively to fund on-line activities of public service broadcasters (*ibid*: 2)

The Communication sets a higher obstacle for public broadcasters’ entry into new media ventures by demanding an “added value” for these new services. In fact, according to art 48 of Communication 2009

A manifest error could occur where State aid is used to finance activities which do not bring added value in terms of serving the social, democratic and cultural needs of society (EC, 2009)

Moreover, the new Communication demands an “ex ante test” that entails also a market impact assessment of the new service, to be carried out before the launch of the new service. Art 88 explains:

In order to ensure that the public funding of significant new audiovisual services does not distort trade and competition to an extent contrary to the common interest, Member States shall assess, based on the outcome of the open consultation, the overall impact of a new service on the market by comparing the situation in the presence and in the absence of the planned new service. In assessing the impact on the market, relevant aspects include, for example, the existence of similar or substitutable offers, editorial competition, market structure, market position of the public service broadcaster, level of competition and potential impact on private initiatives (EC, 2009).

Concluding remarks

Evidently, both private sector broadcasters and publishers have heavily lobbied the EC to ensure -with the new Communication- that public funds and PSB would be kept out of potentially profit-making new media projects.

Yet, the discussion of the UK case shows that the increasing pro-market inclination of its national policy framework has led to stronger controls on BBC online, even independently from the EC's influence. More importantly, it could be argued that Communication 2009 is in the end a "BBC policy document" and that we are witnessing a policy transfer between the UK and Brussels, given that the ex-ante test is substantially modeled on BBC' public value test.

Despite acknowledging that the BBC is often been regarded as the most influential and functional model of PSB in Europe, it's difficult to argue that a "BBC policy" adopted on a European scale through Communication 2009 could be beneficial to all PSBs in Europe.

Albeit it could be claimed that PVT is an effective instrument for the dimension and reach of the BBC, the same conclusion cannot be drawn for all PSBs in Europe. Rather, the test could have the detrimental effect of curtailing the possibilities for other PSB in Europe to achieve their remits online.²⁰

Moreover, it is undeniable that limiting PSB online reach and weight is a move highly advocated by commercial lobbies, both at national and at European level. In fact, with this Communication, the Commission demands national authorities to adopt a stricter policy towards online PSB in states such as Denmark that had so far resisted the pressure of commercial operators. Indeed, in September 2009 in Denmark, following the adoption of Communication, Carina Christensen (Minister of Culture of the time) announced that the

introduction of a market-impact assessment would be put on the agenda during the negotiations for the next media political agreement. For the first time, a market failure approach to PSB might be introduced in the Danish framework of DR. However, the final decision rests on the Danish policy makers, also in light of the change at the head of the ministry of culture²¹²². Undoubtedly Communication 2009 is giving private competitors more power to bargain the position of Dr in the online market.

In conclusion, this investigation clearly shows that the development of policies concerning the online expansion of PSBs is evidently framed within each national context. Owing to different national socio-political systems, markets and traditions, public service broadcasting online continues to express nationwide peculiarities. In fact, the strong tradition of public broadcasting ethos of DR characterized by an extensive offer of PSB outputs like news, public affairs, educational and cultural programs is reproduced in its online offer. Also, the BBC's inclination of investing resources, energies and ideas in pioneering new activities and services for the public has led to its early and successful online venture.

However, the commercial pressure that has clearly influenced the most recent national policies on PSB in the UK and that has spread its influence in Brussels is clearly impacting on the expansion online of PSBs. With downsized PSBs online, the possibility of developing a public service broadcasting philosophy across the internet (PSB 2.0) will become less probable²³. Unless policy makers at national and European level start resisting the seductive arguments put forward by commercial lobbies with a neo-liberal market agenda.

¹ The document Denmark Radio 1995-2005 contained the indication that radio and television were “Service for the people” The values behind DR are clearly expressed by this statement from the Document: *“In order to reinforce citizens' capacity to act in a democratic society DR must be a broadcasting organisation that, dependent on the wishes and needs of the entire population but independent of economic and political interests, increases the options available compared to market-determined radio (and TV), with special emphasis on what is Danish.”(Danmarks Radio, 1995-2005)*

² A cogent summary of the principles contained in the document can be found at <http://www.nordicmedia.info/nmn/Engelsk/94-3e.htm>

³ Like in several other countries of Europe (Svendsen, 2002) the Danish Broadcasting Act sets out some of the most important principles for DR: it establishes its nature as a public service institution, its broad obligations, its independence, its organization. However, besides the Broadcasting Act, the policy framework for DR is specified by the “Media Political Agreement” negotiated every four years by parties in the Parliament. This agreement integrates and implements the Danish Broadcasting Act and has the flexibility of being amended quite often, if new issues need to be addressed, during its four years of life. It contains a 4-year arrangement for the license fee and also clarifies general objectives for DR. The current Media policy agreement has been signed with a wide consensus among the parties. In fact it has been signed by the Government (the Liberals and the Conservative People's Party) and the Socialist, Danish People's Party, the Radical Left and the Socialist People's Party. Furthermore, a service contract between DR and the Danish Minister for Culture lays out the objectives and aims of DR for the period that coincides with the Media political agreement. More precisely, “The purpose of the contract is to specify the tasks DR is expected to perform and to identify the scope within which the public service activities can be carried out”(Public Service Contract with DR, 2007)

⁴ See Broadcasting Act 1272, 18th December 2000

⁵ According to Report “Global Information technology Report 2008-2009” released by the World Economic Forum in March 2009

⁶ See <http://www.dr.dk/skum>

⁷ See <http://www.dr.dk/t/>

⁸ <http://www.dr.dk/Oline/>

⁹ <http://www.dr.dk/skole/>

¹⁰ <http://www.dr.dk/Bonanza/index.htm>

¹¹ The BBC is established by a Royal Charter that generally lasts ten years and is complemented by an Agreement between the BBC and the Secretary of State for Culture Media and Sport. The Secretary of State's approval was required by the previous Royal charter in the case of the launch of new services under Article 3(b) of the Royal Charter.

¹² The independent review of BBC Online (The Graf Report) set out by the Secretary of State in April 2003 was aimed to:

- Consider whether, in providing its online service known as BBC Online, the BBC is acting in accordance with the facts and assurances on the basis of which approval to proceed with the service was given;
- Produce an assessment of the market impact of BBC Online
- Consider, in the context of the approaching review of the BBC's Charter, what the role of BBC Online should be within the BBC's overall service (Graf,2004 :3)

¹³ The Public Value Test was introduced by the last Royal Charter. This test consists of a public value assessment carried out by the BBC Trust of the consumer -citizen benefits of the proposals and a market impact assessment carried out by Ofcom.

¹⁴ The BBC's main activities should be the promotion of its Public Purposes through the provision of output which consists of information, education and entertainment, supplied by means of—(a)television, radio and online services; (Royal charter :3)The Public Purposes of the BBC are as follows—(a)sustaining citizenship and civil society;(b)promoting education and learning;(c)stimulating creativity and cultural excellence;(d)representing the UK, its nations, regions and communities; (e)bringing the UK to the world and the world to the UK;(f)in promoting its other purposes, helping to deliver to the public the benefit of emerging communications technologies and services and, in addition, taking leading role in the switchover to digital television.

¹⁴ “A service licence must define the scope of the service, its aims and objectives, its headline budget and, where appropriate, other important features, having regard to the needs of licence fee payers and others who may be affected. In particular, a licence must describe the key characteristics of the service.”(art 17,Agreement)

¹⁵ It should be noted that in 2006-2007 the BBC spent 116 million on bbc.co.uk and 37.7 on BBC Jam, the now suspended service for an overall costs of 153.7. In 2007-2008, 3.9 millions have been spent on the I player.(BBC,2007,BBC 2008)

¹⁶ BBC Jam is a free interactive online learning service for 5 to 16 year olds, reflecting UK school curricula. For more details see “No Jam tomorrow” By David Puttnam, The Guardian, March 26,2007 available at <http://media.guardian.co.uk/mediaguardian/story/0,,2042548,00.html> or “Jobs at risk as BBC Jam scrapped”, by Jason Deans, March 14th, 2007, The Guardian, available at <http://media.guardian.co.uk/newmedia/story/0,,2033642,00.html>

¹⁷ The Radio and Television Board, the RTB, is the independent regulatory authority in charge of supervising the implementation of the Danish broadcasting legislation.

¹⁸ The Radio and Television Board, the RTB, is the independent regulatory authority in charge of supervising the implementation of the Danish broadcasting legislation.

¹⁹ The second service to be tested concerned new service to be offered by DR on public screens in public and commercial states like train stations, airports with topical info from DR.

²⁰A compulsory ex ante-test could be harmful for smaller PSBs of smaller European States, like Scandinavian states that need continuous public funding to operate. Small member states' public service broadcasters operate under difficult conditions of small internal markets, shortage of resources (sales income, licence fee and public funds) while their dependency and vulnerability to media globalization and concentration is certainly higher than BBC's

²¹ Since February 2010, Per Stig Møller a former DR executive is the new minister of Culture.

²² As explained elsewhere (Brevini, 2010a) Communication 2009 conflicts with the decision taken by the Court of First Instance (now the General Court) in October 2008 regarding Danish broadcaster TV2 that affirms that:

- “The mission of Public Broadcaster can be broad and should be defined in relation to the needs of society and not in relation to the market”
- There is no need to take account of the activities of the commercial operators for the purpose of defining PSB's remit” (Court of First Instance, 2008)

Hence, it could be argued that each Member State has the right not to comply with communication 2009.

²³ For a discussion of the values of PSB online-citizenship, universality, quality and trust- see Brevini (2008)

References:

Barnett, S. (2006) “Public Service Broadcasting: A manifesto for survival in the multimedia age (a case study of the BBC's new charter)”, Paper delivered to the RIPE conference in Amsterdam, November 2006

BBC (2000) *Annual Report and accounts, 2000-2001*

BBC (2004a) *Building Public Value: Renewing the BBC for a Digital World*, London: BBC.

BBC (2004b) *A commitment to fair and open competition in commercial markets, on behalf of the licence-payer and the British broadcasting industry*

BBC (2008) *Annual report and accounts 2007-2008*

-
- BBC Trust (2007) *bbc.co.uk Service Licence*, Issued 30 April 2007
- BBC Trust (2007) *BBC on-demand proposals: Public Value Test final conclusions*, April 2007
- BBC Trust (2008) *Service Review of bbc.co.uk*
- BBC Strategy Review (2010) *Executive's proposal for re-shaping the BBC*, March 2010
- Born, G. and Prosser, T. (2001) "Culture and consumerism: citizenship, public service broadcasting and the BBC's fair trading obligations", *Modern Law Review*, 64(5), 657-687
- Bondebjerg, I (1996) "Modern Danish Television-after the Monopoly era" in Bondebjerg, I. and Bono, F. (eds) *Television in Scandinavia. History, Politics and Aesthetics*. Luton, UK: John Libbey Media
- Bondebjerg, I. and Bono, F. (eds) *Television in Scandinavia. History, Politics and Aesthetics*. Luton, UK: John Libbey Media
- Brevini, B. (2008) "European public service ethos and the Internet: the idea of PSB 2.0", Paper presented at the Ecrea Conference in Barcelona, 25th-29th November, 2008
- Brevini, B. (2010) (forthcoming) "Towards PSB 2.0? Applying the PSB ethos to online media in Europe: a comparative study of PSBs' internet policies in Spain, Italy and Britain" forthcoming, 25(1), in *European Journal of Communication*, 25(4)
- Brevini, B (2010a) (forthcoming) "Moving away from PSB 2.0? How the EU State Aid regime and the revised 2009 Communication on State Aid to PSB are impacting on PSBs expansion into online media in Europe." Paper to be presented at the IAMCR Conference in Braga, Portugal, July 2010
- Brink, A. Lund, A. B. and Berg, C. E. (2009) "Television Diversity by Duopolistic Competition and Co-Regulation", *The International Communication Gazette* 71(1-2): 19-37

Busck Porsbo, N. (2009) Interview with Nicolai Busck Porsbo, Head of DR Online, Copenhagen, March 2009

Cave et al (2004) Regulating the BBC. *Telecommunications Policy*, 28, 249-272

Collins (2003) “The BBC: too big, too small or just right?” *Political Quarterly*, 74(2), 164-173

Collins, R. (1997) ‘Back to the Future: Digital Television and Convergence in the United Kingdom’, *Telecommunications Policy* 22(4/5): 383-96.

Council of Europe (1996) “Recommendation of the Committee of Ministers to Member States on the Guarantee of Independence of Public Service Broadcasting, R (96)10

Council of Europe (2007) Recommendation of the Committee of Ministers to member states on the remit of public service media in the information society, 31th of January 2007

Craufurd Smith, R. (2001) “State Support for Public Service Broadcasting: The Position under European Community Law” in *Legal Issues of Economic Integration*, 28(1) pp 3-22

Christiansen, N.F, Petersen, K .Edling, N and Haave, P. (2005) *The Nordic Model of Welfare: a historical reappraisal* Copenhagen, Denmark: Museum Tusulanum Press

Dolowitz, D. and Marsh, D. (1996) “Who Learns What from Whom. A Review of the Policy Transfer Literature” in *Political Studies*, 44(2), pp343-57

Donders, K. and Pauwels, C. (2008) “Does EU Policy Challenge the Digital Future of Public Service Broadcasting?” in *Convergence: the International Journal of Research into New Media Technologies* 14(3): 295-311.

Digital Britain, (2009) Digital Britain: The Final Report, 16 June 2009

EBU and BBC (2007) *Broadcasting and the Internet*, November 2007

EC (2001) Communication 2001 on State Aid to PSB, OJ C 320, pp. 5-11

EC (2009) New Communication on State Aid To PSB, 2nd July 2009

European Parliament (2004) “Resolution on the risks of violation, in the EU and especially in Italy, of freedom of expression and information (Article 11(2) of the Charter of Fundamental Rights)”, (2003/2237(INI)) adopted on 22 April 2004

European Commission, (2008) Speech given by European Commissioner for Competition Policy Neelie Kroes “The way ahead for the Broadcasting Communication Broadcasting, Strasbourg, 17th of July 2008, SPEECH/08/396

Danish Broadcasting Act, (2002) The Danish Radio and Television Broadcasting Act - ACT No. 1052 of 17 December 2002

Danish Broadcasting Act (2007) Act n. 338 of 11/04/2007

Danmarks Radio (1995) *Danmarks Radio 1995-2005*

Danmarks Radio (2008) *Annual Report*

Danske Dagblades Forening (2009) Press release of the Association of Danish Press, 16th of January 2009

FDIM (2009) Ranking of Top Internet companies in Denmark, 2009

Graf, P. (2004) *Report of the Independent Review of BBC Online*, London: DCMS

Humphreys, P. (1996) *Mass Media and Media Policy in Western Europe*, Manchester: MUP

Humphreys, P. (2007) “The EU, Communications Liberalization and The Future of Public Service Broadcasting” in *European Studies*, 24 (2007), pp 94-112

Levy, D. (1997) “Regulating Digital Broadcasting in Europe: the Limits of Policy Convergence West European Politics”, 20(4), pp 24-42

Levy, D. (1999) *Europe’s digital revolution: broadcasting regulation, the EU and the Nation State*, London: Routledge

Media Agreement (2006) Danish Media Policy Agreement for 2007-2010, 6th of June, 2006

Nielsen NetRatings (2008a) “Report on the usage of the internet in Italian households and offices”, 2008

Nielsen NetRatings (2008b) Top Web Parent Companies, UK

Nissen, C. S. (2006) *Making a Difference: Public Service Broadcasting in the European Media Landscape*, (Ed). London: John Libbey

Nissen, C.S. (2009) Interview with Christian Nissen, Copenhagen, March 2009

Nordicom (2009) “The pressure is increasing: What should be the limits of Nordic public broadcasters' operations” in *Nordic media policy, a newsletter from Nordicom*, 4 (2009)

Ofcom (2008) *Second Public Service Broadcasting Review Phase One: The Digital Opportunity*

Ofcom (2009) *Second Public Service Broadcasting Review Putting Viewers First*

Prehn, O. Svendsen. E. N. and Peterson, V. (1992) “Denmark: Breaking 60 years of Broadcasting monopoly”. In: Jankowsky, Prehn, Stappers, *The People's Voice. Local Radio and Television in Europe*, London: John Libbey.

Public Service Contract (2007) “Public service contract between DR and the Danish Minister for Culture” for the period from 1 January 2007- 31 December 2010

Søndergaard, H. (2009) Interview with Henrik Søndergaard, Copenhagen, March, 2009

Svendsen, E.N. (2002) *The Regulation of Public Service Broadcasting*, An EPRA Inquiry, presented at 16th EPRA meeting, Ljubljana, 24-25 October 2002

Svendsen, E.N. (2009) Interview with, Erik Nordahl Svendsen, Media Secretaria, Copenhagen, March 2009

Syvertsen, T. (2003) “Challenges to Public Television in the Era of Convergence and Commercialization” in *Television and New Media*, 4(2), pp 135-175

Valtiner, C. (2009) Interview with Christian Valtiner, Copenhagen, March 2009

Westman-Herz, K. (2009) Interview with Karen Westman Herz, former Head of DR online, Copenhagen, March 2009