

DÁIL ÉIREANN

**AN COMHCHOISTE UM NA MEÁIN, TURASÓIREACHT, EALAÍONA,
CULTÚR, SPÓRT AGUS GAELTACHT**

**JOINT COMMITTEE ON MEDIA, TOURISM, ARTS, CULTURE, SPORT AND
THE GAELTACHT**

Déardaoin, 6 Bealtaine 2021

Thursday, 6 May 2021

Tháinig an Comhchoiste le chéile ag 12.30 p.m.

The Joint Committee met at 12.30 p.m.

Comhaltaí a bhí i láthair/Members present:

Teachtaí Dála/Deputies	Seanadóirí/Senators
Johnny Mythen,	Malcolm Byrne,
Christopher O'Sullivan.	Shane Cassells,
	Fintan Warfield.

Teachta/Deputy Ciarán Cannon sa Chathaoir/in the Chair.

General Scheme of the Online Safety and Media Regulation Bill 2020: Discussion (Resumed)

Acting Chairman (Deputy Ciarán Cannon): I thank the members of the committee for agreeing previously by email that I would act as the temporary Chair for today's meeting. Apologies have been received from Deputies Munster and Fitzpatrick and from Senator Hoey.

This meeting has been convened in the context of this committee's pre-legislative scrutiny of the general scheme of the online safety and media regulation Bill 2020. In this session, we are meeting with students from Kinsale Community School and Tallaght Community School to discuss issues concerning online safety and cyberbullying. I welcome the witnesses who are joining the meeting remotely via Microsoft Teams. From Kinsale community school, I welcome Ms Sarah Fitzgerald and Ms Megan Fahy, and from Tallaght community school, I welcome Mr. Rory Hynes and Mr. Jake Bushe. I also welcome the teachers and the management representatives from both schools who are also joining the call today in an observational capacity. The format of the meeting is straightforward. I will invite witnesses to make their opening statements, and questions will then follow from members of the committee. As the witnesses are probably aware, the committee may publish the opening statements on its website following the meeting.

Before I invite the witnesses to give their opening statements, which are limited to two minutes for each school, I want to advise of the following regarding parliamentary privilege. Witnesses are reminded of the long-standing parliamentary practice that they should not criticise or make charges against any person or entity by name or in such a way as to make him, her or it identifiable, or otherwise engage in speech that might be regarded as damaging to the good name of the person or entity. Therefore, if witnesses' statements are potentially defamatory with regard to an identifiable person or entity, they will be directed to discontinue their remarks. It is imperative that they comply with any such direction. As our witnesses today are attending remotely from outside the Leinster House campus, they should note that there are some limitations to parliamentary privilege and, as such, they may not benefit from the same level of immunity from legal proceedings as a witness who is physically present does.

Members are reminded of the long-standing parliamentary practice to the effect that they should not comment on, criticise or make charges against a person outside the Houses or an official either by name or in such a way as to make him or her identifiable. I remind members of the constitutional requirement whereby members must be physically present within the confines of the place where Parliament has chosen to sit, namely, Leinster House or the Convention Centre Dublin, in order to participate in public meetings. I will not permit a member to attend where he or she is not adhering to the constitutional requirements. Therefore, any member who attempts to attend from outside the precincts will be asked to leave the meeting.

I also ask members to please identify themselves when contributing for the benefit of the Debates Office staff preparing the Official Report and also to please mute their microphones when not contributing to reduce background noise and feedback. I also ask that they use the raise hand function when they wish to contribute. I remind those joining today's meeting to ensure that their mobile phones are on silent or switched off.

I invite Ms Sarah Fitzgerald to address the committee, followed by Ms Megan Fahy. They are both representing Kinsale Community School.

Ms Sarah Fitzgerald: I thank the committee for inviting us here today. Last year, Megan and I ran a students-only Internet safety committee and organised an anti-cyberbullying campaign. We set up an Instagram account, which Megan managed. We posted Internet safety tips, focusing on cyberbullying. We believe reaching adolescents through social media is an important step in tackling the issue of cyberbullying. We also visited the first year classes to hold Internet safety workshops and we made sure students learned about cyberbullying in an interactive way, through quizzes and walking debates. We ran a poster campaign on the issue of cyberbullying as well. We were thrilled that our student committee, and indeed all-girls committee, was highly commended for our anti-cyberbullying campaign at the Safer Internet Day Awards 2020.

In other suggestions, we believe that cyberbullying should be covered to a greater extent in first to third year classes in social, personal and health education, SPHE. In our experience, cyberbullying is most prominent among junior cycle students. Coming into first year, students are unprepared for this aspect of social media outlets, and do not have the necessary tools to handle cyberbullying effectively. Therefore, another suggestion is to cover the topic in-depth in sixth class as well. Teachers should also be given more resources and information so they can best educate their students. Holding workshops for SPHE teachers focusing solely on this issue can help them to understand and educate better. Providing them with teaching materials, expert advice and designated resources can be crucial. Students should also be made aware of the sanctions that come with cyberbullying. While our school takes a “reform not blame” approach, knowledge of these sanctions is also important.

Ms Megan Fahy: Following on from what Ms Fitzgerald said, perhaps an initiative recruiting young online safety activists to visit schools could also help, as could a youth advisory board working in collaboration with this committee. Sometimes students listen better to other students. Adults and teachers do not have the experience of growing up with social media and cyberbullying, and they need youth input when learning about the issue. It can be infuriating for students to be lectured on the dangers of social media by parents who perhaps do not understand that this is an integral part of growing up. Listening to young people with experience of this issue is the best way to educate.

We also need better investment and better awareness of the supports available to victims of cyberbullying. The issue of cyberbullying goes hand-in-hand with anxiety, depression and suicide. We need an awareness of the ways to access help, so that victims of cyberbullying do not feel isolated. As a society, we must also face up to the fact that cyberbullying is largely a feminist issue. Being aware of this can help us find better solutions. As teenage girls growing up in Ireland, we have all had a friend who has experienced horrifying cyberbullying, online harassment or manipulation, and often there is no way, or nowhere, to ask for help and no way of imposing sanctions on the perpetrator. We need to act on this issue in a way that will invoke real change. I hope that what Ms Fitzgerald and I have said today will help in enacting this change. I thank the members of the committee.

Acting Chairman (Deputy Ciarán Cannon): I thank Ms Fahy and Ms Fitzgerald for those wonderful contributions. They are very much appreciated. I call Mr. Rory Hynes to address the committee. He is speaking on behalf of Mr. Jake Bushe and Ms Yoanna Ivanova as well. They are representing Tallaght Community School.

Mr. Rory Hynes: We thank the committee for letting us speak today. We truly appreciate this opportunity to share our insight on this challenging issue that faces youths today.

Cyberbullying is an increasingly common issue which affects many young people in Ireland. It can have very serious mental health effects on users and has contributed to increased rates of depression. Youths who have been cyberbullied are up to three times more likely to commit suicide.

In order to get a better view on the issue, we surveyed Tallaght Community School. We found that an alarming 16% of students had experienced online bullying first hand, while 26% of students knew of bullying occurring. Up to 39% of people who knew of it, reported it to site administrators and only 16% of cases were not resolved. We also found that most parents used different social media platforms than their kids.

We believe it is important to find a way to tackle this issue without negatively affecting people's experience of the Internet or infringing any rights. We do not want people to feel as if the content they post online is being heavily regulated. However, it is vital we protect young people from any malicious content targeted at them.

Italy has the overall highest awareness of cyberbullying in the EU. This is likely because in May 2017 the Italian Parliament passed legislation which clearly defined and condemned cyberbullying. The legislation makes it illegal to use the Internet to threaten, offend or slander anyone under the age of 18. The law also states that victims of cyberbullying are entitled to get malicious content taken down within 48 hours of the request.

We recommend that the Irish Parliament passes a similar law which requires social media sites to remove harmful, malicious content targeted at young people. We also recommend launching a cybersafety campaign targeted at parents. The campaign should educate parents on Internet safety, cyberbullying and should focus on helping parents understand what their children go through online, as not all parents experienced social media growing up.

The Internet, the great online, is perhaps the most brilliant yet dangerous creation of all time. It should be enjoyed by all but, like all things, it has its downsides. We hope that by sharing our insight with the committee, we can help tackle these issues in order the Internet can be a positive safe environment for learning, connecting and inspiring.

Acting Chairman (Deputy Ciarán Cannon): We just had some technical difficulties displaying Rory's PowerPoint. However, a copy of it has been circulated to all members. I thank everyone for their contributions. This is a powerful and important opportunity for all of us who are scrutinising this legislation to hear it from the students of this nation. It is an incredibly important part of the process.

Senator Malcolm Byrne: I thank Sarah, Megan, Jake, Rory and all the other students who are taking part. This is important legislation. Over the next few weeks, we will be talking to the social media companies such as Facebook, Twitter and TikTok. What should we be asking them to do to ensure social media is safer for young people? In the witnesses' experience of dealing with TikTok or Twitter, do they think that it is a safe environment for young people? What should the new online safety commissioner do to address some of the problems around safety if the companies do not take action?

Mr. Rory Hynes: The message to the companies should be that this is unacceptable. Young people between the ages of 13 and 14 are impressionable and can react to it a lot more seriously than an older person, like a 17 or 18-year-old, might. We need to keep that in mind. We need to tell the companies they need to have stricter regulations on what people can say to other people

online. It is basic. Insulting someone so young can have negative effects. We need to get them to have more strict regulation of that.

Senator Malcolm Byrne: Does Rory think they have strong enough safeguards at the moment?

Mr. Rory Hynes: They definitely have some in place which is great and it is a stepping stone. The fact that it is at their discretion what is allowed means there should be higher demands made on what can and cannot be said through, say, regulations.

Up to 16% of the cases that persons reported from Tallaght Community School were not resolved. That means that content is still up online and still damaging that person's name. It is hard to regulate online but it is important that we try to make a better attempt.

Deputy Christopher O'Sullivan: I am a Deputy for the Cork South-West constituency and I confirm I am here on the Leinster House campus. I welcome Rory and Jake from Tallaght but obviously there is a special welcome from me to the gang from Kinsale Community School, Sarah and Megan. I am familiar with the school which is always cutting edge and ahead of the game. Sarah and Megan can say hi to the principal, Fergal McCarthy, for me.

I was interested to hear what Sarah and Megan said about the idea of online safety activists visiting their school. As legislators, we are kind of working in a bit of a vacuum and relying on second-hand information about primary and secondary school students' experience of cyberbullying. We are trying to relate to that. I like the idea of a fellow student who is part of an online activist group. There are some fantastic groups. I am not sure that it would speak to this Bill but we need to look at this in terms of policy formation. Sarah and Megan also spoke about it being taught in sixth class. Will they elaborate on that idea?

From the research that Rory and Jake have done, what is the general effectiveness of reporting online bullying? On Instagram and Facebook, it is quite easy to report online bullying. Is there a response or is it pretty much just a box-ticking exercise? That will be important in the consultation we will be having with some of the social media companies over the coming weeks.

Cheers guys and thanks so much for coming in and informing us. This is a really important step.

Ms Sarah Fitzgerald: To elaborate on the whole idea of young online safety activists visiting schools, students often listen and relate better to their peers. Sometimes if one is lectured on the dangers of social media or cyberbullying by teachers or parents, one might not actually listen properly or take on board the advice given. That is why it is important and young online safety activists have much to say about the issue. They have a lot of expert resources, advice and first-hand experience of the issue. Having an initiative, even a Government-supported one, could get these activists to visit schools either online or another way. It could help and create more awareness about the whole issue.

Acting Chairman (Deputy Ciarán Cannon): How important is it that these online safety activists come from within our guests' own peer group, and that they are not adults but other young people who have perhaps gained a level of expertise and skill in advising people how to deal with cyberbullying? How important is it that these online safety activists are from the same generation as our guests?

Ms Megan Fahy: There is a slight generation gap between our generation and that of those older than us, including our parents and others in their adulthood. It is important that the activists are peers of ours, people to whom we can relate and who have the same experiences as us, having had social media, like we have, from a young age. They should share our experience, teach and advise us in a way that is more relatable.

Acting Chairman (Deputy Ciarán Cannon): Mr. Hynes might like to contribute, if he is there.

Mr. Rory Hynes: Were you talking to me?

Deputy Christopher O’Sullivan: Yes. I was just asking about the experiences in Mr. Hynes’s research where incidences of online bullying are reported. What has been the general feedback and response from the social media companies?

Mr. Rory Hynes: From the survey in our school, only 40% of people who knew about it actually reported cyberbullying. That is a big thing. We need people to report it and promote that action, encourage people to report it if they see it. That would be a big step.

When people did report it, 84% of the cases were resolved. That is a high rate that suggests that if something is reported, it will be taken down. It is a matter of getting people to report it and stand up for people who are being bullied online.

I will add to something Ms Fitzgerald said. We know that all parents are not massively into social media. They did not have it when they were growing up so they do not understand. That is why we are recommending in this area that we teach parents what it is like. It is hard to do but we believe education begins at home and it is best to teach parents how to take care of their kids in this online world that is still relatively new.

Senator Shane Cassells: I welcome the representatives of both schools. I want to follow on from the point that Ms Fitzgerald made about awareness, as it applies to teachers and parents, and, in the case of today, legislators. We are dealing with regulation in respect of this Bill and much of the conversation this afternoon has been about awareness and support. What can be done to keep pace? I am following on from Senator Malcolm Byrne’s earlier contribution in which he asked what questions should be posed to these media and online companies.

Mr. Hynes said he found that most parents use different social media platforms from their kids. As a result of that, does he feel awareness is not prevalent in that respect among parents or teachers? How will we equip a legislative response? There is an ever-evolving scenario of different platforms that are being used and abused in this space.

Mr. Hynes has spoken in some of his answers about a need for stricter regulations. He said that insulting someone so young has devastating impacts. He also said in his opening statement that it is important to find a way to tackle this issue without negatively affecting people’s experience of the Internet or infringing on their rights. How do we square that circle? What might be considered slagging or having a bit of banter or fun within a group of friends could be interpreted differently, as insulting and hurtful, by other people.

One of the most striking and stinging parts of Ms Fitzgerald’s opening statement was when she said it can be infuriating for students to be lectured on the dangers of social media by parents who perhaps do not understand it is an integral part of growing up. That comment really hit home. I have an 11-year-old daughter who has limited access to apps such as Snapchat and

so forth. It struck me and made we wonder whether we have the capabilities to make sure we are dealing with what is being said.

Ms Fitzgerald also said that preventative measures are crucial but there is an acceptance that a certain amount of this behaviour will, obviously, happen. She also mentioned that she feels it is largely a feminist issue. Why is that the case? What would lead her to make such a profound statement?

Mr. Rory Hynes: We found that parents mostly use websites such as Facebook and WhatsApp, whereas the younger generations are using Snapchat and Instagram more prominently. That definitely makes it harder to raise awareness because if parents are not involved on the same platforms, they do not know what is happening because different stuff happens on all of the platforms.

On the Senator's question about regulations, it is difficult to pinpoint exactly what regulation is required. We should start by taking down any offensive video content, especially of minors. If somebody posts a video of a minor cursing or something like that, or doing something illegal or anything that could be bad for him or her, it is important to take that down. That is one of the biggest factors for mental health. The comments that people get are a big part of the issue but are less impactful on students. If there is a video of a child going around and everybody has seen the video, it is much more damaging to a child's psyche than ambiguous comments that people leave.

Our case study dealt with a video that was sent around of a young girl in Italy. She ended up committing suicide because of the video. A video being passed around is much worse than the sly comments that people make. Regulating the video content that people are posting is most important because our research found it is the most damaging.

Ms Megan Fahy: On the Senator's question about feminism, the US National Center for Educational Statistics in 2017 found that girls are three times more likely to be cyberbullied than boys. Young girls going into secondary school may be made aware of what cyberbullying is and what might happen in first year. However, there is no solid advice given on how to deal with someone when they approach you or when cyberbullying is happening. It is different in different schools. Our school is probably an isolated case where management took matters into their own hands. There is a team that mentors first-year students and gives them advice and is helpful. I know not every school is given the same opportunity and there are young people all over the country who do not know how to deal with these issues. We need to change that.

Deputy Shane Cassells: May I ask a quick follow-up question?

Acting Chairman (Deputy Ciarán Cannon): Yes.

Deputy Shane Cassells: On the topic of advice, does Ms Fahy think that putting young students, their parents and teachers in the same hall or room at the start of a secondary school term would be helpful? Would young people think that would be overly embarrassing? Would it be helpful to have that conversation openly?

Ms Megan Fahy: That would be helpful. Issues such as this are often not talked about properly and if someone is embarrassed, that will only last a few seconds whereas the long-term damage of someone being cyberbullied or harassed online can last a lifetime. It could affect a person's mental health and suicide could be a result. It is a conversation that people need to start having more often and it is important that we talk about it.

Acting Chairman (Deputy Ciarán Cannon): I call Deputy Mythen. I remind members that we are rapidly approaching the end of this session so it would be appreciated if they could make their questions as succinct as possible.

Deputy Johnny Mythen: I thank all the students who have come in this morning for giving us their time and statements. Most questions have already been asked but I have a few quick ones. According to the statistics, does cyberbullying lead to physical bullying? Hypothetically, what would the witnesses think of banning phones in schools? They are right in their synopsis that parents are a bit removed from this issue. Cyberbullying is new to everybody. Would direct resilience courses in schools help?

Mr. Jake Bushe: We did not follow up on whether cyberbullying led to actual physical bullying but I am sure we can look into that. As regards banning mobile phones in school, that would be very hard with Covid. We do not have iPads so we rely on our phones. However, our school has a strict policy about only using phones for educational purposes.

Cyberbullying mainly takes place in the home. That is the core centre for it. It does not necessarily happen at school. I do not know that for sure but that is where I would come upon it. My experience is that it is home-driven, when people are on their own and isolated by themselves.

Mr. Rory Hynes: I agree that banning mobile phones is unnecessary. Phones can be great tools for learning. I do not necessarily think that cyberbullying will lead to physical bullying. Cyberbullying is so impactful because it is with the person all the time. Nobody is going to get beaten up because of cyberbullying. That has not happened in my experience. It is damaging because when people are at home they are getting messages all the time and all through the night they will be getting messages saying harsh things. It can be really difficult to deal with, especially when people are young.

Acting Chairman (Deputy Ciarán Cannon): Would Ms Fitzgerald or Ms Fahy like to answer the question about building resilience in young people to cope with cyberbullying?

Ms Sarah Fitzgerald: That is definitely crucial and it should be touched on in school and at home. Mr. Hynes mentioned educating parents, which is also very important. We have to build resilience because cyberbullying is not just going to go away if we enact legislation. We need to have tools to cope with it when it does inevitably happen. Building resilience and having proper resources and advice to give students, as well as talking to them about it like Ms Fahy said, can all really help.

Senator Fintan Warfield: I thank all the students for the incredible work they have done on this issue. It will be extremely helpful in our process and in developing this Bill. Many of the questions I had have been asked. I wanted to touch on the digital age of consent, which is 16 in Ireland. Whether that is right or wrong, the purpose of setting that age at 16 was to protect young people from the dangers of social media. Other EU member states have set that age as low as 13. From the witnesses' experience, are people under the age of 16 avoiding the measures social media companies have in place to keep young people off their platforms? I avoided those protections as a young person when I was growing up. Is it still the case that young people are avoiding them?

Mr. Rory Hynes: It is definitely still the case. There are people as young as nine or ten years old on these platforms, which they have no business being on. I think 16 is a good age.

Social media is a good thing for people to have, especially when they are younger. It is a place to fit in, which is an important part of a young person's life, especially nowadays. Any age between 13 and 16 would be okay, as long as we educate people on what social media is, how difficult it can be and how to deal with stuff that happens online. It is just a part of life nowadays. As time goes on and generations who have grown up with social media get older, it will be much easier to educate kids because their parents will have gone through it. Maybe in ten or 15 years cyberbullying will naturally get a little bit less common.

Acting Chairman (Deputy Ciarán Cannon): I sincerely thank each and every one of the young people who have made powerful and insightful contributions here today. They are a credit to their families, schools and communities. I have one last question. All the witnesses spoke about the difficult transition from primary school to secondary school, from sixth class onwards. In my experience, that is when young people begin to interact most commonly with social media, when transitioning into first year at 12 or 13 years of age. If the witnesses can recall when that happened to them, what would have been the most powerful and effective way to assist them in dealing with the potential of cyberbullying on social media? Mr. Bushe said that most cyberbullying takes place outside of the school environment. What skills can we give our young people right now to cope adequately with cyberbullying? How can we empower young people to take control? Let us say a group of young people is sitting around a café table on a Saturday afternoon. If one friend said something insulting to another friend, in my experience, most young people would have the courage to say that is not right and that the person should not have said that. However, when we operate in the cyber world, we seem to adopt a different way of thinking around what is acceptable and what is not. How do we encourage young people to take charge of that social media environment and that cyber world and dictate to others that they cannot say something, or post or share a certain video?

Ms Megan Fahy: I came from a very sheltered primary school with about 11 people in my class and was completely unaware of cyberbullying or anything that was going on online when going into first year. Just sitting the class down and talking to them about what cyberbullying is and how to deal with people would help. Young people should be empowered to say "No" or call something out when they feel something is wrong, especially young girls because they feel bad for saying "No" or pointing out that something is wrong. We need to just teach people that it is okay to call something out when they see it.

Acting Chairman (Deputy Ciarán Cannon): That answers my question wonderfully. I again thank each and every one of our guests. It has been a fascinating hour and I thank them for being here. I wish them all every success in their education and future careers.

Sitting suspended at 1.09 p.m. and resumed at 1.10 p.m.

Acting Chairman (Deputy Ciarán Cannon): We are now going to hear from CRAOL, Community Radio Ireland, and we will also have statements from the Community Television Association, CTA, and the Independent Broadcasters of Ireland, IBI. Their representatives are here to discuss with us the general scheme of the online safety and media regulation Bill. The witnesses are all joining the meeting remotely via Microsoft Teams. I welcome Mr. Jack Byrne, chair of CRAOL, Community Radio Ireland, Mr. Ciaran Murray, chair of the CTA, Mr. John Purcell, chairman of the IBI, and his colleague, Mr. Chris Doyle, director.

The format of the meeting is such that I will invite witnesses to make opening statements and these will be followed by questions from members of the committee. As the witnesses are probably aware, the committee may publish the opening statements on its website following

the meeting. I will call each organisation to deliver their opening statements, with CRAOL first and then the IBI.

Before inviting the witnesses to deliver their opening statements - I would be grateful if they could adhere to a three-minute limit - I will advise them of parliamentary privilege. Witnesses are reminded of the long-standing parliamentary practice that they should not criticise or make charges against any person or entity by name or in such a way as to make him, her or it identifiable or otherwise engage in speech that might be regarded as damaging to the good name of the person or entity. Therefore, if the statements are potentially defamatory with respect to an identifiable person or entity, the witnesses will be directed to discontinue their remarks and it is imperative they comply with any such direction. As the witnesses are attending from outside the Leinster House campus, please note there are some limitations to parliamentary privilege and, as such, they may not benefit from the same level of immunity from legal proceedings as a witness physically present may do. I ask those participating today to please identify themselves when contributing for the benefit of the Debates Office staff preparing the Official Report. I ask them to mute their microphones when not contributing in order to reduce background noise and feedback.

I ask those attending the meeting to use the raise hand feature of the software to indicate a wish to contribute. I remind all those joining today's meeting to ensure that their mobile phones are either in silent mode or switched off completely. I invite Mr. Byrne to make his opening statement on behalf of CRAOL. He will be followed by Mr. Murray on behalf of the CTA.

Mr. Jack Byrne: I thank the committee for the opportunity to introduce ourselves. I am the chair of CRAOL, Community Radio Ireland.

There are 21 community radio stations across the country, with a further ten in development. The Broadcasting Act 2009 recognises community media as a distinct strand of media in Ireland, identifying geographical community and community of interest stations. Each community station is democratically owned and managed by the community and operates as a not-for-profit entity. They are required in law to provide a social benefit to the community served. This network of stations protects plurality in media and their content ensures more diversity in voices and opinions.

We ask the committee to consider the following. We would like to see the facility of special interest media being reintroduced in legislation. Such legislation should also provide the regulator with the powers to decide on a case-by-case basis which applicants belong in which category. Those that do not fall under the public, commercial or community sectors should be located in a separate category, previously called "special interest".

Technological developments and convergence have revolutionised the means of production and dissemination of content across all platforms. New legislation can help us grasp these opportunities. For example, a series of virtual community media hubs could cover the country, providing all citizens who wish it an opportunity to express themselves and create beneficial content across all platforms. Community media hubs will be the last mile in delivering beneficial public service content to people and organisations. These hubs will require resources to support the production and dissemination process but should be a very cost-effective means of making digital media opportunities available to all citizens.

Acting Chairman (Deputy Ciarán Cannon): Mr. Murray has temporarily fallen off Microsoft Teams so we are contacting him via mobile phone in order to get him back. We can go

to Mr. Purcell while we are waiting for Mr. Murray.

Mr. John Purcell: I thank the committee for the opportunity to address it. As the Acting Chairman said, I am joined by my colleague, Chris Doyle, who is a fellow director and member of the board of the IBI.

The IBI represents 33 radio stations that collectively comprise over 70% of the Irish radio. The committee knows that radio plays a crucial role in our communication ecosystem. It is universally available, free to air and adheres to positive media values. We cover every community in the country and make an unrivalled contribution to society, democracy and everyday life.

The important legislation we are here to discuss will lay an important foundation for how the media in this country will be regulated in future. We have discussed the benefits of social and online media previously and also the very real dangers and how they have had a negative impact on so much of society. I previously spoke before the committee in the final quarter of last year, talking about the twin challenges we faced as a sector. The immediate challenges of the pandemic have devastated our revenues and had an impact on our operations. I also spoke about the frightening media landscape that lies in prospect if steps are not taken to ensure all media should operate according to values of balance, fairness, impartiality and quality output. Unfortunately, this largely pertains to traditional media and much work must be done about online and social media. This Bill is a welcome move in that direction.

I spoke about the threat to democracy but little did I think that a couple of months later, events would unfold outside the Capitol building in Washington DC, demonstrating the dangers relating to the matters we are discussing on an ongoing basis. We are very fortunate to have a relatively healthy local media in this country. I thank the committee and the Minister for their actions in supporting the sector since I previously appeared before the committee. We very much appreciate that. We received funding under the Covid-19 Sound and Vision scheme, which was very positive. I thank the committee again for its assistance in that regard. This template can be adopted into the future and we hope the future of media commission will take account of it. Many challenges remain and we are mindful that we may have to return to this committee before the delivery of the outcomes of the commission.

On this legislation, our submission seeks to make general points critical to ensuring that the overall framework for media - not just traditional media such as radio, television and so on - operates in a space not where anything goes but where there are standards and the public is protected. In the submission, we call for the new regulator to take an active role in making sure that the overall framework in which we operate ensures viability for our precious indigenous media sector, which provides local news and operates in line with concepts of fairness, balance, accountability and so on. Specifically, we are seeking the delivery of the long-standing commitments and undertakings regarding the reduction of the broadcasting levy as it applies to independent radio. We are also seeking the delivery of some technical amendments with respect to advertising minutage. We have also made observations on a range of other issues, which we would be delighted to discuss.

Key to us, however, is the delivery of the commitments that have been made by politicians of all political parties and none with regard to the levy. I thank the committee for the invitation to appear before it today and for its support to us over the months of the Covid-19 crisis. We look forward to engaging with members on these issues.

Acting Chairman (Deputy Ciarán Cannon): I understand Mr. Murray of the Community

Television Association, CTA, is back with us. I invite him to make his statement.

Mr. Ciarán Murray: Dia dhaoibh agus mile buíochas as ucht an deis chun leabhairt leis an gcoiste inniu. I am the chairperson of the Community Television Association. I thank my colleague, Mr. Byrne, for his introduction. The ethos of community television is the same as that of community radio so I will not go into details.

There are two community television stations in the State, Cork Community Television and Dublin Community Television, and a sister station in Belfast called Northern Visions. As a recognised training body, community media works with many groups, as well as some of the hardest to reach in society, including the Traveller community, people living in direct provision, people living in rural isolation and women's groups. This is training that leads to productions, and gives more diversity of voices and faces on Irish media.

In addition, community media trains young people and trained many well-known Irish broadcasters who started their careers in Irish media, not least Sharon Ní Bheoláin and Sinead Spain. Given all this provision of social benefit, we believe the community media sector, as a public service content provider, should receive a proportion of public funding.

Acting Chairman (Deputy Ciarán Cannon): As agreed in previous meetings, speaking time in the session will be allocated on a party or grouping basis. I will first go to Fine Gael. As Senator Carrigy and Deputy Griffin are not present, we move to Fianna Fáil and Senator Malcolm Byrne.

Senator Malcolm Byrne: My questions are primarily directed to the Independent Broadcasters of Ireland but representatives from community radio may also provide input.

A key requirement of the committee and the new media commission is to try to ensure a plurality of media. Will the IBI outline how it sees the media commission operating, perhaps as distinct from the Broadcasting Authority of Ireland at present, to ensure there is plurality? A particular reason for this is to avoid a scenario where, for instance, a number of the radio stations are bought up by one entity and also to ensure there is competition in the sector.

The second issue, which we have seen over the course of the pandemic, is the importance of good quality news and trusted information. I have certainly experienced that with South East Radio and other members will have experienced it with their local radio station. What requirements do the witnesses anticipate the new media commission will impose on radio stations in that regard?

Finally, I know this crosses over a little bit to the new electoral commission legislation but should political advertising be allowed on local and community radio? I can advertise on a website, billboard or local newspaper but I cannot place advertising on local radio. Does that need to be reformed?

Acting Chairman (Deputy Ciarán Cannon): Do any of our witnesses want to take up those questions?

Mr. John Purcell: I am happy to take those questions if that is acceptable. I thank Senator Byrne. With regard to the maintenance of plurality, it is important that a viable sector exists and that the viability of the multitude of radio stations we have at the moment can be maintained. If, therefore, the business and economic environments in which we operate can be viable, diversity will be maintained.

The important aspect of the Senator's point about consolidation is that what matters is the output. Regardless of who owns a broadcaster, the BAI currently operates broadcasting licences individually with individual stations. That, therefore, determines the output, type of programming, programming philosophy and so on.

The Senator's other point about ensuring good quality news and reliability comes back to viability and also to the resources available. At the start of the pandemic, we were faced with a catastrophic decline in advertising turnover and that continues. According to the report provided to the Minister by the BAI, local radio stations' local sales decreased by 32% in 2020. Without the assistance of the BAI sound and vision scheme when I was operating a radio station in Kilkenny and Carlow, I would have had no option but to lay off journalists. We have submitted to the Future of Media Commission our view that the sound and vision scheme provides a template for how news and current affairs can be supported in future.

It is also useful to reflect on the unregulated digital operators. It was interesting to read in the *Financial Times* last week that Facebook's advertising revenue jumped by 46% during the pandemic, while Google's increased by 32%. The top five online media operators grew their after-tax earnings by 105% during the pandemic. If the issue of viability of news and the provision of accurate information to our audiences around the country are to be maintained, that issue needs to be addressed. There is an opportunity to do so in this legislation. My colleague, Mr. Doyle, may wish to comment.

Mr. Chris Doyle: I will add one point with regard to head 77 in the Bill. Mr. Purcell referred to the sound and vision scheme, which predominantly funds long-form, advance programming. In the Broadcasting Act 2009 and in the Bill, it cannot be used to fund news and current affairs broadcasting.

Senator Byrne spoke about plurality, indigenous media and the survival of the sector in the future. It is important for independent and local radio that news and local current affairs are provided for. We encourage the committee to ensure this section of the Bill is changed to allow news and current affairs broadcasting to be funded. It does not allow that at the moment.

This year and last year, during Covid-19, the BAI funded news and current affairs programming on an emergency basis. The foundation is in place. We believe that could go a long way towards discharging one of the main functions of the new media commission, which is sustaining independent and impartial journalism. We would, therefore, strongly recommend that the content levy scheme in head 77 be looked at.

Mr. Jack Byrne: On that point, we in community radio certainly wish local radio well. We understand the current situation, which is troubling for the local radio sector.

On Senator Byrne's point, concentration of ownership is primarily driven by market forces and very little can be done about it. The model of community media hubs that we offer and the ownership model that is spread across communities are a response to diminishing pluralism in media ownership. There is a prohibition on news and current affairs in the sound and vision scheme that has just been referred to but we propose the scheme could be amended slightly to allow community media to offer community information and agency to local communities. This would be an easy enough provision to add as an extra clause in the relevant section of the sound and vision scheme.

Mr. John Purcell: I neglected to mention the political advertising point. We would support

sensible reform of this. At present, elected representatives advertising that they are holding clinics on particular dates to meet constituents to address particular issues is, as I understand it, prohibited by the legislation. We do not want to get into a situation such as that in the United States where candidates must raise millions. We believe a sensible solution should be implemented. If it is permissible for a candidate in an election to purchase a half-page advertisement in a local newspaper it should be equally possible to have sensible, responsible and tasteful, if that is not too big a push, content. We think a sensible solution should be implemented.

Equally, it behoves the legislation and the regulator to address the issues of untrammelled access to data, advertising and election manipulation that seems to be rampant online if the Cambridge Analytica-type behaviour is what it appears to be.

Senator Shane Cassells: I welcome Mr. Murray of the Community Television Association, in particular, because 30 years ago a man called Kevin Mac Namidhe established a little community television station, Navan Community Television, which ran very successfully for a number of years. It broadcast to approximately 5,000 homes through the old cable network. It did an amazing job on producing local programmes. I know the value of it very much. In my first election in 1999, I was able to watch the count from my home as Mr. Mac Namidhe broadcast 17 or 18 hours continuous live coverage from a very small operation. I was sad to see its demise in the mid-noughties, although I know it has come back as Province 5. Knowing the value of it, I would like to see a much wider roll-out of this particular form of local news. In his opening statement, Mr. Purcell alluded to the value of local news and the lack of it in some major countries throughout the world, which rely on cable networks for spoof rather than news.

In respect of the point made by Mr. Purcell and Mr. Doyle regarding the funding of news, it is something we addressed yesterday with Mr. Michael O’Keeffe when the BAI came before the committee. It is also seeking in its submission that the provision would become permanent as opposed to being an emergency provision. I pressed for this myself in our discourse yesterday.

I agree with the comment that we are fortunate to still have relatively healthy local media in this country and I am glad the local radio stations in the country benefited from the Sound and Vision Fund during Covid. Equally, it is reprehensible that local newspapers did not have such a fund to sustain them. The work they did during the period was just as important. I made this point to the Tánaiste last Friday, and I will continue to make it because they are in a very precarious position. This is not for today’s discussion but I want to put it on the record because it is pure wrong.

Towards the end of his statement, Mr. Purcell touched on the Bill and made general points on what is critical for his media versus social media. He stated there was strict regulation of broadcasters in respect of news content but for social media at times anything goes with voluntary codes at best. Something growing in prevalence among local radio stations and local newspapers is that, conscious of the fact more and more people are turning to social media, unfortunately, for what they contrive as news, local radio and newspapers are using social media to try to draw in clients. They put up a link to a news story or a podcast. What I see more and more is that they pose questions to their audience, such as “Do you agree with...?” or “What do you think of...?”. I have spoken to people in the industry. No one is clicking on the links but my God there could be 1,000 comments, a lot of which are very derogatory. This goes to the very point we are discussing regarding online media regulation. Local newspapers and stations, in a drive to stay relevant with this ever-changing platform, are using it themselves and sometimes stick up inflammatory questions and draw responses in an effort to try to get the public to engage with them. Mr. Purcell has made the point that sometimes anything goes. I can see

on the Facebook and Twitter feeds of local newspapers and radio stations that sometimes they engage in this themselves. Considering that we are discussing today the regulation of online media platforms I ask for a comment on this.

Mr. Ciaran Murray: Navan Community Television, and Province 5 as it became, was a great example of how things can be done at a hyper-local level. So many areas of community can be complementary to local media and national media. Areas that are not commercially viable, such as 18 hours of election coverage, are where community media can really offer something that is completely alternative. In the Navan example, Kevin Mac Namidhe was a great man for allowing mass to be shown regularly. It was a shame it was not available during these Covid times. Going the last mile and a hyper-local level is something community media can offer. With regard to the Navan example, Dublin, Cork and to some extent Belfast have tried to establish this with various groups. There is a network of them, and using new technology they could become something similar to what Navan was in the past. I thank Senator Cassells for mentioning our former colleague.

Mr. John Purcell: To respond to Senator Cassells on the use by stations of social media, it does happen. In the station I run, we seek to avoid certain topics because we know they will lead to very radical opinions. It requires moderation. To be honest, at present many people do not have sufficient resources to moderate social media content. This points to the larger issue whereby the platforms, as they are regarded, are not responsible for how they are used. If there was accountability the tone of the debate would be completely different.

With regard to equity in promotions, if a radio station gets 1,000 text messages in response to a competition, for example, data protection laws rightly prevent us from using this information and selling it on to advertisers but this appears to be the very business model of much of the digital and online sectors, where personal information is used to target advertising. This is one of the great inequities that leads to the continuous reduction of resources in our sector, which leads to strains on resources in editing materials and supervising material. We are trying, and we do accept responsibility for what we put out, which is in marked contrast with many online and social media operators that characterise themselves as just technology platforms.

Mr. Chris Doyle: I might add one thing. The Senator has highlighted the fundamental argument about regulated media versus unregulated media. In regulated radio stations, we get mad opinions and crazy things coming in from text messages, as well as people ringing in and writing letters. However, in a regulated environment we are ensuring that content is filtered and fit for purpose. On social media, though, that is just not happening. Yes, radio stations use social media to disseminate content and to attract new and younger audiences. Many are posting their articles or podcasts online. What is going on in the comments sections, however, is a fundamental aspect of why this Bill is required in respect of online regulation. Such regulation is happening in the regulated environment of radio and, to a large extent, in local press and other places as well. That is why those outlets must be protected in future.

Acting Chairman (Deputy Ciarán Cannon): Mr. Byrne is also indicating.

Mr. Jack Byrne: Briefly, in reply to Mr. Purcell's comment, there is a growing problem with content across all platforms. Part of the solution might again involve media literacy, among station personnel and then outwards through the media into the community. Community media have been promoting media literacy since the late 1990s. The BAI is picking up on this aspect and working on it intensely. It really does need to be promoted, however, within local community radio and television, and then out into community organisations. It would defi-

nitely improve our attitudes and responses regarding content.

Deputy Christopher O’Sullivan: I welcome Mr. Byrne. There is a growing interest in community radio. That is the feeling I get. I am from Cork South West, and we have some fantastic community radio stations, including Beare Island Community Radio. There is a growing listenership, and really surprising figures sometimes in respect of the listenership and where people are tuning in to the station.

I want to focus on the BAI and local radio. The scenario in that respect in Cork is amazing, and that may be replicated nationwide. The three local radio stations there, namely, C103, 96 FM and Cork’s Red FM, hold 55% of all radio listenership, which is astonishing in a county with nearly 500,000 people. We must recognise that situation, and it reflects the important role local radio plays. This aspect has been repeatedly emphasised. Much of what I am going to ask about has already been touched on, particularly by Mr. Doyle regarding the need to support local radio stations and perhaps supplement them in respect of their news bulletins and sports broadcasting. That is vital.

To that end, would recognising local radio as public service broadcasting, perhaps in this Bill or in the context of the Future of Media Commission, help its stance and footing? I am not sure if that is the case now. I do not think it is. We have a national broadcaster which is heavily subsidised and supplemented, and I genuinely believe the Government can play a role in doing the same for local radio because of what we have talked about at length. When Mr. Purcell was before the committee previously, we also spoke about the need to support local radio in future in recognition of the loss of advertising revenue to digital media. Those stations in Cork have a listenership share of 55%. In most cases, such stations across the country are providing accurate news and information. I would like the witnesses to speak some more on that point and the need to support local radio stations in future. Would defining local radio as public service broadcasting help in that regard? I hope that makes sense.

Mr. Chris Doyle: I thank the Deputy for the question. It would make a difference. Our submission to the Future of Media Commission, similar to the submissions of many other radio operators around the country, contends that we are public service broadcasting. Just because we do not take money from the licence fee to provide that service does not mean it is not public service broadcasting. In the construction of the Future of Media Commission, the description of the three local radio stations in Cork, as well as Mr. Purcell’s KCLR 96 FM and the others, was as public service content providers. It is a strange distinction, bearing in mind the tens of thousands of hours broadcasting undertaken. Therefore, the sector firmly believes that we are public sector broadcasters.

As Mr. Purcell said earlier, independent radio accounts for about 70% of all radio listenership in the country and to say it is not providing a public service is a total misnomer. We are talking about coverage of live matches, sports commentary, elections, news and current affairs and major news bulletins. The public service content is 100% there. Ticking the box to say we are providing public service content would be a good start, but I think a kind of psychological change is also required from the Department, in this Act and from the regulator regarding how we are funded. RTÉ also takes advertising money out of the market. Independent or commercial radio is not less worthy or less clean, because we all take advertising money out of the market. The differentiation in our mind is not as black and white as people might think.

Mr. John Purcell: As well as the *de facto* recognition which we have had from this committee, there is also wide recognition that what we provide is public service broadcasting, or

that large elements of it, namely, around news, current affairs, community access and sports coverage. Under our broadcasting licences, however, we are also required to provide news and current affairs output as 20% of our content. That is also very important. Therefore, we think the funding should be governed by the legislative requirements we are mandated to meet. We are required to provide 20% of our output as news and current affairs programmes, so we believe that the assistance should just be directed at that 20% of news and current affairs content. We are not seeking State money to support music and entertainment programming, competitions and giveaways, etc.. There is wide agreement that news and current affairs coverage must be supported in a healthy democracy. We are in a situation where the media environment has changed. We do not believe news and current affairs programming can be provided without some assistance, and we believe this support should be forthcoming.

Regarding this proposed legislation, and concerning heads 9 and 10 on the objectives and functions of the new broadcasting regulator, the media commission, we believe, in addition to regulating what exists, that it should also have a role in fostering and seeking to ensure that the existing regulated media sector can remain viable and continue to contribute to Irish society for the public good on behalf of the Irish people. The focus should be less on the broadcasters and more on the broadcasting. Public service broadcasting needs to be supported wherever it is to be found, whether that is on RTÉ or on independent radio.

Acting Chairman (Deputy Ciarán Cannon): We will move on, and I call Senator Warfield.

Senator Fintan Warfield: I thank all our contributors. It has been an interesting discussion. There is probably a bit of an oversight in this area. I am thinking of Dublin Digital Radio, which does not have a BAI licence. It does, however, have a collection of people who work extremely hard to create good output in this city. I commend them on doing that. I am a firm believer in community media and I always have been. I was involved as a volunteer in community television at one point in my life. I am interested in Mr. Murray's concluding remark that community media should receive a portion of public funding. As I understand the situation, there has never been a funding framework for community television. The requirement, instead, has been to apply for that funding through the Sound and Vision Fund. That lack of funding seems to place very little value on the third media sector, that is, community media as distinct from public service and commercial broadcasting. What would such a funding stream look like, in Mr. Murray's view?

I am interested in the idea of community media production hubs to which Mr. Byrne and others referred. It brings to mind the library in Ballyfermot, which has a podcasting space that people can use. Do the witnesses see a role for public libraries in this area? The equipment that is required to create podcasts and radio shows is becoming more affordable but it takes a lot to learn how to use it. That is why community media are important.

The last point I want to make is about prominence. It is a scandal that neither of the two community television services licensed by the BAI is available on the national Saorview platform. There is a separate conversation to be had about Saorview in and of itself but I will not go into that today. How do we ensure prominence for community media as we move gradually away from linear broadcasting over the next decade or two? Platforms like Vimeo offer over-the-top apps for video streaming but they are expensive. I understand Vimeo costs €500 a month. How do we ensure that community television and media have prominence moving forward?

Mr. Ciaran Murray: I thank Senator Warfield for his comments and questions. It is really important to understand the difference between public service content and public service broadcasting.

Acting Chairman (Deputy Ciarán Cannon): We seem to be losing connection with Mr. Murray.

Mr. Ciaran Murray: Is it better now?

Acting Chairman (Deputy Ciarán Cannon): Yes, that is better.

Mr. Ciaran Murray: Broadly speaking, as the country continues on its path to a much more diverse cultural make-up, it is important to have a diversity of voices, including those of the Polish, Nigerian and other migrant communities. That is a type of programming in which community media specialise. We appreciate that these are areas that may not be commercially viable. In terms of public service content, there is a whole range of material there. We do, of course, need support for our efforts in this area. Up to this point, we have not had much support at all. Our colleagues in community radio have been able to avail of a social benefit scheme but something similar is not yet available to community television. There is a long way to go.

On the question regarding Saorview, we understand there are other financial restrictions applying there, but it is something in which we are very interested. The question is really about access to all platforms, not just Saorview. That is something for which we have always strived. In terms of what might come out of the Future of Media Commission, we hope to have an input into that later in the year. It is important to note that Dublin Community Television and Cork Community Television are, in reality, serving the whole country. With a relatively small amount of funding and an understanding that we are offering public service content, we can be supported to do our work.

Mr. Jack Byrne: I am conscious of the time constraints and will be brief. Our proposal for community media hubs would solve a lot of the problems we have been discussing. They would mostly be virtual and a small number of them could cover the whole country. They would be shared platforms for audio, podcasts, television and video and would be available to communities as they need them. They could, for example, accommodate a weekend festival or a youth club holding a special event. The community hub proposal offers a very flexible model and I hope the committee will consider including it in its recommendations. It would provide a very cost-effective way of increasing the diversity of opinions and voices from right across communities and sharing the media platforms that are available.

Mr. John Purcell: I want to make a point on accessibility, universality and people having access to local content. I take the opportunity to bang the drum for radio, which is universally available. We often talk about developing new media, introducing hubs and so on, but we need to remember that more than 90% of the entire Irish population listen to radio on a daily basis, whether that is RTÉ or one of the independent broadcasters we represent. People do not need expensive equipment to listen to radio and it is accessible throughout the country. We need to look at preserving our existing richness of media as well as developing new services.

Mr. Jack Byrne: On Mr. Purcell's point, what we are suggesting is going hyper-local. We are trying to dig down below even the local radio stations, some of which cover several counties. With the best will in the world, they cannot reach everybody. They have neither the time nor the resources to do so. The network of hubs we are talking about would offer a much more

flexible arrangement that would work with libraries and universities in different localities to ensure that information that is very local is shared very locally. It would not be a threat in any way to the existence of local radio. Rather, it would be about reaching the last mile that national public service media and even local radio cannot reach. There is a whole layer of communication and access potential to which a community media service could cater. That is really our point.

Deputy Johnny Mythen: I thank the witnesses for their contributions. Most of the big questions have been asked, so I will focus on some of the more nitty-gritty issues. My first question is for Mr. Byrne. The Government recognises local community radio as a third pillar in communications. Will he give us a flavour of what his organisation does and provides? I understand it does a lot of training with people in direct provision and diversity groups. It is important to define the difference between local radio and local community radio.

My other two questions are on funding. I understand that all the main stations have got their grants under the sound and vision scheme but there seems to be a considerable delay in the local community radio stations getting theirs. Will Mr. Byrne comment on that? Second, is the process of obtaining funding overly bureaucratic? Do the witnesses think it could be more streamlined to their specific models and is this something the Future of Media Commission should consider?

Mr. Jack Byrne: I thank the Deputy for his questions. On the first point, my colleague, Mr. Murray, has more immediate experience of the sort of content community radio offers. There is space for community radio to do stuff that it is not economic for local commercial radio to do. It is not economic for local commercial radio to do. This is not a criticism, just the reality of it. We spend a lot of time training immigrant groups. I remember some years ago we handed over my own station in north-east Dublin to refugees and asylum seekers for a week just to make the point that they were new Irish citizens. It was a way to integrate them and make them feel welcome. That is the sort of innovative stuff that a community radio station can do, while it probably would not be possible for a local commercial station to interrupt its whole schedule for a week.

Working with the Community Foundation for Ireland, we have trained and broadcast members of the over-60 and over-70 age groups and we have been into the direct provision centres and broadcast members of LGBT groups. A great deal of training and facilitating has to go into this activity, which would not be commercial. We do it because that is why we exist. As a third pillar, we are filling in a gap that both public service and commercial local radio either cannot or will not do because it does not fit their sort of model. We are that third pillar because there is a big gap still in communications, facilities and opportunities. Community media should be supported to deal with that.

Mr. Ciaran Murray: As Deputy O'Sullivan mentioned earlier, there is a community radio station on Bere Island. I had the good fortune to be there last summer. The kind of service that radio is providing includes dealing with the Bere Island ferry service or giving much time to programmes on the old mines in the area. This is something where community radio is different.

It is not easy to sell advertising around Irish language programming. That is an area where community radio has flourished, however. Take the success of Raidió na Life in Dublin and Raidió Fáilte in Belfast. They have established themselves well. We would like to see more Irish language stations. There have been a few attempts in Galway, Waterford and Cork to grow

this area.

Working closely on adult education with the local education and training boards is another area. As Senator Warfield mentioned earlier, we work closely with public libraries. We have long-established partnerships with local libraries in terms of their technology. Running a series on local history from a local library with a long duration would not be possible on a local radio service. That is where community media can strive. Again, it only requires a small amount of funding. The emergency funding that went to the IBI stations was needed and was much appreciated. However, that was not available to community radio. While there was a social benefit scheme for community radio, there was no support for community television. We would like to see that addressed.

Mr. Jack Byrne: On the sound and vision point, local radio was struggling and was providing a good public information service around Covid. Community radio was offered a normal sound and vision scheme that normally takes up to a year to run its course. While local radio was at least availing of some of the funding, community radio, with added costs involved in refurbishing studios to allow them to bring in people, got no financial assistance. We wonder at times why community radio is treated differently to local radio on issues of public importance like Covid.

The point was made by Mr. Purcell that independent broadcasters are obliged to provide news and current affairs programmes. He made the valid case that if the law says one has to do it, then surely the State should provide some funding.

Similarly, we believe community media is obliged in law to provide a social benefit to the community served. We have only just finished some research with the Broadcasting Authority of Ireland on this, just to identify what it means. With the BAI, we have drawn up metrics to identify the types of social benefit available to individuals and community organisations through community media. We have a structure there which we believe should be entitled to some public funding. The type of funding we are talking about here is not significant. The legislation states that community media should only raise revenue up to the point it needs in order to operate. It is very much a not-for-profit model. At the moment community stations are struggling because most of them do not want to take advertising and prefer to leave that to local radio, so they avail of grants and philanthropic donations. However, with a modest amount of regular sustainable public funding, community radio and community television would grow and blossom and would provide that third pillar of service that local radio and the national public service media cannot provide.

Mr. John Purcell: In response to Deputy Mythen on the difference between local and community radio, Mr. Byrne mentioned a threat. That is taken as a given. We accept the social good and the social benefits community radio is trying to deliver which it generally does. A key difference is in regard to the funding. The funding during the initial stages and, indeed, during the ongoing Covid crisis has been given to and used by stations to pay journalists, presenters, researchers, programme presenters and professional staff to deliver news, current affairs, information programming and special programming aimed at public awareness of Covid and the related issues. In the overall scheme of things, it is important to keep that in mind. What we are seeking is funding for journalism and so on.

On the issues of the application process, the grants and so on, the grant application for the Covid sound and vision scheme was quite reasonable, straightforward and understandable. However, we have some thoughts on the overall sound and vision scheme and my colleague,

Mr. Doyle, can give the committee some more information on that.

Mr. Chris Doyle: The big issue with the sound and vision scheme is that it provides for long planned, long form and long lead time stuff. As Mr. Jack Byrne alluded to, the regular funding rounds and from start to finish tend to take nine to 12 months for any of the programming to appear on air.

As I said earlier, it cannot fund any live programming and it cannot fund news and current affairs. While it is brilliant that a certain portion of the licence fee is attributed to the sound and vision scheme to fund content in radio and television stations, a huge chunk ends up making television and much of it ends up becoming off-peak non-mainstream content on radio stations.

We firmly believe that if the scheme was changed in this Bill, it would provide for this 20% of news and current affairs we referred to earlier, ensure indigenous journalism and fulfil that hope to sustain news and current affairs output on the stations. The scheme at the moment is not overly bureaucratic but when one is giving away, or funding with, State cash one must be on top of it. I do not think we would take umbrage with that. However, it is just not fast moving and it is not dynamic. Radio is changing all the time. Trying to make something in 12 months' time with funding is impossible.

Ultimately, the sound and vision scheme is not fit for purpose. However, it just requires a small change. It was great to hear from the committee meeting yesterday that the BAI seems to be on a similar page to the industry. Real and positive change could come about and we could have an industry that is supported into the future with not that much funding.

Acting Chairman (Deputy Ciarán Cannon): Do any of the committee members still wish to speak?

Senator Malcolm Byrne: I have a quick follow-on question. Obviously, the licence fee is what ultimately funds sound and vision and perhaps the witnesses may want to comment on it. It is the future model for RTÉ. Do the witnesses believe RTÉ should maybe move to a publisher-broadcaster style model? This would mean we would see much more open access to the Sound and Vision Fund and the funding collected from the licence fee.

Mr. Chris Doyle: I might reply first and then Mr. Purcell can follow. From the licence fee point of view, ultimately there has been a longstanding plan to turn that into a household charge or other separate way of collecting revenue. We really advocate that and it would be a really positive thing. At the moment, by RTÉ's estimation, there is up to €50 million in licence fee evasion missing from the market that is not being collected. Collecting it in a different manner or giving it to a different collection agency would not only increase money for RTÉ but increase the contribution. I think about 7% of the licence fee goes into sound and vision so one could end up in a situation where in the blink of an eye there is €240 million of licence fee income. We could have a fund of €17 million for independent radio just as we stand without making any other changes and we really believe that would be a fundamental gear change in how news and current affairs on independent radio would function. I also think that while RTÉ is our competition it provides a really good service. We are not here to cancel it or make it not exist. RTÉ is a really big part of a healthy media in Ireland but RTÉ deserves some element of consistency around what its income would be so it can plan for the future. For RTÉ to be consistently at the whim of the advertising market, having to sell off lands and do other bits and pieces, is not providing it with any kind of runway or roadmap to plan and run that business for the future. The country and the organisation deserve a roadmap and it can be delivered by, as the Senator

says, proper collection of the licence fee and proper distribution of it to independent radio as part of that.

Mr. John Purcell: I agree with Mr. Doyle on that. We do not particularly have a view on the model in relation to becoming a publisher broadcaster. We very much recognise the important role RTÉ has as a publicly-owned broadcaster and it performs an important public service broadcasting role. That is not to say everything RTÉ does is public service broadcasting purely by virtue of the fact that it is RTÉ, just as we do not claim everything we broadcast is public service broadcasting either, but in the current media environment public service broadcasting needs to be supported generally.

Before we conclude there is a point we would like to get to, which Mr. Doyle may address. It relates to the designation as “designated online services”, DOS, and we have a fear that some loopholes may be left that would allow some operators to avoid what is intended by the legislation and to continue to claim to be technical platforms rather than effectively publishers. We have some concerns in that area.

Mr. Chris Doyle: I would add that from our point of view in terms of this Bill, we have long been shouting for a level playing field between traditional or regulated media and unregulated media. Let us be honest, it is really positive from our point of view to see designated online services being governed by the same codes and regulations. It is overdue but it does level the playing field in some areas. It is really very important which organisations are to be classified as DOS is an outcome of the Bill. One thing we really would push for is to ensure that big tech is captured in that, namely, Apple, Google, Facebook and Spotify. Too often these companies defer responsibility and say they are distribution platforms not publishers and they cannot be allowed to do that. They control access to all this content, they manage the algorithms, decide priority and make significant money out of it so we urge members, as they progress this Bill, to ensure organisations do not have a loophole or way to get out of being designated online services. We must ensure they are covered.

I have two more points if the Acting Chairman does not mind. On the levy to fund the regulator, it is really important these DOS pay their share of it. They turn over significant amounts of money and there is currently an unfair burden placed on independent and local radio to fund the regulator. We have been promised time and again that the levy will be reduced. This has been done consistently over the last two to three Governments, it is in the programme for Government and it is not coming forward nor is it in this Bill now. That levy needs to drop for the independent radio sector to provide sustainability and it needs to be funded by these big tech giants as well.

Finally, there is advertising flexibility. Our radio stations are still tied to having ten minutes of ads an hour or 15% across the day. We need flexibility on that. When local radio stations have GAA matches or live commentary, they cannot fulfil their commercial requirements around it or stretch it over a number of hours. Also, the codes for advertising are so strict that it places the radio stations at a distinct disadvantage against these big tech companies and social platforms. We do not want the wild west, just appropriate regulation and codes around advertising. Really making sure those designated online services are covered is a really big thing as part of this legislation.

Acting Chairman (Deputy Ciarán Cannon): We will hear from Mr. Murray then Mr. Byrne.

Mr. Ciaran Murray: I reiterate the point that we also see RTÉ as a very important part of broadcasting in Ireland. We feel it is the content that is really important and not simply the broadcaster. When it comes to that kind of thing and to funding, perhaps it should also be taken on board that people have a suspicion of social media and do not necessarily trust what they find there, much as they might find it entertaining. There is a trust there across the established broadcasters. People know these broadcasters and there is a different feeling in terms of the information coming from a recognised broadcaster than there is coming from some social media platform. Another aspect, when it comes to funding, is that while the Sound and Vision Fund has been of great benefit over the years, some of that has slipped away to film and film does have other sources of funding and probably does not really need to go to that fund. We in community television would like that to be considered in future.

On community television, if one looks at some of the models for community media and community television across Europe, particularly the Austrian and Danish models - there is BAI-funded research on this - one will see that for receiving a very small proportion of that television licence fee, a huge amount of work can be done in return.

Mr. Jack Byrne: Again, community media definitely supports public service broadcasting and RTÉ and I take the points Mr. Purcell made around not all of RTÉ's content being public service content. However, we wish to see it financially sound because it is an important part of our democratic structures. Mr. Purcell, on behalf of the IBI, has made a valid case for local radio to receive funding out of what will probably be some form of household charge that will certainly increase the funding available. Local radio has a case to make for news and current affairs. Similarly, community media should receive perhaps a more modest but nevertheless regular sum due to the social benefits and the hyper-local news and community information we provide.

A final point we would like the committee to consider is around the idea of reinserting into legislation the idea of a special interest media entity. At the moment what happens with the BAI is that if in designating an entity it sees it is not public service nor commercial or community it is putting these anomalies into the community media sector and it is causing problems for both the regulator and our sector. This will become even more pressing in the future as more and more online entities appear. A special interest category needs to be created in law that will contain and regulate those entities. I am asking the committee members to seriously consider introducing into legislation a special interest category.

Acting Chairman (Deputy Ciarán Cannon): There are no other members of the committee offering. I thank each of our witnesses for their helpful and insightful contributions. It is always powerful for us, as legislators, to engage directly with those on the front line who have built up significant knowledge, wisdom and expertise in how the sector functions right now and how it will survive and continue to thrive in the future. Their engagement means a lot to us.

I think it was Mr. Purcell who said we should not be uniquely supporting public service broadcasters but should simply be supporting public service broadcasting. I could not agree more. That is the fundamental reimagining of the broadcasting landscape in Ireland, in all of its forms and expressions, that we need to do.

We are not there yet but in the next five to ten years, each of us will be living in an Ireland where we have instantaneous and consistent access to really high-quality broadband connections, be they fibre-based or smartphone-based. We will be in an environment where each listener, viewer or consumer of media, at national and local levels, will seek to create a bespoke

news stream for themselves, based on their interests, their lives and past times, where they are in their life cycles, the places in which they live and the community groups with which they wish to interact. In that environment, how will the current providers that are using what we might describe as the more traditional methods of dissemination thrive and survive in the new environment? If I were going home on the train tonight, for example, and wanted to listen to a particular discussion of an item that is of special interest to me, I could open my phone and numerous podcasts would be available to me on that particular item of interest. I can choose and design a bespoke news stream for myself that applies purely to me and no one else. How do we assist our content producers, which, as Mr. Purcell said, produce high-quality public service content, to move into and thrive in that environment?

My concern around certain elements of this legislation is that we will go from the wild west, which some might describe the situation as now, to an overly suppressed and censored environment in order to best provide a landscape that people, particularly the young, can navigate safely and without any degree of danger. Mr. Purcell mentioned that if a local news station places an item of news on a social media platform, it is not its responsibility to moderate all the comments beneath. I am a bit dubious about that. This legislation will place significant obligations on social media platforms to regulate, moderate and censor, to some degree. How do we protect the freedoms of expression and the press, which are important to me? How do we ensure the pendulum will not swing too far in the opposite direction?

Mr. John Purcell: I am happy to start responding to the Acting Chairman's questions and I thank him for his remarks. We are not seeking to impose overly restrictive guidelines or strictures on what happens online. We are just looking for sensible behaviour and equity. At present, it is absolutely *verboden* to go on a radio station and impugn somebody's character, insult them, put out falsehoods or hijack the news agenda when all of that is permissible online. We just need equity in that regard.

The Acting Chairman mentioned the next ten years and pointed to scenarios whereby people will be able to create their own bespoke news streams and so on, according to their own interests. At our heart, we are broadcasters, which means that we operate in a public space rather than in a narrow silo. We are hoping to provide a public space for discussion of public issues in order to bring people into our media so they will find stuff they were not expecting and that is curated by humans and not determined by algorithms. That is our feeling.

Radio will change and will operate online and on social media platforms and so on, but we would hope that those platforms will be governed and regulated sensibly. That regulation must allow freedom of expression but also some common values and standards by which we would operate. The key to achieving the kind of bright, glittering future in local, regional and national independent radio I am talking about is a fair structure, and viability and certainty for our business models going into the future. We need to be able to address, for example, a scenario whereby Facebook's advertising revenue has seen a 46% increase during the pandemic, while misinformation is still permitted to exist on that platform without being curbed by legislation. That is the broad direction in which we would like to see things move in the future. I do know whether Mr. Doyle would like to add anything to that.

Mr. Chris Doyle: I do not have much to add. We are going to exploit any platforms that are available to us in building our local or relevant content and distributing it, be that on apps or as podcasts, etc. However, it is the content that works and really performs. Even as digital and other avenues have grown over the past number of years, the numbers of people listening to radio have remained remarkably consistent and I think that will be the case into the future.

Some of the things about which we talked earlier, such as the levy and the sustainability of the industry, will allow local radio and audio producers to develop products that will be suitable in ten years' time while remaining relevant, enjoyable and useful for people. There are now platforms and distribution methods but the old adage stays the same - content is king. People come back to find out what is happening in their local areas and in their country, even if they decide, on occasion, to cherry-pick certain niche or specific topics they want, locally or globally.

Mr. Jack Byrne: The Acting Chairman is seeking flexibility. Not to beat the drum too much, but I do think the virtual hubs we are talking about could provide a lot of that flexibility into the future. It would be a flexible model of audiovisual platforms, mostly online but also including radio. It would be a public space that could grow organically, working with the libraries, universities and all the other organisations in an area. Media literacy would also play a big part in that. We would be promoting a very flexible model into the future. I again ask the committee to seriously consider that.

Mr. Ciaran Murray: At the core of our ethos is the UN right to communicate. I would share the concerns of the Acting Chairman that we get the balance right. We cannot allow rampant racism and the abuse of politicians, particularly women politicians, an issue of which I am sure committee members are aware. We need codes in there to control that. As my colleague, Mr. Byrne, said, media literacy is important and that support and training is a part of what we do.

Acting Chairman (Deputy Ciarán Cannon): I thank all of our witnesses. That concludes our business for today. We will now adjourn until Wednesday, 12 May 2021, when we will have a private meeting on MS Teams at 11.30 a.m. followed by a meeting in public session at 12.30 p.m. at which we will meet representatives from the Office of the Ombudsman for Children, the National Anti-Bullying Centre and the Institute for Future Media Democracy and Society in DCU, and Professor Conor O'Mahony, special rapporteur on child protection to continue the committee's scrutiny of the online safety and media regulation Bill.

The joint committee adjourned at 2.20 p.m. until 12.30 p.m. on Wednesday, 12 May 2021.