



The All England
Lawn Tennis & Croquet Club Wimbledon

Church Road Wimbledon
London SW19 5AE
Telephone 0181-944 1066
Facsimile 0181-947 8752



27th August 1997

The Rt Hon Chris Smith MP
Department of Culture Media and Sport
2-4 Cockspur Street
London SW1Y 5DH

Dear Mr Smith,

CONSULTATION ON EVENTS LISTED UNDER PART IV OF THE BROADCASTING ACT 1996

Thank you for your letter of the 10th July to my Chairman seeking the views of those events and sports which are, or might be, affected by being a 'Listed Event'. You will be receiving a response from The Lawn Tennis Association on behalf of lawn tennis in Great Britain, which we support, but, in addition, we thought it might be helpful for you to receive also the Club's views as they relate particularly to The Championships, Wimbledon.

The All England Lawn Tennis Club is responsible for hosting The Championships, and with our colleagues at The Lawn Tennis Association, have been actively involved with earlier Broadcasting Acts in 1984, 1990 and 1996 - particularly on the subject of 'Listed Events'.

In particular, you have asked us to consider possible criteria to listings. Before doing so we must make our position clear relating to listing generally.

1. It should be remembered that the surplus arising from The Championships is handed over, by agreement, to The Lawn Tennis Association for the benefit of British tennis at all levels. The LTA are therefore very dependent upon the financial success of The Championships. Whilst we endeavour to run the best tennis championship in the world, we are also obliged to maximise our profits for the benefit of the game in this country.

In view of the fact that The Championships is a 'Listed Event', we have been restricted in our negotiating powers when it has come to marketing our television rights. Before the Broadcasting Act 1990 we had been unable to give any network exclusive rights to the whole of The Championships in the UK. This inevitably resulted in lower rights fees, as the increases in rights fees post 1990, which has benefitted both British tennis and facilities at Wimbledon, have demonstrated.

2. Whilst we understand the argument for having 'Listed Events', and assuming The Championships is such an event, we believe it should be restricted to the Finals of the Gentlemen's and Ladies' Singles only and not the full weekend of matches which includes all doubles, mixed, junior and senior invitation events.
3. The other UK 'Listed Events' are particular events or matches taking place on one pitch or course, with all but cricket played over a period of minutes rather than hours on one day. As far as The Championships are concerned, our event covers a minimum of 13 days, is played on 18 courts and involves a total of over 650 matches in 12 events.

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4. The BBC have given The Championships excellent coverage. As a responsible sports body we have long recognised the importance of terrestrial free-to-air broadcasting as a means of ensuring that the fans see our event. It is the Club's policy to ensure the event is available to the broadest possible audience and we cannot foresee why this policy should change.
5. The more an event or sport is restricted in how it markets itself, the less money becomes available to provide better facilities for the fans at that event, to go back into the sport, resulting in fewer indoor facilities, less coaching, a stunted grass root development programme. with lower levels of investment in skills, management and technology.
6. In relation to the Broadcasting Act 1996 and your wish to provide criteria in order to make the listing process transparent and more robust, for as long as the listing system exists, we welcome this but comment as follows:

- (a) Listing systems should allow events that are listed to seek a review of their status every five years.
- (b) When a listing is proposed by the Minister the event to be listed should have a right to oppose the proposal.

For the purposes of both a) and b) a formal independent review body with proper procedures ensuring transparency should be constituted.

- (c) Television is a fast changing industry. A statutory obligation to review the whole listing concept should be included. It will very likely be irrelevant in a few years time when cable and satellite have penetrated the larger part of the UK.
- (d) We believe that the concept under the Broadcasting Act 1996 of obliging a listed event to offer exclusive rights to the second category of broadcaster, reduces rights fees unnecessarily and places the second category of broadcaster in a privileged position. This part of the legislation could be repealed without affecting the concept of listing.
- (e) 'A special national resonance' is a term difficult to determine objectively. National interest is normally determined by levels of national success.
- (f) The large TV audience should not only be 'likely' to be commanded but should be actual over a period.
- (g) A historical record of broadcasting on free-to-air services should not be a criteria since other forms of delivery are all of relatively recent existence. Most sports historically will have been with free-to-air broadcasters because, until no more than ten years ago, free-to-air television was all that existed.
- (h) We particularly welcome a review of the impact of listing on the income of a sport. The impact on the broadcasting market is more difficult and should perhaps only be considered if full OFT review procedures were available.

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7. We welcome also the fact that the criteria would take account of whether highlights (and presumably other recorded rights) were available to all viewers. This is the objective of the Sports Broadcasting Monitoring Committee ('SBMC') under the Voluntary Code of Conduct for Sports Events brought into effect by the sports bodies last year to ensure that major sporting events will be available to the general public in live, recorded and/or highlights programmes. We believe that this Voluntary Code should be given a full opportunity to operate ahead of any review of listed events.
8. A better alternative to listing events would be the threat of listing, ie an event would be listed only if it failed to give reasonable coverage. If it failed to give reasonable coverage it could be warned, and if it failed for a second year, then it would become listed. In other words, an event would only be financially penalised when it failed to achieve certain goals. Unlike the current situation which penalises an event even though it is providing successful national coverage.
9. The aim of The Championships is, first, to maintain the quality of the event, but secondly to ensure that the coverage is as extensive as possible with realistic market rights fees being received for the benefit of British tennis. Without the ability to negotiate freely in the market, inevitably these will diminish. No event or sport should be required to subsidise a broadcaster without receiving compensation for so doing and any new Bill should make provision for this.
10. 'Listing' restricts the future income of those who have invested and developed their events, thereby putting them at a disadvantage. It penalises their success and in the long term guarantees deterioration in relative terms. It penalises a) the event vis-a-vis other events in the same sport and b) the sport vis-a-vis other sports, and c) the event versus other events in the international arena.

In the long term 'listing' damages Wimbledon vis-a-vis other Grand Slams and the ATP Tour and WTA Tour, and would slowly reduce the prestige of Wimbledon around the world, which is not good for this country.

If society wishes to penalise quality and success, it should pay the price by making up the financial differential between potential income and restricted income caused by the listing, so that the sport and event is not disadvantaged. Listing is unfair and should not be allowed to happen.

Yours sincerely

Christopher Spring

Chief Executive

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CJG/pm