

Response to Ofcom Consultation on Review of Rules on PPRB Broadcasts and Proposed Ofcom Guidance for Broadcast Coverage of Elections (January 2013)

This submission is a personal one, but made in reference to both Information TV Ltd (which has a strong involvement in all aspects of “Local TV”); and RT (formerly Russia Today), which is a major international News broadcaster operated by ANO TV-Novosti, licensed by Ofcom, and for which Information TV is the primary Ofcom compliance contact. For reasons of pressure of work, I have not formally responded as per Ofcom’s response questionnaire, but have instead restricted my response to very brief statements of what I think are a number of key matters which are relevant.

1. **General:** We welcome and applaud Ofcom’s action in this area. The current rules were framed in a very different regulatory, technical and sociological background, in particular with regard to the number of broadcast TV channels and their means of distribution. The original Rules were framed at a time when there were few TV channels, and it was impossible for viewers to avoid PEBs. While Ofcom’s current proposals are a welcome update, **we feel that there is still a need for Ofcom to consider and consult on the wider changes in the media landscape in respect of political and current affairs broadcasting.**
2. **What is a TV Channel?**

The boundaries between types of media are being increasingly blurred, and there is a danger that media regulatory matters are becoming confused and inconsistent. The Internet has become a convergence of *all* forms of media, yet aspects of the internet are near-impossible to regulate. Viewers now talk about “TV” when they mean many things: traditional broadcasting; streaming of broadcast channels; VoD, delivered via various means; “TV channels” from newspapers and video material from (unregulated) internet providers and non-broadcasters.... ATVOD attempts to regulate “TV-like” content in what we feel is an impossible attempt to maintain standards across an arbitrary subset of the new media landscape. We suggest that in regulating political and current affairs, news and commentary, Ofcom needs to consider:

 - **Newspapers and TV face inconsistent regulation of their output depending on the distribution medium** (yet are often controlled by the same organisations).
 - **Politicians and commercial vested interests utilise *all* forms of media, and specific regulation of traditional broadcast TV is becoming impossible.**
 - **Broadcast TV is in danger of being handicapped, or even uniquely gagged, by regulations which viewers do not and will not understand.**
 - **To avoid the horrors of US-style electioneering, we argue that it is essential that it is the political parties which should be the focus of legislation and regulation, rather than the media.**
3. **Viewer Expectations:**

Citizens reportedly are increasingly disenchanted by the major political parties, hence the rise of small parties and independent candidates, rendering Rules built on the assumption of a small number of parties increasingly irrelevant. Social media is transferring viewer emphasis from the Right to Know to becoming the Right to be Heard. Therefore we suggest:

 - **Whilst Ofcom’s proposals for PPRB rules for “Local TV” are laudable, they present a range of challenges for new Local TV Licensees which will often be impracticable, and not necessarily help Local TV provide what viewers want or expect.**
 - **Citizens now have a huge array of information sources available, and arguably will increasingly resent government or regulator judgement as to what “is good for them”. They want to be able to form their own opinions based on their own research.**
 - **Viewers do want “good” news and information; but there is a danger that broadcast TV-specific Rules will make for bad TV production, with broadcasters alone having to abide by Rules, many of which are no longer relevant.**
4. **International News Broadcasters:**

International rolling news channels face particularly difficult challenges in attempting to abide by a range of national Rules and viewer expectations. Viewers can and do deliberately ‘dip in’ to non-UK news channels, in order to gain a different perspective. The viewer is well aware that these channels provide a different national and political perspective, reflecting its own national origin. We therefore suggest:

 - **International rolling-news channels require a different and specific set of rules (which they will welcome) in order to be permitted to broadcast to UK audiences.**
 - **The rules for such channels arguably cannot be the same in all respects as for UK national broadcasters in terms of PPRB.**
 - **International broadcasters collectively provide the (desirable) plurality in coverage of matters in any one nation receiving their broadcasts, but should not be expected to fully also reflect the views of all their ‘competitors’.**

We would be pleased to expand on any of these points, either directly or in response to further consultations.