

CBC Response to Ofcom consultation titled – An invitation to comment on measuring media plurality

This memorandum is written on behalf of
CBC – Christian Broadcasting Council



CBC Administration, 28 Ferndown Road, Mottingham, London SE9 5JE
Tel: 0208 294 0658 Email: info@cbc.org.uk Web: www.cbc.org.uk
CBC Broadcasting Consultant, 10 Primrose Lane, Old Fallings, Wolverhampton WV10 8RS
Tel: 0844 811 2610 Email: jpeter.wilson@cbc.org.uk Web: www.hnbt.org.uk

The Christian Broadcasting Council of the United Kingdom (CBC) wishes to give our views regarding Ofcom's consultation on the measuring of media plurality, published 21 October 2011. The CBC Broadcasting Consultant and the Chairman of CBC met with a group of representatives from the Christian broadcast media and members of the Christian church and community to help ascertain a variety of views before writing this paper.

CBC members have been involved, since the late 1980s, in submitting responses to both government and broadcasting regulators regarding various matters to do with broadcasting and communications legislation: our most recent CBC responses may be read on the CBC website.

The Christian Broadcasting Council believes that in looking at **media plurality** we need to realise that in today's society the listener/reader/viewer needs to be able to access a variety of sources of media across various platforms including local and/or national radio/television stations and the printed word via newspapers/magazines as well as the multitude sources of digital information available by accessing the Internet through computers, Smartphones and tablets. Whether the citizen wishes to access such a variety of media is entirely up to the individual and obviously the choice the individual citizen makes will colour his or her worldview of the matter in question.

The question that we need to ask is how we safeguard the variety of media and its ownership. It is essential in a free and democratic society that the citizen knows that as a listener/reader/viewer they have a free choice of which publications/stations/channels they can access in broadcast and print media including those that discuss topics from a Christian viewpoint as well as the views of other faith groups.

Currently we have some safeguards regarding national media ownership and in broadcast media there are regulations controlling 'balance' in news reporting as well as a variety of other regulation which can be found in the Broadcasting Codes. There are also regulations in place with regard to the local media environment and competition law.

CBC believes that is the role of Parliament to enact legislation that safeguards a variety of media, across a plethora of platforms, and that there are not any regulations in place that stop new entrants, as opposed to existing media players, from entering any part of the media environment. It is often new local media be it community radio or local TV or short run print media (now made possible by new printing technologies) or local community websites/blogs that are able to offer different perspectives to the nationally owned media. **Any future legislation must safeguard the availability of free-to-air broadcast spectrum for new entrants,** as long as they are 'fit and proper persons', **especially at the local level.** Where existing broadcast spectrum is currently being used, in an analogue transmission

format, to simulcast a national or regional service, which is available via free-to-air digital transmission, then this spectrum should be reused for local/community broadcasting.

We now give below our responses to the questions that Ofcom has posed in this consultation.

What are the options for measuring media plurality across platforms? What do you recommend is the best approach? Is it practical or advisable to set absolute limits on news market share?

- **What are the potential metrics that could be useful to assess plurality (for example, in the past we have used reach, minutes, share of references, and 'main source' of news)?**

CBC believes that to assess plurality of the marketplace being measured, be it UK wide or England or Northern Ireland or Scotland or Wales or regional/local level, that a combination of existing methods should be used – reach, minutes, share of references etc. – plus some independent audience/readership research. Such a mix of sources would give an indication of the influence of the respective media sources, including the Internet, in the respective market.

- **Is there a way to assess the relative importance of different media in shaping public opinion?**

A way has already been used as part of the Ofcom report on the News Corp.–Sky transaction, dated 31 December 2010, when data was released from a special survey on cross-media news sources, which was completed in November 2010. The survey results presented an interesting picture of the media that UK consumers use to get UK/international news and current affairs information, for two important metrics – 1) multi-sourcing of news (an indicator of plurality); and 2) the ranking of sources of news in terms of their importance. This methodology could well be used as a basis to find the names of the actual radio stations/TV channels/newspapers at the appropriate marketplace level – national/regional/local level – to assess the impact of their role in shaping public opinion.

- **News and current affairs have been established as key genres particularly critical for informing democracy. Should any other genres be considered, and what evidence is there of their capacity to influence public opinion?**

CBC feels strongly that it is important that the reporting of faith matters and the theology of various faith groups themselves are included as one of the genres. The reason for saying this is that has become apparent that the knowledge of religious matters by many journalists and programme producers is very limited in many cases. In a BBC Diversity report, published 31 January 2011, members of BBC staff were asked about their own faith backgrounds and the figures make interesting reading. The number of staff professing a Christian faith was 37% compared to 63% of the national figure while those saying that they were Muslims was same as the national figure and those saying that they were non-religious was 50% compared to 23% in the national figure. It is important that as religion has an important impact on the lives of many people in this country and around the world that media organisations, including the BBC, employ people who have a real knowledge and understanding of religion including the Christian faith in its many forms.

- **How might the market evolve in future and how might this affect options for measuring media plurality across platforms?**

The market is already evolving with some toy manufacturers, like Mattel, buying UK TV production company Hit Entertainment, makers of children's TV programmes featuring Thomas the Tank Engine and Bob the Builder. Such moves, if not properly regulated at a UK and European level, could lead to programmes being made with the sole purpose of influencing children to 'demand' certain toys from their parents. The regulation of media plurality must include a need for a wide variety of providers and that their ownership should be transparent. Examples of such transparency already occur when for instance 'The Guardian' newspaper has a news item on Smooth Radio and then mentions that the radio station is owned by the same organisation as the newspaper also the national DAB radio station UCB UK mentions that it publishes the daily devotional booklet 'Word for Today'. Locally the same level of transparency applies so that readers of the 'Shropshire Star' know that one of their local radio stations, The Severn, is also owned by MNA. All media outlets must make clear that where both print and

broadcast media are owned/produced by the same organisation that the listener/viewer/reader is aware of this fact.

• **At what point in the news value chain is there potential for the greatest level of editorial influence over content?**

The choice of stories by the Editor/Programme Controller that go into the news bulletin, programme or newspaper is the point of the greatest level of editorial influence. Often is at this point where the reporter may also be told that the story needs to have a different focus so as to fit with the editorial stance or worldview of the news organisation. CBC believes that Ofcom and Parliament needs to understand that the reporting of any matter is influenced by the journalist's worldview which will, of course, influence what they write and produce, be its origins atheistic, humanist, nihilist, rationalist, determinist, post-modern, or faith-based. News reporting needs to recognise that there are various views, which should have the opportunity to be given at some time, if they so wish, in order to preserve balance. A variety of providers is therefore essential in a free and democratic society including those who report matters with a faith-based perspective such as Premier Christian Radio and Cross Rhythms.

• **Is it possible to define a set of characteristics of a market that could raise concerns about levels of plurality?**

The best regulation for media plurality is competition. We need competition in the media to ensure that no media company with a certain editorial stance or worldview becomes dominant in a given market be it a national or local one. Restrictions on market entry need to be removed in order to allow for a greater range of media plurality. For example the Digital Economy Act 2010 has led to the commercial radio sector being able to consolidate their operations to provide a common service across transmitters, some of which are licensed separately, thus enabling the stations to be on a firmer financial footing. This however seems to have thrown up an anomaly where community radio services cannot be licensed if one of the separately licensed transmitters of the ILR (Independent Local Radio) service serves a population of less than 50,000 even though the combined MCA of the radio station across all the transmitters is over 50,000. We would suggest that this anomaly is corrected as soon as possible as this would facilitate healthier local media markets.

• **To what extent do other laws (for example the competition law) or sectoral characteristics (such as multi-sourcing by consumers) act as safeguards for plurality?**

The competition laws can act as safeguards but it is the ability of citizen consumers to access a variety of media sources that really acts as the safeguard of plurality.

• **Are there any regions, areas or audiences (such as the devolved nations) which may require separate consideration, and why?**

CBC believes that Parliament has a role to protect the citizen consumer from indecency (e.g. child pornography) or libel or illegal surveillance but not much else. CBC believes that children and especially children under 7 years old need to be safeguarded in all regulation regarding media plurality as children below this age are unable to tell the difference between editorial and advertisements. Therefore the connection between media companies and the makers of children's toys needs to be taken into account when scrutiny is undertaken of media plurality.

What could trigger a review of plurality in the absence of a merger, how might this be monitored and by whom?

• **The Secretary of State identified concentration arising from organic growth and market exit in his recent speech. What other potential triggers might there be?**

CBC believes that Parliament needs to give the ability to Ofcom to investigate where it appears that an unhealthy concentration of ownership of media outlets within a marketplace, be it national or local, has arisen due to merger or market exit. Not only should Ofcom be given an ongoing power to conduct such periodic reviews but such a review could be initiated by a group of citizens contacting Ofcom with their concerns about lack of media plurality in their local area or within the nation. We would suggest that such citizen initiated action would have to be endorsed by a petition of:

1. 250,000 signatures at the national level; or
2. 5% of the population within the local council areas covered by the media provider(s).

Could or should a framework for measuring levels of plurality include websites and if so which ones? Whether or how it should include the BBC?

• How does the process of news gathering differ between:

1. organisations (e.g. between the BBC, compared to commercial organisations);
2. platforms (i.e. online, press, TV or radio)?

• Do any of these differences warrant differential treatment by platforms or media organisation?

CBC believes that Parliament has a role to ensure that there is a framework in place to ensure media plurality but that it will be competition that will be the main source of protection. The time that it takes for regulatory solutions to be implemented is simply not go to keep pace with technology.

All media regulation must include the BBC. We are already in a world where the differences between radio, television, newspapers/magazine and blogs are dissolving to the point where the differences are hard for users to discern. Radios are now available that not only receive free-to-air broadcasts but can access streamed services over the Internet and TVs now come with the ability to replay programmes from the Internet while Smartphones and tablet-style computers can receive radio, television as well as downloaded films, Twitter, Facebook and music. In the future tablets may become so thin that are like electronic paper or tin-foil. In this new environment we will all be using the same technology and platforms but community broadcasters or blogs will not be able to afford the compliance regimes that a traditional newspaper or large broadcasters can afford. Therefore **CBC believes that any future regulation has a role to protect the citizen consumer from indecency (e.g. child pornography) or libel or illegal surveillance and that it must not stop new entrants from entering into a media marketplace. The majority ownership of such entrants must be held by UK or European Economic Area citizens or by citizens of other countries where we have a quid pro quo arrangement that allows our citizens to own a majority in their media organisations.**

Finally we say that there are naturally aspects of media plurality that are of great interest to CBC members and to the wider Christian community including the ability to talk and write openly about Jesus and the Christian faith. Christians throughout the ages have played key roles in our society and have helped in the formation of our democratic society. Today there are many aspects of social work in our local communities, such as youth projects, patrolling streets as Street Pastors, soup kitchens and sheltered housing schemes, that are undertaken by Christians because they are practically working out Jesus' words, *"This is my command: Love one another the way I loved you. This is the very best way to love. Put your life on the line for your friends."* John 15:12-13 (Message version)

We hope that our comments are of help to both Ofcom and the DCMS in their decisions with regard to future broadcasting and communications legislation.

Yours truly,

J Peter Wilson
Consultant to CBC on Broadcasting Regulation
Council

Mrs Olave Snelling
Chairman of the CBC Executive

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The Christian Broadcasting Council, known as CBC, was founded in 1983:

- ✓ *To stimulate and promote the knowledge of the Christian faith and the propagation of the Gospel of Jesus Christ through the broadcasting media in the United Kingdom.*
- ✓ *To encourage the highest standards of Christian media communication.*
- ✓ *To support and develop the knowledge and standards of all those involved in broadcasting.*
- ✓ *To bring together in fellowship those working in broadcasting and those who support the vision of CBC, under girding and encouraging them in their spiritual lives.*