



European Scrutiny Committee

House of Commons London SW1A 0AA

Tel (020) 7219 5465/3292 Email escom@parliament.uk Website www.parliament.uk/escom

From: Sir William Cash MP

29 March 2018

Sir David Clementi
Chairman
BBC Board
BBC Broadcasting House
Portland Place
London W1A 1AA

Dear Sir David,

Nineteenth report of the European Scrutiny Committee

Further to my letter of 23 March, my Committee has agreed that I should write on their behalf to express our concern at the lack of coverage by the BBC of our Nineteenth Report of Session 2017–19 on EU Withdrawal: Transitional arrangements and dispute resolution.

This was an important report covering crucial aspects of the ongoing negotiations which have not been examined by other Commons select committees, and yet it was not reported on any of the BBC outputs.

My Committee share my deep concern about this and join me in seeking an explanation for your decision.

Yours ever,

Bill

CHAIRMAN



From the Chairman

9 April 2018

Sir William Cash MP
House of Commons
London
SW1A 0AA

by email: william.cash.mp@parliament.uk

Dear Sir William,

Thank you for your email of 23 March and letter of 29 March with your concerns about the BBC's reporting on the Nineteenth European Scrutiny Committee Report of Session 2017-19.

I have shared your message with the BBC News website team and asked them to respond to the points you raise about our coverage, online and elsewhere. I am attaching their reply which I hope you will find helpful. Please accept my apologies for the delay in getting this to you.

I would like to reassure you that we consider very carefully which stories to cover each day on our programmes and services, and that our teams do follow the work of the Committee closely, even if we cannot cover every part of its work.

Thank you for getting in touch and for bringing this matter to my attention.

Yours sincerely

A handwritten signature in black ink, appearing to be 'DC', written over a light blue horizontal line.

Sir David Clemanti
Chairman

enc.

Response from BBC News

Thank you for your e-mail to BBC Chairman Sir David Clementi, which has been passed to me for a response on behalf of BBC News.

Your complaint is that we did not publish an article dedicated – or otherwise referring – to the Nineteenth European Scrutiny Committee Report of Session 2017–19, following its publication at 00.01am on Tuesday 20 March and despite its value as a news story.

As you know, decisions on what is broadcast on TV, radio or published online take in a variety of factors, including what else is happening at the time.

I nevertheless discussed your complaint with the News website's politics team and they were keen to stress that they are always interested in the work of the European Scrutiny Committee and often cover evidence sessions as well as reports at the end of inquiries.

However in this case the report on transitional provisions and dispute resolution was published hours after the UK and the EU had agreed terms on a transitional period after Brexit, which dominated the news on Monday, and the report was therefore overshadowed by the events of the day on that same subject.

The transitional deal also continued to be the main news story on Tuesday as opposition to the proposals on fishing emerged. So we do not think we were out of step with other parts of the UK media in our approach on these days.

Please rest assured that the team does follow the work of the Committee closely and aspects of this report may well feed into our coverage as discussion of the transitional arrangement continues in the months ahead.

I hope you'll find this response useful and thank you once again for making us aware of your concerns at the lack of coverage on this occasion.

Sean Moss
Complaints Adviser



European Scrutiny Committee

House of Commons London SW1A 0AA

Tel (020) 7219 5465/3292 Email escom@parliament.uk Website www.parliament.uk/escom

From: Sir William Cash MP

26 April 2018

Ofcom
Riverside House
2a Southwark Bridge Road
London SE1 9HA

Sean Lord Burns,

Nineteenth report of the European Scrutiny Committee

On 20 March 2018 my Committee published our Nineteenth Report of Session 2017–19 on EU Withdrawal: Transitional arrangements and dispute resolution.

This was an important report covering crucial aspects of the ongoing negotiations which have not been examined by other Commons select committees. However, it was not reported on any of the BBC outputs.

I wrote to the Chair of the BBC Board, Sir David Clementi, on 23 March in my personal capacity and again on 29 March on behalf of the Committee to express our concern at the lack of coverage by the BBC of our report. I attach a copy of his reply.

My Committee is not satisfied with this response to our complaint and I am therefore writing to seek your advice as to whether the omission of coverage of our report constitutes a potential breach of the Ofcom Broadcasting Code.

CHAIRMAN

Yours etc,
Bill Cash

**Lord Burns GCB
Chairman**

Direct Telephone: +44 (0)20 7783 4524
terry.burns@ofcom.org.uk

EA: Jane Tydeman
Jane.tydeman@ofcom.org.uk

10 May 2018

Sir William Cash MP
House of Commons
London
SW1A 0AA

Dear Sir William,

Thank you for your letter of 26 April, which included a question regarding the Ofcom Broadcasting Code.

You may be aware that matters relating to broadcast content are managed by the Ofcom Executive. Therefore, I have passed your letter to Ofcom's Editorial Standards team who will be in touch shortly with a response to your question.

*Yours sincerely,
Terry Burns*

TERRY BURNS
Chairman

CONFIDENTIAL

Sir William Cash MP
European Scrutiny Committee
House of Commons
London
SW1A 0AA

Kevin Bakhurst
Group Director
Content Media Policy Group
Direct line: 020 7783 4264

Kevin.bakhurst@ofcom.org.uk

16 May 2018

Sent via email: William.cash.mp@parliament.uk

Dear Sir William

Thank you for your letter of 26 April 2018 to Lord Burns, in which you raise concerns about the BBC's decision not to cover the publication of the 19th Report of the European Scrutiny Committee. Lord Burns has asked me to respond to you on his behalf.

At the outset, I would like to make clear that, after carefully considering your complaint, we have found no grounds to pursue it further. Clearly this matter is important to the Committee, so I would like to explain our reasoning.

Ofcom takes very seriously our responsibilities to ensure that BBC broadcast content complies with the Ofcom Broadcasting Code. The BBC must comply with all the rules set out in the Ofcom Broadcasting Code. This includes ensuring that news is reported with due accuracy and presented with due impartiality. If a broadcaster breaches these rules, Ofcom has enforcement and sanction powers.

With regard to the selection of subjects for news coverage, broadcasters have editorial freedom. It is therefore an editorial matter for the BBC which stories it includes in its news coverage, as long as its output complies with Ofcom's rules on due accuracy and due impartiality.

When making decisions about what stories to cover, broadcasters will consider what other events are happening at that time. We appreciate your frustration at the lack of coverage given by the BBC to the Committee's report. We understand it was published shortly after the UK and EU had agreed

on a transitional period after Brexit. Coverage of that development and reaction to it dominated the news agenda across several broadcasters. We therefore consider that it was not unreasonable that other events, in particular those related to Brexit, may not have been given the coverage they may have otherwise received.

Yours sincerely

A handwritten signature in black ink, appearing to read "Kevin Bakhurst". The signature is written in a cursive style and is positioned above the printed name.

Kevin Bakhurst