



HOUSE OF LORDS

SELECT COMMITTEE ON COMMUNICATIONS

Media Plurality

CALL FOR EVIDENCE

The House of Lords Select Committee on Communications, chaired by Lord Inglewood, is announcing today an inquiry into media plurality. The Committee invites interested organisations and individuals to submit written evidence as part of the inquiry.

Written evidence is sought by Wednesday 1 May 2013. Public hearings are expected to be held in June, July and in the Autumn. The Committee aims to report to the House, with recommendations, in the late Autumn. The report will receive a response from the Government and may be debated in the House.

Achieving a workable approach to plurality, particularly in provision of news and current affairs, is generally considered fundamental to a well-functioning democratic society, ensuring as far as possible informed citizens and a media without any single set of views or individuals wielding too much influence over the political process. Any consideration of plurality is, of course, heavily tied in with the wider context of the future of news provision more generally, particularly of newspapers which, under the current framework, remain the principal force in agenda-setting and informed, opinionated commentary.

While one of the Committee's previous reports looked at *The Ownership of the News*, issues surrounding media plurality are once again under the policy spotlight, prompted by concerns raised about the proposed (and then dropped) acquisition of BSkyB by News Corporation; Ofcom's report on Measuring Media Plurality; Lord Justice Leveson's report; the report by the European Commission's High Level Media Group on Media Freedom & Plurality; and the recently-launched European citizens' initiative for media pluralism.

Together these have raised a number of ways in which the policy and regulatory framework currently surrounding plurality needs updating. The focus placed on plurality across these various fora might create the expectation that a consensus is forming and that momentum is now building behind reform. However, plurality has been rather absent from recent debates and we hope, having considered it carefully, to make recommendations which will lead to action.

The need for a Committee of Parliament to undertake this inquiry is clear. While Ofcom and Lord Justice Leveson have made a number of proposals relating to plurality, both have insisted that in a whole range of areas, it is for Parliament to give guidance on the objectives and broad principles of policy relating to plurality. The following quotes are indicative:

- a. “There are ... areas where a high degree of judgement is required. The appropriate approach to exercising such judgement is ultimately for Parliament to debate and determine.”¹
- b. “Along with other aspects of this Report, I agree that this is a choice for Parliament to make.”²

Finally, we note that this inquiry makes for an almost seamless follow on to our inquiry into media convergence. Evidence received during that inquiry underlined ways in which convergence has created new threats and exacerbated long-standing concerns about pluralistic provision of news and current affairs (e.g. breakdown of traditional market boundaries, threats to the business model for journalism, news aggregation, the ‘filter bubble’, concentration of ownership, vertical integration, etc.). While time did not allow for these issues to be considered in their own right, the previous inquiry has primed them and we look forward to receiving more focussed evidence on these points now.

The Committee would welcome written submissions on the main concerns associated with the current legal and regulatory framework for plurality, and particularly proposals, or endorsements and criticisms of existing proposals, on how this framework might be brought up to date. The Committee will draw on this evidence to make forward-looking but concrete recommendations. To assist those making written submissions, what follows are a number of the broad questions on which the Committee would be interested to receive evidence and opinion. You need not address all of these areas or questions. The Committee would also welcome any other views, and practical proposals, of which stakeholders think the Committee should be aware.

- Does a clearer objective for plurality policy need to be thought out and incorporated into statute than is currently the case? What should this be?
- In the absence of a definition of plurality in statute, Ofcom have provided the following working formulation. Is this the best definition, or should it be improved?
 - a) “ensuring there is a **diversity of viewpoints** available and consumed across and within media enterprises and;
 - b) preventing any one media owner or voice having **too much influence** over public opinion and the political process/agenda.”³
- What should the scope of media plurality policy be? Should it encompass news and current affairs or wider cultural diversity in content provision as well?
- What are the appropriate triggers for a review of media plurality and with whom should discretion to trigger a review reside, or indeed should reviews be periodic?

¹ Ofcom, *Measuring media plurality, Ofcom’s advice to the Secretary of State for Culture, Olympics, Media and Sport*, 19 June 2012. Available online:

<http://stakeholders.ofcom.org.uk/binaries/consultations/measuring-plurality/statement/statement.pdf>

² The Leveson Inquiry, *An inquiry in the culture, practices and ethics of the press*, report, volume III, November 2012. Available online:

http://www.official-documents.gov.uk/document/hc1213/hc07/0780/0780_iii.pdf

³ Ofcom, *Measuring media plurality, Ofcom’s advice to the Secretary of State for Culture, Olympics, Media and Sport*, 19 June 2012. Emphasis added. Available online:

<http://stakeholders.ofcom.org.uk/binaries/consultations/measuring-plurality/statement/statement.pdf>

Alternatively, should reviews be periodic while still retaining the possibility that a review can be triggered under certain circumstances? What should those circumstances be?

- For the purposes of a review of media plurality, what should ‘sufficient plurality’ mean as described in Sections 3 and 375 of the Communications Act 2003? How should the growing role played by digital intermediaries acting as gateways to content be taken into account?
- How should ‘sufficient plurality’ be measured?
- Should the BBC’s output be included in a review of it?
- How can internal plurality be sensibly measured against external plurality?
- What structural and/or behavioural remedies are appropriate if insufficient plurality is found?
- How should the deployment of these either structural or behavioural remedies be balanced with considerations of the wider context of news provision (e.g. the future of news provision and its financial viability)?
- With whom should power to deploy these remedies ultimately reside? What process for their deployment should be observed?
- To what extent should plurality be seen in a wider EU context, particularly given the argument recently made that the Commission has competence to review and impose obligations in these areas?
- What should the UK learn from international approaches to media plurality?

28 March 2013

Written submissions should be provided to the Committee as a Microsoft Word document and sent by e-mail to holcommunications@parliament.uk. Please do not submit PDFs (if you do not have access to Microsoft Word you may submit in another editable electronic form). If you do not have access to a computer you may submit a paper copy to Select Committee on Communications, Committee Office, House of Lords, London SW1A 0PW, fax 020 7219 4931. The deadline for written evidence is Wednesday 1 May 2013.

Submissions over 6 pages are welcome but should include a one-page summary. Paragraphs should be numbered. Submissions should be dated, with a note of the author’s name, and of whether the author is acting on an individual or corporate basis. All submissions will be acknowledged promptly after the deadline, though, of course, early submissions are appreciated.

Personal contact details supplied to the Committee will be removed from submissions before publication but will be retained by the Committee staff for specific purposes relating to the Committee’s work, such as seeking additional information.

Submissions become the property of the Committee which will decide whether to accept them as evidence. Evidence may be published by the Committee at any stage. It will normally

appear on the Committee's website and will be deposited in the Parliamentary Archives. Once you have received acknowledgement that your submission has been accepted as evidence, you may publicise or publish it yourself, but in doing so you must indicate that it was prepared for the Committee. If you publish your evidence separately, you should be aware that you will be legally responsible for its content.

You should be careful not to comment on individual cases currently before a court of law, or matters in respect of which court proceedings are imminent. If you anticipate such issues arising, you should discuss with the Clerk of the Committee how this might affect your submission.

Certain individuals and organisations may be invited to appear in person before the Committee to give oral evidence. Oral evidence is usually given in public at Westminster and broadcast in audio and online. Persons invited to give oral evidence will be notified separately of the procedure to be followed and the topics likely to be discussed.

Substantive communications to the Committee about the inquiry should be addressed through the Clerk or the Chairman of the Committee, whether or not they are intended to constitute formal evidence to the Committee.

This is a public call for evidence. Please bring it to the attention of other groups and individuals who may not have received a copy direct.

You may follow the progress of the inquiry at:

<http://www.parliament.uk/business/committees/committees-a-z/lords-select/communications-committee/>.