

Notes from Impartiality Session at the VLV Spring Conference 2021

Is UK impartiality regulation fit for purpose?

Professor Stephen Cushion of Cardiff University

Lord Tom McNally

Broadcaster Julia Hartley Brewer

Rachel Corp, Editor of ITV News

Stewart Purvis CBE, former Editor in Chief of ITN

Chair: Mark Damazer CBE

Mark Damazer set the scene: we have a very heavily regulated environment compared to the US and compared to the internet. The law of land applies to what goes on digitally but is nothing compared to the Ofcom Broadcasting Code. An Online Harms code is promised and will give Ofcom an expanded role. We know that new players are coming into broadcast market: GB news, News UK TV. Ofcom is wanting a new Chair. There are exciting names on list.

Julia Hartley Brewer Is this an issue just now? We have not have impartiality on our screens for a long time, so now we have alternatives. 'Due impartiality' is the rule. Balance at elections is good. But we threw out due impartiality and without being honest about it. LBC and Talk radio provide different points of view. It's also about the subjects you cover – there needs to be a range of subjects. There wasn't impartial coverage during Brexit. We have had a dishonest debate in Britain. One of the problems is that people in the media all have the same views. People like me are considered extreme and beyond the pale but in fact our views are mainstream, along with a lot of people. Fear of echo chambers is the issue. The reason you think our echo chambers in the UK are not too bad is because your echo chamber is echoing back your own views – you just aren't aware of it! ITN has been better holding government to account than BBC/Sky. GB News has only been created because the existing channels are failing; a range of opinion is missing from BBC/Sky. In general coverage of Covid no alternative views are allowed. A 'range of opinion' is someone else's 'disinformation'. Trusted sources are important.

Solutions

- A separation between fact and comment on all channels (as in press – opinion and news) would be a good idea in broadcasting.
- We need journalists to listen to people across country and reflect their views on air. Diversity across newsrooms is important to include race, geography.
- Accuracy must be top of minds. But there is a question about which facts you choose. Are they presented in context ?

Lord McNally: it's import to recognise that for 100 years successive UK governments have decided that we will distort the market of public service broadcasting with responsible impartial news. There is a real danger of relaxation if you listen to Julia's seductive pitch. Look at the US. There is a danger to democracy and social cohesion. PSBs must have strict rules on how they deliver news. Ofcom

must realise it's not just a competition authority. It's also about how people absorb stuff via new devices. The 'battle between impunity and accountability' is in terms of people's access to information. Parliament must have the power to maintain the BBC so that we are not going down the US route which ends with the storming of Capitol. A problem is that there is a massive financial incentive in having partial news. The film *Broadcast News* is a warning for us. The PSBs are moving out of London, so will be less London-centric which is good.

Solutions

- We have to keep pointing the ship into the wind. Watch closely how News TV behaves from now on. Defending our creative industries will be very important.
- Standards have been slipping. News is slipping into entertainment. We have got to make the PSBs stick to reporting news. Once you allow news to become entertainment then standards slip. Ofcom must look at Julia's accusations.
- Blatant untruths should be called out. We should be worried about quality of news. Comment sells but news is what news providers should concentrate on.
- Central is keeping to your standards in broadcasting. Are we being lured down a slippery slope? Get rid of rules and we will rue the day.

Rachel Corp, Editor of ITV News: ITV News has had record viewing figures during the past year. They are a national broadcaster. Viewers are at forefront and ITV regions keeping them connected to everyone. Eye-witness journalism and putting people at the heart of stories is key. The Covid pandemic necessitated trusted source for viewers for their health. News in the public interest is paramount, never shying away from challenging the government. The need for reliable information shows how much PSB is valued. ITV News use the same standards across their social media as their broadcast output. The current PSB review is timely. The PSBs are needed. We must protect them so audiences can easily access impartial news/information. Informed impartial opinion is absolutely key on part of correspondents.

Solutions

- Eye-witness journalism and putting people at the heart of stories is key.
- Regional coverage and listening to what people say around the country.
- Supporting the PSBs.
- Using the same standards online as on TV/radio.
- Informed impartial opinion of expert journalists must be allowed.

Stuart Purvis, Former Editor in Chief of ITN/Ofcom Standards Board: News UK channel is not going to be a channel - it will be content online. GB News with Andrew Neil will happen but there is a question whether a presenter on a news channel can give an opinion. There are rules/guidance and I have distilled them all. Kevin Bakhurst (Ofcom): 'Our rules allow people to explore stories from their own viewpoint'. Talk Radio may have partial presenters, but it has diverse views from callers which maintains its impartiality. That model will be rolled out to News TV. Where does it say it in the rules? It is clear in the rules ...news presenters in news programmes cannot express personal views. But the big question is which are defined as "news programmes?" "News in whatever form" are key words. There are 2 different kinds of news: bulletin news as compared with US debate-style programmes with packages. The latter are considered impartial as long a range of viewpoints is heard. News bulletins are considered to be different. So can presenters give their opinions in their news programmes like Talk Radio? The rules also say it depends on viewer expectations - if

presenters and journalists are badly behaved consistently then that could become what is expected and under these regulations therefore that would be OK. This is a slippery slope.

It is worth reminding everyone that it is possible for any broadcaster to choose their own agenda. We (ie the news community) grew up with a similar agenda. There is too much comparing of running orders. Channel 4 News did change that because it set a different tone. Broadcasters are not taking enough opportunities to do something different. Julia is right about the Brexit debate when there was no BBC person arguing against the EU. A hybrid situation – News bulletins and news programmes - will present issues for Ofcom. Was Piers Morgan chairing a debate or ranting on GMTV? No one could put their point of view because they couldn't get a word in. Ofcom will have to focus on that style of presentation. Consider Australia...Sky News there has become a version of Fox News and is even more 'out there'. Presenters on Sky News in Australia attack politicians. That is the model to fear. The more discursive model (a la *Newsnight*) is good.

Solutions

- Ofcom needs to ensure that impartiality is maintained in news 'programmes' which are more opinionated than news 'bulletins'.
- A range of different agendas in news is beneficial.
- Broadcasters need to be ambitious to do something different.
- We need to avoid the slippery slope of allowing less impartial news programming because people get used to it being less impartial and therefore it is justified.

Professor Steven Cushion, Cardiff University: Yes we have 'fit for purpose' rules compared to US. Our rules are generally well respected. The public support the rules too. Opinionated news is an issue, which Stewart has talked about. There is a danger in impartiality being measured over the period of the day – this gives flexibility for more entertainment, but audiences are not exposed to different views unless they listen/watch for hours. More opinionated views could lead to limited counter-perspectives if opinion-led journalism is normalised among the next generation of journalists. This could lead to them being less well behaved. The difficult aspect is due impartiality which is subjective. Competing perspectives with little evidence on one side and someone with lots of evidence on the other mean a presenter needs to be strong to referee that situation. I agree with Stuart about the dangers for future.

Solutions

- It is very difficult to measure impartiality but we must research this.
- We need to see that channels cover the whole of the UK and we have done some research into where interviewees come from across the UK.
- I am not a fan of the status quo. There are limits to what Ofcom can do. The boundaries are too relaxed. Judgements are just slightly changed by Ofcom.
- Different agendas by news providers would be good.
- We mustn't normalise the Australian model. We mustn't loosen too much.