

No 160 September-October 2007 £1 Journal of the Campaign for Press and Broadcasting Freedom

## Civil servant faces official secrets trial

Derek Pasquill is a sacrificial lamb on the altar of national security, writes **Martin Bright**

Foreign Office civil servant Derek Pasquill has begun the long trial process after being charged under the Official Secrets Act. He is accused of making six damaging disclosures of documents that came into his possession as a civil servant.

These concerned Government policy on two of the most pressing issues of the age: extraordinary rendition, and dialogue with radical Islamist groups in the Middle East such as the Muslim Brotherhood.

The charges, to which he has pleaded not guilty, are said to refer to articles that appeared in the *Observer* and the *New Statesman* under my byline.

I have been connected with two previous secrets trials, the first involving the MI5 whistleblower David Shayler and the second that of the GCHQ translator Katharine Gun.

Both represented outrageous abuses of state power in their way, but they differed in several important senses from the Pasquill case. In both previous trials, the alleged disclosures involved documents classified as "Top Secret" or above. In the Pasquill case nothing involved has a classification above "Confidential". There is no suggestion that the disclosures involved put agents of the intelligence services at risk or jeopardised any ongoing operations.

But more importantly, Pasquill's disclosures influenced a shift in Government policy on the issue of dialogue with radical Islam after they were published in the *Observer*, the *New Statesman* and in a pamphlet by the centre-right think tank Policy Exchange.

As a result, ministers began asking questions about whether it had been wise to use the Islamist Muslim Council of Britain as a "one-stop-shop" for dialogue with Britain's Muslim communities.

Ruth Kelly is known to have read my Policy Exchange pamphlet over the summer of 2006 when she was Communities Secretary. It is known that it informed her decision to distance the Government from the Muslim Council of Britain later that year.

The disclosures also informed the policy work carried out for the Conservative Party by Dame Pauline Neville-Jones, the former head of the Joint Intelligence Committee. And yet, the Government insists on pursuing Mr Pasquill through the courts.

There are many politicians on both sides of the political divide who are beginning to wake up to the reality of the situation first highlighted by the documents published in the *Observer* and the *New Statesman*.

There are no national security issues at stake here. Rather than seeking another sacrificial lamb on the altar of official secrecy, ministers should be looking for remedies for the issues raised by Mr Pasquill and developing procedures to allow future whistleblowers to raise their concerns.

*Martin Bright is political editor of the New Statesman. This article first appeared on the Index on Censorship website.*

## Campaigners welcome FOI climbdown

The Campaign for Freedom of Information and the CPBF have welcomed the Government's decision, announced on 25 October, to drop proposals to restrict the Freedom of Information Act. Instead the Government has announced it will consult on extending the scope of the Act to certain kinds of private bodies and on changing the 30-year rule.

The CFOI's director Maurice Frankel said: "We are extremely pleased that instead of restricting the Act the Government is proposing to extend it. The original proposals would have severely undermined the legislation and suggested that the Government regretted introducing the FOI Act. Now for the first time we are seeing signs that it is taking pride in it instead."

The Act allows private bodies with public functions and contractors providing services on behalf of a public authority to be brought within its scope. But there have been no moves to implement these provisions until now. The Campaign said that key candidates for inclusion would be PFI bodies, major public service contractors and private bodies providing GP and other services for the NHS.

The proposals are welcomed by the CPBF because they open up again the question of the Press Complaints Committee (PCC) being subject to the provisions of the Act. In 2005 the Campaign wrote to the then Lord Chancellor, Lord Falconer, about the possibility of the PCC being recognised as a public authority for the purposes of the Freedom of Information Act.

A reply was received indicating that it "may be appropriate to hold a public consultation on how and when the relevant powers of section 5 of the Act" (which designate a public body for recognition under the Act) should be used, and that furthermore "it is likely that this consultation will begin this year". However, this review did not take place, but following Gordon Brown's speech it is back on the political agenda.

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# New Labour takes revenge on BBC

**The BBC's capacity for independent journalism will be severely damaged if proposed cuts go through, writes Des Freedman**

The recent announcement by BBC Director General Mark Thompson of some 2,500 job cuts and 1,800 redundancies at the BBC is a massive attack not just on broadcasting workers but also on public service broadcasting itself. The fact that the Corporation's news division faces the biggest cuts is a further blow to any remaining prospects for independent news coverage, especially as Thompson's plans follow ITV boss Michael Grade's threat to scale down regional news across the network. These cuts will mean fewer resources available for in-depth analysis and investigative reporting and are likely to result in the increased use of corporate and Westminster-based sources leading to an even narrower and less critical news agenda.

Thompson's attempt to push through the job losses "as fast as possible" in order to undermine union resistance was cowardly and futile. Prompt threats by the NUJ and BECTU to move to a strike ballot forced BBC management to back down from issuing redundancy letters and to enter into at least some degree of negotiations. It is clear, however, that management are committed to these cuts and that they will be backed fully by the Trust who voted unanimously to support Thompson (so much for chairman Sir Michael Lyon's claim that the Trust represents the interest of licence fee payers). If unions are to save jobs, they will need a programme both of industrial action and a public campaign focused on the importance of having a confident public service broadcaster in an increasingly commercial media environment.

BBC management's warning to senior editorial staff not to use airtime to voice their opposition to the cuts is outrageous but hardly surprising – more evidence of the BBC's timidity in the face of the assault on public service broadcasting following the Hutton Report in 2004. Yet, while

Thompson and BBC trustees will quite understandably be the focus of union action in the near future, blame does not lie exclusively with them. Many of the recent scandals affecting the BBC are the logical result of an increasingly hard-line neoliberal approach to broadcasting championed by New Labour in office.

First, the Government has long insisted that any licence fee rises have to be matched by cost-cutting measures – a situation that has led to thousands of redundancies and sell-offs in the last few years. Second, New Labour ministers have warmly welcomed the growth of entrepreneurial "super-indies" like RDF Media, the giant "independent" company whose creative director, Stephen Lambert, resigned after faking a royal tantrum in its documentary *A Year With the Queen*. As more and more broadcast services are outsourced to the market, it is no coincidence that we are seeing companies, who show more commitment to profit and dividends than to the public, engaged in dodgy activities and sensationalist programming.

Third, although New Labour keeps talking about the BBC as the "cornerstone"

## 'Gordon Brown's fingerprints were all over the below-inflation licence fee deal that left the Corporation with a huge funding gap'

of public service broadcasting in the UK, it demonstrates its support in the strangest ways. Gordon Brown's fingerprints were all over the most recent below-inflation licence fee deal that left the Corporation with a huge funding gap. The deal also insisted that the BBC alone "lead" the transition to digital TV switchover and even subsidise some of Channel Four's costs in the move to digital – a requirement the Government singularly failed to place on the commercial sector. The Government is giving the BBC mixed messages: expand to meet the demands of a digital future and act as a beacon for British creativity across the globe but do this on a shrinking budget and with an overarching commitment to efficiency and delivering "value for money".

Finally, the Government has yet to forgive the BBC for the latter's perceived criticism of the invasion and occupation of Iraq ("perceived" as academic studies have



**Broadcasting House: cuts will do harm**

proved that the Corporation was one of the least critical voices in its coverage of the war) and it continues to punish the BBC – both in political and economic terms. It is almost laughable that resignations have thus far been confined to those who have presided over the fraudulent naming of cats and not to those in Government responsible for taking us to war on a lie.

Meanwhile right-wing newspapers, with a long history of opposition to public service broadcasting and the licence fee, take advantage of this situation to mount further attacks on the BBC. A series of articles with headlines such as "There's Plenty of Fat to be Cut From the Bloated BBC" (*Daily Express*, 19 October 2007) portray the Corporation as a monopolistic giant harming the prospects of commercial companies to expand further and make more profits. In highlighting what they see as the "collapse of trust" in broadcasting in general and in the BBC in particular, the BBC's commercial rivals lump together ITV's game show scandals, where commercial companies enriched themselves at the expense of ordinary viewers, with editorial mistakes at the BBC where even the most serious errors did not lead to any financial gain.

The real tragedy is that BBC management has failed adequately to stand up to this Government bullying and corporate hypocrisy. New Labour is attempting to discipline the BBC with a series of neoliberal reforms and, tragically, BBC management is assisting the Government in this process. Whatever our criticisms of the Corporation, we need to help build a united campaign with broadcasting workers both to save jobs and to restore a confident and independent BBC that even Thompson, Lyons and the rest of the trustees are unable to undermine.

# War spin fall-out 'will be traumatic'

By Nicholas Jones

**B**y allowing "political storytellers" like Alastair Campbell to have so much influence in presenting the case for the wars in Iraq and Afghanistan, Bush and Blair had made it more likely the post-Iraq trauma would be even worse than the aftermath of the withdrawal from Vietnam.

Sam Gardiner, a retired USAF colonel who investigates the media strategies of the US military, believes that unless Gordon Brown manages to distance himself from the way the wars were spun he will get caught up in a convulsion which is bound to damage the credibility of Britain as well as America.

In a presentation to a conference on communication and conflict held at the University of Strathclyde in September, Gardiner described how daily storylines prepared in the global information centre at the White House were fed to Campbell in Downing Street.

"Political storytellers" took control after 9/11 and Gardiner cited the US/UK orchestration of the Afghan women's campaign in November 2001 as an early example of their work. Similarities in storyline and timing were striking.

On November 17, 2001 Laura Bush said: "Only the terrorists and the Taliban threaten to pull out women's finger nails for wearing nail polish". Just three days later Cherie Blair commented: "In Afghanistan, if you wear nail polish, you can have your nails torn out".

Subsequently it emerged the Afghan media campaign was described at the time by Jim Wilkinson of the office of strategic communications in the White House as the "best thing we have done" in building support in countries where there was heavy scepticism of the anti-terrorism coalition.

"Despite the excellence of the message control by political storytellers, their strategy has totally failed," said Gardiner.

"It will be a major trauma for the USA when we get out of Iraq, bigger than perhaps Vietnam and it will be Gordon Brown who will have to deal with the fallout here. Because of disillusion with the war, policy makers will not find the public ready to believe them even if they're telling the truth, that's the lasting damage of letting the storytellers take charge."

Gardiner thought it essential the military clawed back control over the message and he was encouraged to hear that

Brown had promised during a visit to Baghdad in June that when he became Prime Minister any future analysis presented by the security and intelligence services would be kept independent of the political process and the involvement of political spin doctors like Campbell.

"It sounds as if Brown has gone further than anyone in the Bush administration to own up to the mistakes that were made, let alone promising to put them right."

Despite the assurance Brown gave in June, no mention was made in his proposals for restoring public trust (The Governance of Britain July 3, 2007) of any action to fulfil the recommendation of the Butler Inquiry that intelligence should be kept separate from Government.

Campbell chaired the group of officials which prepared the Government's dossier on Iraq's weapons of mass destruction and has always defended his role. He has insisted it was his task to "help from a presentational point of view" but that John Scarlett, the then chairman of the joint intelligence committee, retained "ownership" of the assessment presented to Parliament.

## Future of ITV PSB at stake

By Barry White

**N**o, it's not the fact that the Serious Fraud Office is considering a criminal investigation into ITV's abuse of premium phone lines, or that Ofcom is launching an investigation into the cases revealed by the recent report from Deloitte consultancy into the misuse over years of premium telephone lines on some of ITV's biggest shows. It showed that £7.8m was wasted by callers to shows including *Saturday Night Takeaway*, *The X Factor*, *Soapstar Superstar* and *Gameshow Marathon*. Michael Grade, ITV's chief executive, has promised refunds with any unclaimed money going to charity.

Serious as this public fraud is, a more far-reaching announcement, which could have serious consequences

for commercial public service broadcasting, was made in September by Michael Grade, of a 40 per cent cut in news spending. This would result in the number of local and regions with their own news bulletins being cut from 17 to nine. Wales and Scotland are not affected at present.

The NUJ was swift to respond and has launched a campaign to protect local and regional news services by any means necessary including strike action. Paul McLaughlin, NUJ broadcasting organiser, wrote in an email which was sent to the CPBF CharterNet email list.

"Many of you will be aware of ITV's announced plan to axe many of its local and regional news programmes and replace them with larger geographical programmes, with no connection with their local area. For example, West Country will go and be replaced with a merged region covering an area from Plymouth to Bristol. Similarly, Border and Tyne Tees will be merged. The cuts could result

in many hundreds of jobs being lost and an important aspect of our plural news system disappearing. However, the good news is that almost everything that ITV is planning requires approval from the regulator, Ofcom. We therefore have a unique opportunity to influence the outcome of this debate..."

Writing in the November edition of the NUJ's *Journalist*, McLaughlin states that: "Talking to leading executives and analysts, it has become increasingly clear that none has a coherent position concerning the future protection of regional and local television news." The challenge is to develop such a sustainable economic model. He makes a number of suggestions, for instance ITV should get free access to the digital terrestrial spectrum. Another incentive would be to offer the right to broadcast major sporting events once digital switchover is completed. Access to the "crown jewels" as they are sometimes called – ten major

spectacles including the FA Cup Final, the Olympics, World Cup football etc., is limited by law to free-to-air broadcasters. A new digital arrangement allowing exclusive access to PSB broadcasters would be a huge advantage to them.

Speaking to the CPBF national council meeting in October, McLaughlin said that the ball was now in Ofcom's court, as the regulator must rule on ITV's plans to cut back its local and regional news. Public and political pressure is crucial in the coming months. It was agreed the CPBF should continue to work closely with the NUJ on this critical issue and promote the campaign to defend local and regional news programming.

Details of the NUJ campaign to save ITV news, can be found at: [www.saveitvnews.blogspot.com](http://www.saveitvnews.blogspot.com). You can also get involved by writing to MPs, ITV and the regulator Ofcom – advice and information on this can also be found on the site. Further updates will be sent to subscribers to CharterNet.

The *Dispatches* documentary 'Undercover Mosque', broadcast on Channel 4 in January, featured footage appearing to show British Imams advocating violence. The West Midlands police investigated the programme's allegations – and asked the Crown Prosecution Service to prosecute. The CPS decided there was insufficient evidence and a complaint about the programme has been made to Ofcom by the police. CPBF writers take up the story

## Put it into context

'Undercover Mosque' was dangerously Islamophobic, argues **David Crouch**

**T**he run-up to the invasion of Iraq was a dark time for British journalism, which was browbeaten and bamboozled into taking seriously the Government's case for war. In years to come, journalists will look back with the same sense of unease on our role in maintaining another, related, lie – the notion that the "War on Terror" is precisely that, a War on Terror, without the quotation marks.

The War on Terror holds that we are fighting terrorists in Iraq and Afghanistan. These terrorists are Muslims. It is their religion that motivates them; it is the root cause of their violence. The terrorists aren't just terrorists, they are *Islamic* terrorists.

Moreover, Muslims in the west are overwhelmingly recent immigrants and are almost exclusively dark-skinned. Criticism of Islam segues effortlessly with prejudice against black immigrants. "Niggers out" no longer wins many votes, but Muslim-bashing presses the same political buttons. Islam is a twice-

# This is serious

**'Undercover Mosque' raises important questions for broadcasters, writes Patricia Holland**

**A**llah created women deficient" declared an Imam to an all male congregation of worshippers. "From the age of ten she must wear a hijab. If she doesn't wear a hijab we hit her."

In this age of international media, miniature cameras and instantaneous

convenient scapegoat for resistance.

Any discussion of Islam today is therefore a discussion about war and about racism. When the BBC's Gavin Hewitt rode into Baghdad with the US army, he witnessed this at first hand: "The Iraqis were either 'hajis' or 'rag-heads'... I heard the captain talking to a young soldier. 'Don't look at them as humans,' he said, 'look at them as vermin.'"

Yet most senior journalists live lives far removed from these realities. They unleash their faux-liberal tirades against Islam in complete isolation from the context of the "War on Terror".

Therefore I am pessimistic that many editors or op-ed writers will find their consciences pricked by the fact that West Midlands police and the Crown Prosecution Service have rumbled Channel 4's documentary.

"The splicing together of extracts from longer speeches appears to have completely distorted what the speakers were saying," the CPP wrote in its complaint to Ofcom. Yet the response in the media pages has been mainly snobbish ridicule – Plod knows nothing about our precious art, he should keep his nose out of our business.

I have no faith in the police or Ofcom to punish the injustice of "Undercover Mosque". But I enjoy intensely the irony that a police investigation, backed by the BNP, into Muslim incitement to hatred should have boomeranged on Channel 4.

The warning signs were there early on. The day after "Undercover Mosque" was broadcast, the judge at the trial of the July 21 bomb plotters told the jury

communication, we viewers of UK television are familiar with the sight of shrouded women being beaten by men with sticks because of some offence against "morality". The particular images I have in mind come from a BBC video diary series called *Langan Behind the Lines*. Journalist Sean Langan filmed secretly in Iran, Iraq and Afghanistan in the innocent days of spring 2001, before the attack on the twin towers initiated the "War on Terror".

The style of Langan's reporting was much decried by an older generation of current affairs producers, but television modes were changing rapidly. Even programmes with this sort of serious content did not have to be presented with solemnity, and new ways of reaching a wider

they should "ignore it completely" because: "It's a very good example of why you should close your mind completely to the media."

A few days later the *Press Gazette's* Zoe Smith noted how it had "the feel of a cheap Fox News report" and was "patronising in the extreme" towards women. In a brilliant put-down, she wrote: "Some Christians hate gays and some Jews hate Arabs, but broadcasters don't feel the need to make hour-long programmes insinuating that entire religions are to be mistrusted."

This is the nub of Islamophobia. "Undercover Mosque" used crude dramatic techniques to construct an even cruder message that, however "moderate" Muslims claim to be, the extremists are pulling the strings: "Our investigation has uncovered religious bigotry and intolerance spreading from the Saudi religious establishment through major, mainstream British organisations."

Of course it uncovered nothing of the sort. It pointed a camera at some people of whom it clearly had very little understanding, and extrapolated from some carefully chosen phrases which it clearly understood even less to draw irresponsible and scaremongering conclusions about black immigrants on whose co-religionists our state is waging a very bloody war.

When journalists at the *Daily Star* a year ago refused to publish a page of inflammatory filth about Muslims, they struck a powerful blow against Islamophobia. Channel 4 should study their example.

# What's wrong with exposing bigotry?

audience were welcomed by many viewers, not just schedulers.

Six years later the situation has hardened. The rhetorical battle between the Bushite promotion of "freedom" and "Western values", which went along with the attacks on Afghanistan and Iraq, and the language of radical Islam has intensified. "Undercover Mosque" was a programme about that fundamentalist rhetoric. Using Langan-like undercover techniques it recorded the inflammatory preachings of several radical Imams, and revealed their links with Saudi Arabian Wahhabist teachers. This was hate speech with a vengeance. As well as promoting the beating of unfortunate young girls, the worshippers were encouraged to "take the homosexual man and throw him off the mountain" and to promote a total Islamic state in which unbelievers could be killed. Muslim children should not be allowed to go to non-Islamic schools and 'Muslims and non-Muslims cannot co-exist'.

All of those filmed, when asked to comment for the programme, stated that they respected the laws of the UK, promoted peaceful relations with the multi-faith community and claimed that their words had been taken out of context. These responses are included in the programme. But so is the context. The speeches of several of those featured in the programme are available as DVDs from bookshops and bookstalls associated with the mosques. Extracts from these DVDs, and from fundamentalist websites were, if anything, more inflammatory than the speeches filmed undercover. The inflammatory rhetoric is internationalised, consistent and widely available.

So was *Dispatches*, one of the most respected current affairs series, chasing audiences by over-dramatising the programme, using an undercover reporter when it was not strictly necessary and editing together the most shocking statements to create an impression of fake dramatics? Most importantly, should the series have refrained from making these criticisms, on the grounds that they may increase Islamophobia?

These have been the grounds of a public debate, conducted against the background of an internationalised media; a fear of terrorism which is local as well as global; escalating domestic security and surveillance which disproportionately targets people who look as if they may be muslim; extensive and detailed reporting of the conflicts in Iraq and Afghanistan on

'Undercover Mosque' was a perfectly legitimate exposé, says **Tim Gopsill**

**L**et's say a handful of Hindu "fundamentalists" in India were caught on camera raging against Muslims, calling on followers to burn down their mosques and slaughter them in the street – which has happened of course.

**I**t might be protested that these BJP bigots were not representative of Hindus as a whole. But it's hard to believe that many people would accuse a TV programme in which such remarks were broadcast of smearing the whole Hindu community, in effect, of racism; indeed, there must be a suspicion that some of those who have condemned "Undercover Mosque" would applaud and commend it for a BAFTA.

**W**hat's the difference? It seems to be that since all Muslims are supposedly being made to bear the blame for terrorism, any exposure of the obnoxious opinions on democracy, on Jews, Christians, women, gays or whoever held by some jihadi preachers is a smear on every Muslim in Britain.

**T**here is no difference of principle between this argument and the Zionist claim that any criticism of Israel is a smear on all Jews. It will be said – I have heard it – that Jews in Britain are white, prosperous and fairly influential, while Muslims are generally dark-skinned, poor and marginalised. This may be a coherent political distinction but it is not a justification for blocking journalistic enquiry into tendencies within Islam.

**P**erhaps the *Express* and the *Star*, and sometimes the *Mail* and the *Sun*, like to demonise Muslims. But to accuse all the media of perpetual Islamophobia is ridiculous – a smear in itself – and especially "Undercover Mosque", which was quite an informative programme.

**I**f the stream of bigotry on offer was quoted "out of context", it would be

instructive to know the context in which phrases like "all Jews are pigs" are not objectionable, or worth reporting.

The programme was edited. All programmes are edited, to select the most telling evidence for the story. It would be a curious programme that was not.

What matters is that there is a degree of balance – and there was. The Islamic organisations concerned had the chance to put their case. The critical commentary was not by security "experts" or politicians, but by other Muslims, who seemed to be trying to tell us something.

Earlier this year the press got excited about Brick Lane in east London, where Islamic "community leaders" were agitating against the filming of Monica Ali's novel. (Germaine Greer jumped on board, which should have been a clue.) The film company took fright and moved the filming elsewhere, but, as Monica Ali herself has written, it was a stunt: a small number of self-appointed reactionaries were milking the story, organising protest rallies attended by more journalists than Bengalis.

The wacky hook-waving antics of Abu Hamza in Finsbury Park were a gift to the press – which encouraged them, to say the least. But these were instances of publicity-seekers acting up for the cameras, while those in "Undercover Mosque" were the real thing. They were preaching, for God's sake.

And I'd have thought that journalists who do want to resist the hype of the "War on Terror" ought to be exposing the corrosive influence of Saudi Arabia on British politics, security policy, trade – and religion. Wahhabi Islam is a fascistic tendency; what can be wrong with exposing bigotry?

At any rate, the ball is now in the Ofcom "court". The regulator is expected to rule on the complaint that originated with West Midlands police some time in November. It seems improbable that Ofcom will find against it, but if it does, I would hope the CPBF could defend the programme-makers.

both the UK and Arab media. Above all there is the extraordinary way in which religion has reasserted itself in the politics of the early 21st century. As the activities of the West Midlands Police have shown, investigating both those features in the programme, and Channel Four itself for incitement to racial hatred, this debate is

about more than a television programme.

But even – or perhaps especially – against this background, it would be a great pity if series like *Dispatches* were deterred from exposing misogyny and bigotry wherever it is found, especially when it is preached by men in positions of prestige and influence.

# Crunch time for TV

**Ofcom, the broadcasting regulator, needs to ensure that all broadcasters have a public service remit, says Patricia Holland**

The various crises that have hit British television over the last few months – from high-profile scandals around documentary ethics and premium rate phone calls, to cuts at the BBC and threats to regional services at ITV – should all be seen against the background of intense uncertainty over the future of the television services we know and (sometimes) love: indeed over the future of television itself.

Come “analogue switch-off”, scheduled for circa 2012, hundreds of channels will pour into our digiboxes, jostling with each other for our attention. Indeed the whole notion of what a linear “channel” is will change. All broadcasters are busy preparing for an environment of interactivity, time-shift and multi-platform in which the systems that have given priority to our familiar BBC, ITV and Channels Four and Five will no longer be available. Those mainstream channels are already showing the strain.

For the advocates of deregulation and a free market in broadcasting, this is all to the good. Digital switchover will triumphantly usher in a future of competition and consumer choice, they declare. The BBC’s licence fee will no longer be justified. The market will rule and the concept of “public service” in broadcasting will be seen as hopelessly last millennium.

It is worrying that this market-driven vision has influence within the very body which is charged with supervising the difficult transition to digital –



the communications regulator Ofcom. The final decisions rest with the Government, but, to a large extent the future of television rests on the activities and recommendations of this strange hybrid organisation.

Ofcom is a regulator which promotes deregulation; it is committed to market solutions, yet is required by the Communications Act (2002) to “maintain and strengthen public service” in television. The future of television as a public service lies largely in its hands.

In its short existence, Ofcom has engaged in frenetic activity; reviewing, consulting, measuring, proposing. One of its first acts was to conduct an extensive Review of Public Service Television (2003-5), which came to the unsurprising conclusion that the current pattern of UK broadcasting, in which a wide diversity of programmes is protected by regulation, was popular with viewers but likely to disappear in a digital free-for-all.

Ofcom’s Review defined public service broadcasting according to its “purposes” (to “inform” and engage in similar worthy activities) and its “characteristics” (“high-quality”, “challenging” etc.) and posed questions about how to preserve these values in an all-digital future.

It stated the publicly-funded BBC would remain at the centre of public service provision but that “the existing commercial PSB model would not be sustainable in a wholly multi-channel world”. In other words, although the report recognised that a rich and varied service to the public has been based on a diversity of funding sources the thinking within Ofcom has tended to the view that, in the digital future, “public service” can only mean “publicly funded” and that something called “public service content” is what the market can not – or will not – provide.

Public pressure and their own

detailed research have moved Ofcom away from their original blithe assumption that the market will solve all problems. There is a head of public service content who has initiated reviews of key areas, including current affairs and children’s programming, and put quotas in place.

But Ofcom remains deeply unwilling to put pressure on commercial channels – specifically ITV. Instead it has proposed there should be a second publicly funded organisation to compete with the BBC – even though there remain huge question marks over where those extra public funds might come from. At the same time, pressure from the business lobby is strong. Many powerful, internationally based broadcasters, notably Sky, have long been outside the public service framework.

This is the context for Ofcom’s Second Review of Public Service Television which will run until 2009. Ofcom are required not just to “maintain” but also to “strengthen” public service into the digital age. The CPBF has argued that this will not be achieved by narrowing the concept of public service to publicly-funded broadcasters and certain types of worthy content.

This can only result in the marginalisation of a BBC which has already been weakened. Instead the CPBF argued that Ofcom should broaden its concept of public service; extend its regulatory requirements to cover all broadcasters received in the UK; and begin from premise that commercial companies, too, have an obligation to operate in the public interest.

*The CPBF’s response to the Terms of Reference of Ofcom’s Second Review of Public Service Television Broadcasting can be found on the CPBF website, [www.cpbf.org.uk](http://www.cpbf.org.uk)*

# Digital switchover begins in Cumbria

By Barry White

This month sees the switch-off of Whitehaven's entire analogue TV signal. It follows the complete shut down of the BBC 2 analogue signal on 24 October. On 14 November, the day of the full switch-off, the 2,000 households estimated to still be watching analogue will face TV blank screens – unless they convert.

How has the exercise gone? Writing in the *Media Guardian* on 22 October John Plunkett said that an estimated 92 per cent of Whitehaven residents had converted their main TV to digital, a higher ratio than the national average of 84 per cent, but then with the impending deadline that's not surprising. But as he points out: "The main TV set is only one part of the digital switchover challenge". There are portables and second sets. In addition, a hidden cost for these new digital viewers is the cost of replacing their analogue video recorders,

which are unable to record one programme while watching another on digital. There are alternatives, but they are another cost. In fact, according to John, it seems that the majority of people are just not aware of the recording issue.

Before the next wave of switchovers (starting with Borders region) Ofcom, Digital UK (the organisation leading the UK's switch to digital TV) broadcasters and the Government will review the experiences of Whitehaven, with Digital UK publishing a report on "lessons learnt" at the end of March 2008. In the meantime the real costs and problems of the switchover should not just be left to the regulator and Digital UK to digest. Viewers need to make their concerns and experiences heard by writing to their local MPs and the regulator Ofcom. We would also be pleased to publish your comments on the CPBF website. Send them to: [www.cpb.org.uk](http://www.cpb.org.uk) or to the CPBF national office at: [freepress@cpbf.org.uk](mailto:freepress@cpbf.org.uk)

# Murdoch 'must sell ITV stake'

By Barry White

**O**n Tuesday 2 October the preliminary ruling from the Competition Commission announced that as BSkyB was theoretically able to block investments in content, capacity or new technology, it must therefore start selling its 17.9 per cent share in ITV. Exactly how much should be sold has yet to be agreed, less than 10 per cent was the remedy some 20 years ago, when the Kuwait Investment Office ended up with 22 per cent of BP after the 1987 crash.

The verdict is good news for those concerned about Murdoch's ever expanding empire, and bad news for BSkyB, whose move for ITV was no more than a means to thwart an approach from Branson's rival NTL (now Virgin Media).

After a four-month investigation, the Competition Commission provisionally ruled the shareholding was anti-competitive – BSkyB could use the stake, which it snapped up last November, to adversely influence ITV's strategic direction.

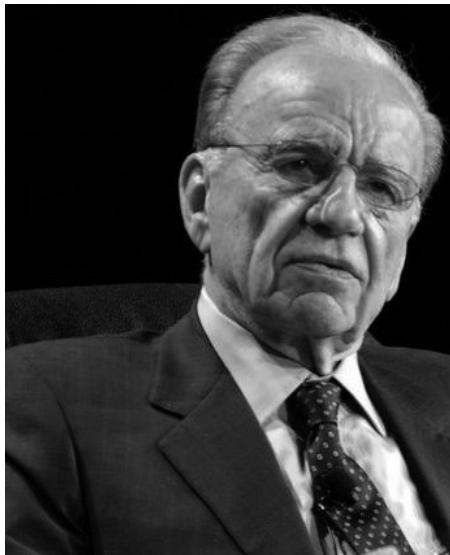
Although it will be up to John Hutton MP, business and regulatory reform secretary, to decide on what action should be taken, when he receives the final report in January, the commission has suggested forcing BSkyB to sell all or part of the ITV stake.

Commenting on the decision, John Grogan MP for Selby who had led a campaign against BSkyB in Parliament said: "The Competition Commission ruling is the biggest blow a British regu-

lator has ever dealt to BSkyB. Disposal of all or a large part of BSkyB's stake in ITV seems like the only logical remedy".

However, one of BSkyB's non-executive directors was quoted in the press saying that if the satellite broadcaster made a loss on its investment because it was forced to sell, (estimated at more than £200m at today's share price) it would be "bound to" seek legal redress.

Meanwhile now is the time to contact your MP telling them that you support the Competition Commission's preliminary ruling and that Murdoch should be forced to sell all his holdings in ITV, without compensation for any loss of share value.



Murdoch: up against the regulator

# IFJ condemns Putin media crackdown

The global leadership of the International Federation of Journalists (IFJ) has protested over the closure by the Russian fire authorities in October of the House of Journalists, a popular meeting place for reporters in central Moscow.

The IFJ says the action is evidence of fresh intimidation of media and independent journalism by the Government of President Vladimir Putin in advance of parliamentary elections in December.

"The tactics of using so-called violations of fire regulations to shut down this building are bogus and sinister," said Aidan White, IFJ general secretary. "It doesn't fool anybody. This decision is a deliberate attempt to squeeze potentially troublesome journalists from meeting and from promoting free debate during the elections."

The action of the fire authorities, which was carried out last Wednesday, and which means the House is closed for a minimum of three months, is seen as a fresh attack on the Russian Union of Journalists, the independent organisation that represents journalists across Russia. The union has been critical of the government's treatment of media and earlier this year faced an attempt by the authorities to evict them from their headquarters.

The IFJ Executive Committee, meeting in Brussels on 27 October, adopted a resolution condemning the action of the authorities and pledging to support the Russian Union.

The Russian Union of Journalists, which administers the House of Journalists, says that complaints about violations of fire regulations a year ago had been largely dealt with and any remaining difficulties were no greater than the conditions found in the majority of other buildings and institutions operating in Moscow.

"It is beyond credibility that at this moment, for the first time in its 87-year history, the House should be closed on the basis of violations of fire regulations," said White. "This is a warning to journalists and to the Russian Union in particular to toe the line in the run-up to elections both for parliament and for President early next year."

## FoI climbdown

From page 1

The Government was proposing two major changes to the FOI fees regulations, which would have made it easier for public authorities to refuse requests on costs grounds and severely restricted the amount of information that could be obtained under the Act.

First, authorities would have been able to include the time they spend thinking about a request, consulting others about it and deciding whether the information should be released as well as the costs of searching for and extracting the requested information.

A second proposal could have allowed the costs of unrelated requests made by the same individual or organisation to be aggregated and refused if their combined cost

exceeded the limit.

The Government's response to the 'Draft Freedom of Information and Data Protection (Appropriate Limit and Fees) Regulations' consultation paper is available from [www.justice.gov.uk/docs/cp2806-response.pdf](http://www.justice.gov.uk/docs/cp2806-response.pdf)

The consultation on extending the scope of the act is available from [www.justice.gov.uk/publications/cp2707.htm](http://www.justice.gov.uk/publications/cp2707.htm)

## Lords hear case for journalism

NUJ general secretary Jeremy Dear, *Journalist* editor Tim Gopsill and CPBF co-chair Julian Petley made a strong case for journalism at the Lords' communications select committee hearing into media ownership and news on 24 October.

In their evidence the union exposed the extent and impact of job cuts across the industry citing examples from the *Coventry Telegraph* to the Newsquest titles in Glasgow to ITV and the BBC.

The NUJ reinforced the Stand Up for Journalism campaign message – that staff and budget cuts are damaging quality journalism – with a series of examples from all sectors of the media and argued for greater curbs on media companies profiteering, for greater protection for journalists and editors against proprietorial interference and against further relaxation of ownership rules.

The CPBF warned against any relaxation of the current impartiality rules in broadcasting (as suggested in the Ofcom document *New News, Future News*),

warning that the abolition of the "fairness doctrine" in the US led not a plethora of diverse channels but a narrowing of the range of views on offer in a radio market dominated by shock jocks and a television system polluted by the values of Fox News. This was not an example for the UK to follow, he warned.

Jeremy Dear said: "I think the Committee members were shocked to learn the extent of the cost-cutting that has gone on and its impact in newsrooms and editorial departments across the industry. We hope they will speak out strongly in defence of quality journalism and proper investment in journalism".

Julian Petley said: "British broadcast journalism is still highly respected both at home and abroad, whilst levels of belief and trust in newspaper journalism are by far the lowest in Europe. Our clear message was that anything which threatens to make British broadcasting more like the British press needs to be resisted wholeheartedly."

## Farewell to Geoff

By Barry White

Geoff Mason, who has been the CPBF treasurer for the past decade, has resigned from his post after relocating to the Isle of Wight.

Geoff has seen the campaign through a difficult ten years, with many urgent appeals to supporters for cash so we could survive and continue campaigning for a democratic and accountable media.

During this time, Geoff also worked in the communications department of UNISON and his move followed him taking up a new position on the Isle of Wight. We wish him well in his new career.

Mick Gosling was elected as the CPBF's new treasurer at the September national council meeting. Mick worked in the CPBF national office when it was located in central London some 15 years ago.

## Free Press is edited by Julie-ann Davies on behalf of the National Council

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