

## PRIVACY vs PRESS FREEDOM

ON 9 NOVEMBER the Human Rights Act received Royal assent. The new act incorporates the European Convention on Human Rights, but it will not be implemented for 18 months, in order to allow judges and magistrates to undergo a £5 million training programme. This time will also be necessary for public bodies to review their rules and practice to comply with the Convention.

But from the perspective of the CPBF there are two rights in the convention which come in to conflict.

Article 8 asserts everyone has the right to privacy with regard to private and family life, the home and correspondence, whilst article 10 asserts the right to freedom of expression. Of course, neither right is absolute, and safeguards and restrictions are placed on them to safeguard other rights.

But it was precisely this conflict that led the PCC chair, Lord Wakeham, to lobby the government over its concern that article 8 might limit press freedom.

The result? A clause was inserted in the Human Rights Bill which directs the court to pay particular attention to freedom of expression, the extent to which it is in the public interest for material to be published, and any relevant privacy code.

Which neatly brings us to the 'outing' by the News of the World of Agriculture Minister, Nick Brown, and the scurrilous

front pages in the Sun about a 'gay mafia' and 'OUTED' referring to Gordon Brown and Peter Mandelson 'who had sensationally come out of the closet' over the Euro.

Now according to the PCC's Lord Wakeham intrusion into the life of Nick Brown could only be justified on the grounds of public interest – which includes detecting or exposing crime or serious misdemeanour, protecting public health or preventing the public from being misled.

However because Nick Brown chose not to complain to the PCC it could not conduct an investigation.

What might happen to such a case once the European Convention becomes law?

According to media law expert, Professor Eric Barendt, 'there is no justification for the press to "out" a minister. Privacy is not an absolute right, but there is no strong free press argument for exposing a minister's sexual orientation.' Which leads us to the conclusion that, whereas now section 3 in the PCC code dealing with privacy is breached whenever there's a tabloid sensational story, once the Human Rights Act is in force editors may rue the fact that they had the clause inserted to pay due regard to the privacy code.

It means that there will be a double pressure on them to adhere to both Section 8 of the Act and the PCC code as well.

### EDITORIAL

## A crucial year for us

AS WE went to press, the Queen's speech failed to mention any commitment to freedom of information legislation in the new session. Instead, we are being offered consultation on a probable watered down draft Bill next year.

As Maurice Frankel pointed out in FP106, 'Labour promised FOI in its manifestos in 1974, 1979, 1983, 1987, 1992 and 1997 – so why are we waiting?'

There's also the issue of press regulation. The Press Complaints Commission has demonstrated, again, how ineffectual its code is in relation to the tabloids over the 'outing' of gay ministers. But what could be put in its place? We're hoping that a sympathetic MP will be successful in the Private Member's Ballot. We would like to see the policy proposals revived in the Press Freedom and Responsibility Bill which Clive Soley MP promoted in 1992-93. We'll have to see what happens, but we won't be placing all our hopes on the random chance of the ballot.

Also this Parliamentary session will see the beginning of the policy debates shaping a future Broadcasting Act, and we intend to build support amongst MPs for ideas and policies which put people first, rather than powerful media interests.

### CPBF ON-LINE

Our new web site is up and running with a wide range of information on it:  
[www.cpbfdemon.co.uk](http://www.cpbfdemon.co.uk)

Our email address is [freepress@cpbf.demon.co.uk](mailto:freepress@cpbf.demon.co.uk)

We want to ensure we are linked to other web sites of mutual interest so let us know of any suggestions

# Hattersley calls for greater diversity by breaking up media concentration

LABOUR'S relations with the media barons came under close scrutiny at the CPBF's fringe meeting held at the Labour Party conference on 29 September. Speaking for the first time at a CPBF meeting, Lord Roy Hattersley, former deputy leader of the Labour Party said that despite priding itself in the quality of its press relations with the media in the three years running up to the general election and during the campaign itself, Labour misunderstood its relationship with the press in this country.

There were still people in the Downing Street press office who believed that Labour won the election because Murdoch and other sections of the press 'came to our aid.' In fact they only came to Labour's aid; "when they thought we were going to win the election." Referring to Murdoch's record in Britain and abroad, he exclaimed that his papers were always three or four months behind the opinion polls. "Murdoch finds a vested interest in being on the winning side and then telling the winning side that he is responsible for their victory." It was very important for Labour to realise that if by some chance they were to fall behind in the opinion polls, Murdoch and his papers would suddenly find some merit in the Tory party and its leader. He called on Labour to "make its own running and allow the newspapers sometimes to support us sometimes not" and to understand that Murdoch will go where the votes are, not vice versa.

In a wide ranging speech Roy attacked the lobby system as a 'cosy arrangement' and an easy way of getting stories without having to work. He called on journalists to defend press freedom by standing up to Alastair Campbell and not to take the easy way out. But he was in favour of Labour doing its best to get its message into newspapers, "but what we have to be sure of is that we decide what our policy is first and then present it in the best way to achieve the sort of coverage we need; rather than decide what coverage is first, and then make policy to suit exactly that."

Turning to the question of cross media ownership, Roy pointed out that "four years ago we were opposed to concentration of media ownership and wanted to extend the regulations to ensure that concentration ended and that there was some diversity." Now the concentration argument has been wholly forgotten and overlooked.



Roy Hattersley at the Labour Party fringe meeting

"Newspaper concentration needed to be tackled through legislation because divestment was essential if there is to be genuine democracy."

Opening the meeting, Bob Franklin writer and academic remarked that the death of Lord Rothermere had not triggered any noticeable changes in the Daily Mail. "We won't see front-page splashes supporting the valuable contribution of social workers, or offering uncritical support for the CPBF. The Mail's ideological and political address will still be to middle England." Bob went on to explain that it wasn't who owned newspapers that was important, but the "structural condition of monopoly ownership of newspapers which invests proprietors with their power." Labour believed that news management was crucial to staying in power. "In office government use media to bypass parliamentary debate, marginalise their back bench critics and talk directly over the heads of everyone." "For their part media owners use the power which ownership invests to play politics and win policy objectives."

Bob then outlined the major policy achievements since the election. No legislation to outlaw Murdoch's predatory pricing of The Times. No legislation to regulate the press. No effective regulation to prevent Sky's pole position in the digital television race.

He then turned to the government's attempt to transform the Government Information Service from a neutral civil

service body "into a partisan propaganda machine funded by the taxpayer." Their job was now simply in the words of Ed Balls to "sell, justify and package policy." Bob concluded: "Media moguls make media sensitive politicians vulnerable to their influence; there has been an unprecedented degree of collusion between government and media which has undermined journalists' freedom, with proprietors on one side imposing a certain kind of story to write and on the other Alastair Campbell armed with juicy carrots and career punishing sticks."

Broadcaster Joy Johnson pointed to Tony Blair's trip to the Hayman Islands before the last election to address a meeting of Murdoch's executives. The meeting was not only about wooing Murdoch, she said, "but about sending a message to the world and the City that New Labour was not interested in what had happened at Wapping; not interested in the concentration of the media in the hands of a few and not interested in a free press that has to be an unfettered press; or that Murdoch had led the charge for Margaret Thatcher and then transferred to John Major." It was Tony Blair that had said that "the triumph of News International at Wapping was the turning point for this country, a victory of common sense and good practice over greed and the abuse of power."

"Hayman Island told the world that Labour understood the new global multi-media age. The mass media should not be regulated, but left to the market."

The perception was that the government was so desperate to keep the Sun on board and this was influencing government policy over the Euro. Labour seemed to be planning their political strategy on the fact that Murdoch was 69 years old and that others were waiting in the wings. Joy concluded that "1997 could have been a glorious opportunity to stand up to Murdoch."

A wide-ranging discussion followed during which Carole Tongue MEP spoke about the attempts to get a media concentration directive issued by the Commission. Although it had been discussed once or twice, the idea had been replaced by the debate around convergence. Now there was a new danger to public service broadcasting with a proposed competition directive, which represented "a thin edge to a very dangerous wedge."

# The CPBF alternative

A joint Department of Trade and Industry / Department of Media Culture and Sport Green Paper was published in July. Its title, *Regulating Communications: approaching convergence in the Information Age* might suggest a publication only of interest to a narrow group of specialists, but the implications of the issues under discussion are far-reaching, and will impact on the range and quality of our media in the 21st century. Also, the media companies see it as another opportunity to assert their commercial interests by shaping the policy debate around their priorities.

The CPBF will be ensuring that alternative views are expressed forcibly, and that our policy concerns are publicised and campaigned for energetically in what is the opening round of policy making for a future Broadcasting Act.

National Council member Tom O'Malley has prepared the CPBF's response, *Putting People First*, and a summary is given below. The full document is available from the National Office (£2.00 inc P&P).

THE response starts from a criticism of the basic approach of the consultation document: "The issues are complex, affecting the political, cultural and social well-being of the population and should be made subject to a longer, more searching and more open process of public enquiry".

In place of a rushed consultation process, the government should 'signal its commitment to putting people at the heart of its policy making process' and initiate two year long public inquiries:

- a year-long public inquiry into the ownership, accountability and regulation of the press and electronic media, including a review of the 1996 Broadcasting Act
- a separate year-long inquiry into the future of public service broadcasting

The response is in sections: Policy context, Government approach and alternative perspectives, and Recommendations.

## CONTEXT

Broadcasting and telecommunications policies introduced under the Conservatives are accepted and this is demonstrated in the style the document is written in – 'the language and style of commerce'.

There is in the document a redefinition of communications policy as a branch of industrial policy which reflects the way key areas of broadcasting policy have migrated to the department of Trade and Industry.

- The government should reconsider the framework within which it views mass communications policy and prioritise questions of culture, democracy and social development in its policy formulation.

## ISSUES and ALTERNATIVES

The government presents technological change as the main force driving policy change, and as explanation and reason for further re-regulation in favour of the market. However, the CPBF response argues,

'by stressing technological determinism and by asserting the existence of an 'Information Age' the government promotes the view that people and governments respond to rather than initiate changes in mass communication policy'.

In terms of regulation the Green Paper argues it should be the minimum necessary to achieve clearly defined policy goals' but the CPBF argues that regulation in the past has been the key to providing high quality services and that in the future it has a role to ensure the public has access to a range of high quality programming.

On **ownership** 'the failure of the Green Paper to consider the economic and cultural dimension of media concentration is staggering. It complacently asserts that "Some concentration ... has been regarded as inevitable, and possibly desirable" but does not say who considers concentration desirable, and why; nor does it reflect upon the effects of concentration on the flow of information in society'.

- the government needs to justify its position on ownership. It should publish research which investigates the arguments for and against this position

In a key section on **public service broadcasting** the CPBF response argues that whilst the government document recognises its importance, it 'downgrades its future role with the development of communications' and mimics Conservative thinking by seeing the market as the key mechanism which should not be distorted by positive programming requirements. It concludes that by giving the commercial operators fewer obligations it lowers their costs and allows them to outbid public service broadcasters for programming resources.

- the government should review the 1996 Broadcasting Act with a view to extending public service broadcasting positive programming requirements to all major operators

'The question of who appoints regulators, how they operate and how citizens – not just consumers – can have a positive role in this process is barely discussed.' **Accountability** is the key issue and the CPBF argues for appointing regulatory bodies by democratic means; that all major media should be subject to democratic methods of regulation 'to promote freedom, independence, high quality and the rights of workers and users of those media'.

The Green Paper discusses **access** in narrow terms: access to the resources needed by communities, pressure and special interest groups to make and distribute programmes, websites and publications is not dealt with.

- Resources from a tax on subscriptions, sponsorship, pay-per-view, commercial on-line fees and advertising revenue should be and used to promote national and local forms of new and community based initiatives.

Finally the response identifies a major omission – the Multilateral Agreement on Investment (MAI) – which has encountered critical opposition in some quarters, notably France, Canada and European institutions.

- the government should make public its role in the MAI negotiations and spell out their consequences for media regulation

## BT and SKY WANT A DEAL

British Telecom wants the government to relax the regulatory framework so that it can tie up a big marketing deal with Rupert Murdoch's BSkyB. BT is keen to forge closer links with the satellite broadcaster as a way of fighting off competition from cable companies that offer cheap telephony bundled with pay-television services. BT wants to dominate mobile phone operations

BSkyB for its part would gain access to BT's customer base, helping it to break into households which do not presently subscribe to pay-TV. All of this would also enable British Interactive Broadcasting (jointly owned by BT, BSkyB, Matsushita and the Midland Bank) to expand.

This is just the sort of issue which goes to the heart of the Green Paper, *Regulating Communications*. From a purely commercial view these strategic alliances between giant media and telecom groups makes sense but what about issues of diversity and choice?

BT also wants to bid for a licence to operate the new generation of mobile devices which will combine voice, TV and multimedia services on handheld sets. Again this would enable BSkyB and BT to reap powerful commercial advantages.

This feature draws together a number of disturbing reports on coverage of environmental and scientific issues in the media. It's clear that these issues need to be debated and publicised much more widely, and the CPBF is planning an important conference of these issues early in 1999.

# Heavy mob moves in

TIM GOPSILL

THEY'VE dealt with the Russians, they've dealt with the IRA, and they think they've dealt with the unions, so they need a new enemy. The security apparatus of the British state has decided that the direct action protesters of the green and animal rights movement are the new enemy. Police forces, formally separate, have set up a national unit to co-ordinate response to the protests, and journalists covering the events are feeling the rough edge of the tough new policing. Photographers and videojournalists (VJs) are frequently arrested when the heavy mob go in, and though few are actually charged, three, on the magazine Green Anarchist, have been jailed. The approach of officers on the ground is to hold the journalists for a few hours and seize their film or tape, to prevent



images getting out. And the general air of intimidation is worrying photographers. The Green Anarchist three, convicted for conspiracy to incite to cause criminal damage, were acquitted on appeal. Their case was tied up with the extraordinary vendetta pursued by Hampshire Police against Robin Webb, the press officer of the Animal Liberation Front, who is currently on trial for the third time on the same evidence, after conspiracy charges against him have twice been thrown out. The NUJ says it has had about 15 cases over the last two years. Of its members, only one has been successfully prosecuted: photographer Nick Cobbing, who was arrested in the

Roddy Mansfield, videojournalist with the radical Undercurrents group, has been arrested six times while covering eco-protests, but never charged. Each time his film has been seized, and though returned later, it has lost its topicality. His first arrest, in July 1997 was during a protest at the Rank group HQ in London. Now, with the backing of the NUJ, he is suing the Metropolitan police.

trees at the Manchester Airport occupation in 1997; police had loudly told everyone in the trees they were guilty of obstruction. Others to come to court have been acquitted, including some charged with aggravated trespass under the Criminal Justice Act, or under the Harassment Act. The union is compiling a dossier to present to the police and Home Office. There is evidence of clear targeting of some individuals who regularly cover such events, particularly the VJs from the Oxford-based Undercurrents group. One of them, Roddy Mansfield, has been held no fewer than six times. He has made a campaigning video, Breaking the News, in which he presses the

point that on each occasion police refused to accept his official press credentials – the national card which is formally recognised by the Association of Chief Police Officers. This video has now been shown at the European Parliament, where MEP Patricia McKenna has tabled the following question: "Is the Council (of ministers) aware that the UK police are mistreating members of the NUJ ... by not recognising their Press Cards, arresting them for trespass or obstruction or even under the Harassment Act (intended for preventing stalking), assaulting them, holding them until the passage of their deadlines, preventing them from taking pictures, confiscating their photographs with court orders and erasing their video material, as well as restricting their public access during protests?" "Is the Council further aware that while written police guidelines do exist for relations with the Press, journalists have not been allowed to see them?" "Do such activities breach the Treaties, including Amsterdam, in particular the Justice and Home Affairs articles, for which the Council is largely responsible?" "With a view to being taken seriously outside the EU on such matters, will the Council instruct the Commission to ensure that journalists can operate freely within the EU?"

## REVOLVING DOORS 1

### Labour aide joins gene lobbyist

THE revolving door through which key ministerial aides move into the private sector is turning again. Cathy McGlynn spent six years as a special adviser to Jack Cunningham. She worked for him when he was shadow foreign affairs secretary, shadow trade and industry secretary, shadow national heritage secretary and Agriculture Secretary. Now McGlynn has signed a lucrative contract to work for Bell Pottinger Good Relations, the lobbying firm run by Sir Tim Bell. She will join Dave Hill, the Labour Party's former chief media spokesperson at the firm which advises Monsanto, the American biotechnology company pioneering and promoting genetically modified food. The firm also advises Rupert Murdoch's BSkyB in its take-over attempt of Manchester United. Jack Cunningham's former adviser takes up her post just as he is appointed to head a Cabinet committee monitoring the genetically modified food industry. During the cash for access scandal in the summer the Prime Minister signalled that he was in favour of a quarantine period preventing ministerial aides moving to lobbying companies. Whilst McGlynn hasn't worked for Cunningham for three months since his move to the new, and powerful, position as Cabinet 'enforcer' it would be naive to think that this will prevent her gaining easy access to him over issues affecting her new role.

## REVOLVING DOORS 2

### The case of the missing rats

THE controversial milk hormone, rBGH, was never properly tested before the America body, the FDA, allowed it on the market. A standard cancer test of a new human drug requires two years of testing with several hundred rats, but rBGH was tested for only 90 days on 30 rats. The study was then closed to examination by anyone outside the FDA, and never subjected to open scientific peer review. The FDA's pro-rBGH activity centres on the controversial role of Michael R. Taylor, the FDA's deputy commissioner for policy who wrote the FDA's labelling guidelines. These virtually prohibited dairy corporations from making any real distinction between products produced with and without rBGH. He was a former lawyer for the Monsanto corporation for seven years when he helped formulate policy on labelling rBGH dairy products.

**CPBF ACTION POINTS.** We are holding a public meeting, Lobbyists – are they a threat to democracy? on Monday 7 December, 7.30pm Friends Meeting House, Euston Road. Speakers include Greg Palast, the Observer journalist who exposed the cash for access stories in July.

# How Monsanto is massaging its message

GRANVILLE WILLIAMS

REMEMBER those ads which Monsanto took out earlier this year to promote an informed debate on genetically modified organisms (GMOs) and an image of the US-based bio-tech giant as a fair-minded, philanthropic organisation? 'Food biotechnology is a matter of opinion ... We believe you should hear all of them,' they proclaimed. The high-profile advertising campaign appeared in conjunction with a slew of PR activity designed, according to Alex Woolfall, the account director at Bell Pottinger Good Relations, to 'move the debate away from the polarised position on to a more reasoned, science-based argument.' Anne Foster, Monsanto's public and government affairs director, says 'It's a gradual process of allaying public fears and obtaining more public acceptance. Gradually people will gain confidence in a new science.' The proponents of GMOs have created an umbrella organisation, the Supply Chain Initiative for Modified Agricultural Crops (SCIMAC) whose members include the National Farmers' Union, the British Society of Plant Breeders and prominent bio-tech companies Monsanto,

Agrevo and Novartis. This all sounds fine, until we look at the practice of companies like Monsanto in dealing with organisations and dissident voices. The recent, and most puzzling, case was the decision of the printers of The Ecologist, Penwells of Saltash, Cornwall to pulp the entire 14,000 print-run of the September/October edition of the magazine. The edition contains a powerful, well-researched dossier on Monsanto's history and the products it promotes. The material demonstrates a gap between its caring image as a company which wants to link scientific research into GMOs to feed the starving and provide cheap food, and the reality which is to use its powers and financial clout to ensure global growth. The Ecologist case is puzzling because Monsanto say their hands are clean. Daniel Verakis, UK spokesperson for Monsanto said, 'The fact that the edition has been pulped is news to me. We had nothing to do with it.' Penwell's commercial director, Mike Ford, said there was an article in the issue 'that might have been libellous' but when asked how he found out about the article he said, 'I'm not saying.' He denied Monsanto had contacted them.

The entire run of The Ecologist was pulped by its printers

When the magazine was finally printed, WH Smith and John Menzies, Britain's leading newsagents, refused to stock it. So we have the hint of the use of Britain's libel laws, the most draconian, and expensive, to deploy, being used to silence an important voice in the debate on GMOs. Zac Goldsmith, co-editor of The Ecologist, believes that Monsanto contacted the printer before they decided to pulp it. 'I'm quite sure of it, but I have to take the printer's word for it. If they weren't contacted by Monsanto, then that is even more scary. This company, through reputation alone, has managed to bring about, as far as we are concerned, de facto censorship.' Monsanto's track record in the United States demonstrates that it is commercially attractive to ensure laws promote consumer ignorance about GMOs. When the company developed a growth hormone to increase milk yields in cows (rBGH) the company threatened to sue states that wished to label milk products free of rBGH. But one case shows how they can intimidate TV stations too. In the autumn of 1996, award winning reporters Steve Wilson and Jane Akye were hired by WTVT (part of News International's Fox TV network) in Tampa to produce a series on Monsanto's controversial

milk hormone in Florida milk. After more than a year's work, and three days before the series was due to go on air on February 24, 1997, Fox TV executives received the first of two letters from lawyers representing Monsanto saying the bio-tech company would suffer 'enormous damages' if the series went out. Even though the series had been extensively promoted, it was cancelled at the last moment. Another letter from Monsanto warned of 'dire consequences' for Fox if the series went out as it stood. According to documents filed in Florida's Circuit Court Fox lawyers then tried to water down the series, offering to pay the two reporters if they would leave the station and keep mum about what Fox had done to their work. The reporters refused Fox's offer, and on April 2, 1998, filed their own lawsuit against WTVT. The Wilson/Akye lawsuit charges that WTVT violated its licence from the federal Communications Commission (FCC) by demanding that reporters include known falsehoods in their programmes. The reporters also charge that WTVT violated Florida's 'whistle blower' law. Many of the legal documents in the lawsuit – including Monsanto's threatening

letters, are on the world wide web at <http://www.foxbghsuit.com>. The site also contains details of the original script, and the script as it was re-written by Fox attorneys so that it was sanitised with all references to cancer removed. This is a case which raises important issues of corporate collusion – why didn't Fox back the investigative journalists instead of buckling under the threats from Monsanto? Steve Wilson has won four Emmy awards during 26 years as a journalist and his wife, Jane Akye a prestigious Associated Press award for investigative reporting in a 20 year career as a reporter and news anchor. Also, the courage of the two journalists in refusing to be part of the collusion is commendable, but it does raise the other disturbing question – was this a one-off, or part of a much more pervasive assault by powerful corporations on news and current affairs programmes which only came to light because of the principled stand by the couple? You can support The Ecologist by purchasing a copy of the issue (£4.00 inc P&P) with the Monsanto Files by phoning 0171 351 3578.

Fox was warned of the 'dire consequences' if it went ahead

## CHRIS SMITH ANNOUNCES BBC FUNDING REVIEW

WHEN the BBC Charter was renewed in 1996 a condition was that there should be a review in 2001 of the licence fee as the main source of funding for the organisation.

Culture Secretary Chris Smith announced in October the terms of the review which would be carried out in 1999.

Making the announcement at the Royal Television Society Autumn Symposium he outlined his vision for the BBC which would maintain 'its traditional ethos, principles, and purpose in the digital era' and 'capable of adapting, surviving and prospering in the fragmented modern market.'

He identified five key principles:

- the BBC should act as a benchmark for quality, driving up standards across the board
- it should provide something for everybody, making the good popular and the popular good
- it should inform, educate and entertain, expanding people's horizons with new and innovative programming
- it should operate efficiently and effectively and provide value for money for licence fee payers
- it should stimulate, support and reflect the diversity of cultural activity in the United Kingdom, acting as a cultural voice for the nation.

The review would 'start from the position that the licence fee is sustainable at least until Charter review,' he said, 'But the review will look at ways, within the existing framework, of supplementing licence fee revenue to ensure that the BBC continues to enhance its public service broadcasting remit.'

## SPY TV

WE RECEIVED an interesting little booklet on one aspect of digital television we rarely think about.

The booklet with the punny title, *Spy TV*, is produced jointly by White Dot, the group which organises TV Turnoff Week, and Privacy International, a working group of privacy experts who are concerned about dangerous technology and unwarranted surveillance.

The booklet provides disturbing details of digital tv applications which are being developed and will have the potential to observe and react with the viewer, to test behaviour and report back.

British Interactive Broadcasting (BIB) has recently been renamed Open – a nice, friendly nuanced rebranding – but the interactive TV service jointly owned by BSKyB, BT, Midland Bank and Matsushita has

## MEDIA MONITOR

ambitious plans which are anything but open.

Digital technology has the ability to record the things you and your family do whilst you use the service.

'You can build a huge database about your subscribers,' says Nick Bryant, of BIB. 'You're talking a couple of Cray supercomputers just to deal with the amount of information that comes back.'

Digital tv will be a huge extension of centralised power into your home, the pamphlet argues, because the profile that is built up of the hours people spend using digital tv can then be sold on to advertisers for big money.

Spy tv also demolishes the notion that the fast pace of technological change means television is becoming a democratic free-for-all, beyond anyone's control. 'Television is not the Internet.

A handful of huge corporations own the entire industry, and they will only take from the Internet the ideas they can use to keep people inside, watching.'

The pamphlet's purpose is to raise awareness of the intrusive powers of digital television, and the need to protect viewer privacy.

Seems like a good initiative, and worth supporting. You can contact the two organisations at:

- White Dot, PO Box 2116, Hove, East Sussex BN3 3LR
- [www.whitedot.org](http://www.whitedot.org) or email: [info@whitedot.org](mailto:info@whitedot.org)
- Privacy International c/o The Computer Security Research Centre, London School Economics, London WC2A 2AE
- [www.privacy.org/pi](http://www.privacy.org/pi)

## TUVALU SELLS ITS INTERNET.TV ADDRESSES

POLYNESIAN microstate Tuvalu has signed Internet deal with Toronto computer marketing company Information.ca Corporation involving World Wide Web addresses using nation's unique two letter suffix: .tv.

Tuvalu's government believes the suffix will be worth millions of dollars to television companies and says deal will bring country annual revenue of \$60m-100m. Tuvalu (formerly the Ellice Islands), Pacific nation of nine atolls covering 27 square kilometres, has 9,000 inhabitants with subsistence lifestyle; \$60m would represent \$6,666 a year for each islander, \$100m would represent \$11,000.'

# The march of monoculture

## Barry White highlights the potential impact of an important trade agreement on media policy

THE national press hardly mentions it. It rarely pops up on TV. It's not the subject of heated discussions in the Plough and Firkin. Why is it that apart from a few well-crafted articles by George Monbiot in *The Guardian*, we've hardly heard of the Multilateral Agreement on Investment? Is it, as one contributor at the CPBF's fringe meeting at the Labour Party Conference said, that as there was little public interest, the subject therefore received little media attention? And if the discussion has been muted on the general principles of the proposed agreement, it's been almost non-existent on how it would affect media policy.

Negotiations on the Multilateral Agreement on Investment (MAI) were started three years ago by the OECD. When the details began to leak out (the negotiations have been carried out in secret) opposition started to develop. The agreement should have been signed in April, but as opposition mounted, it looked less secure. Now there is no date for finalising negotiations and they could stall. However, powerful forces are behind the proposal and, unless a substantial campaign at the grassroots develops, they could get away with it.

The main players are economic institutions and big business representing the richest 29 countries in the world. Countries in the developing world were, of course, absent from the negotiations. The MAI aims to provide standard rules for international investment. But as London East MEP Carole Tongue points out in her pamphlet, *Culture or Monoculture*, it goes much further, specifying that all investors should be treated the same, regardless of their national origin, the type of industry they are investing in, or the aims of that investment. So when it comes to the audio-visual sector, culture is treated like cars, carrots and coffee machines – as just another commodity. And whilst there is the usual rhetoric about free and flexible markets, the clear advantages the United States has in the audio-visual sector is not mentioned.

Carole goes on to explain that the 'national treatment' and 'most favoured



nation' principles of the MAI state that foreign investors must be treated the same as national investors. Governments will not be able to impose different investment conditions on investors dependent on their country of origin. The effects would be devastating if applied to the audio-visual sector. France, for example, would no longer be able to implement its very successful policies to promote French film, unless it opened its funds to anyone who asked. Similarly in the UK, major Hollywood studios would be eligible for the National Lottery film fund. At European level, systems of aid for the audio-visual industry would also be disallowed unless they too were opened up to all-comers. So instead of helping support European media, helping it compete with the US and therefore enhance cultural diversity, we would drift towards monoculture.

The battlelines are now being drawn with the European Institutions mounting a staunch defence of European audio-visual policy against the MAI threat. The Commission has argued for an exception for the audio-visual sector, and for the exclusion of intellectual property from the agreement (reservations about the proposed EU directive on this were raised by Gary Herman in *Free Press* 106). The Commission is also supported by the European Parliament and is the first Parliament within the OECD to prepare a critical report on the proposed agreement.

The Culture Committee of the Parliament states its position unequivocally: "Nothing should endanger the freedom of the European Union to promote and support cultural and linguistic diversity."

Whatever the outcome of the MAI negotiations and whether they survive the present onslaught of criticism, there is no doubt that the argument it promotes will continue. As Carole Tongue points out, the implications for European culture are clear: "No European politician should be prepared to accept world trade rules in any sector of the market that so favour one commercial model over others.... Culture is different. In the EU we have recognised that it is not always capable of surviving the harshest excesses of the market. In addition to this, we have to ask if any culture can survive if its dominant investor imposes demands that are not compatible with that culture."

*Culture or Monoculture?* The European audio-visual challenge by Carole Tongue Parliamentary Group of the Party of European Socialists is published by the Office of Carole Tongue, Suite 214 Coventry House, Coventry Street, Ilford Essex IG1 4QR, UK. Tel: 0181 554 3236.

You can visit Carole's website at <http://www.poptel.org.uk/carole-tongue/>

To support the network of anti-MAI campaigners contact Chris Keene, 90 Parkway, Canvey Island, Essex SS8 0AF. Tel: 01268 682820. Email [chris.keene@which.net](mailto:chris.keene@which.net)

# Tory telly

*Television Under the Tories: Broadcasting Policy 1979-1997*

Peter Goodwin  
BFI £13.99

GRADUALLY we're beginning to get a clearer sense of the transformations which have reshaped broadcasting in the United Kingdom under successive Conservative governments.

For those of us who lived through the broad sweep of some of these radical policy changes, a sense of scale about their impact is important. A number of books have helped us to understand aspects of this process – Tom O'Malley's *Closedown*, Steven Barnett and Andrew Curry's *The Battle for the BBC*, and more recently the fifth volume of the *History of Independent Television*, which covers the period up to the allocation of the new ITV franchises after the 1990 Broadcasting Act.

Peter Goodwin's book is an important addition to the research on the eighteen years of Conservative broadcasting policy. He returns to the original policy documents and debates, and his rigorous analysis and questioning elicit fresh insights from what seemed to be settled areas and debates. I particularly enjoyed the introductory chapters and the discussions around the establishment of Channel 4, and William Whitelaw's role in it as an 'unreconstructed supporter of the duopoly'.

That early era was, in a sense, the calm before the storm. Two chapters deal with the emerging new technologies of cable and satellite, and the major changes following the 1986 Peacock Report and the 'great reform', as he calls it, leading to the 1990 Broadcasting Act.

There isn't space to highlight and comment all of the positive aspects of the book – there are many – but the final chapter, *The Balance Sheet* is where people might want to debate more fully Peter Goodwin's relatively optimistic conclusions on the survival and adaptability of broadcasting structures and regulatory powers, in spite of Conservative enthusiasm for market liberalism and the market ethos.

Overall though this is a book packed with information and analysis into a key period in broadcasting.

It will also undoubtedly help us to gain a sense of perspective, and see whether there are continuities between the ideas and assumptions of Conservative broadcasting policy, and those laid down under the Labour government as broadcasting policy takes shape.

## PUBLIC INQUIRIES DEMANDED

Members received with the last Free Press mail-out the briefing sheet on the areas of work the CPBF wants to move forward on over the next 18 months. For information we publish the News Release and the Open Letter which we recently sent out, which we hope members can build support for.

Culture Secretary, Chris Smith, announced at the Royal Television Society (14 October) that a review of the future of the BBC licence fee will be carried out in 1999. This initiative, and the joint DTI/Media and Culture Green Paper, Regulating Communications, both address important issues about the future of the broadcast media in this country.

These are only two aspects of what are a number of interconnected issues on media policy which need to be addressed on the role and function of the media in the 21st century. Issues of media ownership and promoting media diversity also need to be considered, for example. The CPBF is concerned that media policy may be developing in a piecemeal fashion.

That's why we believe that there is an opportunity for the Culture Secretary to launch two much more wide-ranging reviews into the future of public service broadcasting and the regulation of the media, including the press.

The increasing importance and pervasiveness of the media in our society surely requires that a broader consideration of these issues is needed, and public inquiries would encourage wider public involvement and debate.



## Open letter to the Secretary of State, Media, Culture & Sport

We are writing in support of the CPBF's view that you should initiate two independent, year-long enquiries into the future of broadcasting and the regulation of the media, including the press.

Major changes have occurred in the media industries since 1979. These changes have occurred with only the minimal amount of public debate and independent scrutiny. We consider that mass communication policy should be formed in the context of a sustained, periodic process of public inquiry and consultation. This enables a wide cross-section of the community to put forward their views and to have them considered as part of the policy making process.

Whilst recognising the complexity of the issues and the fact that government does engage in information gathering exercises and invite views, we consider that a high-profile, independent inquiry would open up these important issues to a much fuller scrutiny and debate than has hitherto been the case.

Yours sincerely

John McDonnell MP

Alan Plater Author

Prof. James Curran Goldsmiths College

Tony Lennon President BECTU

Prof. Nicholas Garnham University of Westminster

John Pilger Journalist

John Foster General Secretary NUJ

Rodney Bickerstaffe General Secretary UNISON

We would ask all CPBF members to do all they can to win support for this initiative by sending letters to MPs, resolutions to union conferences, and promoting debate in political parties with a view to conference resolutions. We'd also be grateful for any feedback from you where you have been successful. If you need any further information to help you we'll be happy to provide it from the National Office.

## AFFILIATION FEE CHANGES

At the CPBF Annual General Meeting we agreed to revise the fees for membership of the CPBF with effect from January 1 1999. The last time we changed the rates was five years ago and since then our rent, printing and postage bills have all gone up remorselessly.

The new rates are:

<b>Individual</b>	£15
<b>Unwaged</b>	£6 (No change)
<b>Institutions</b>	

No change in fees, but copies of Free Press reduced from 10 to 5 per issue

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10,000-50,000	£115
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Over 100,000	£450

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Free Press is edited by Granville Williams for the National Council



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k) Over 100,000	£400

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