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RECKLESS REPORTING

NATIONAL newspapers like the Daily Mail and The Sun, and the influential London Evening Standard have run prominent stories attacking refugees. Daily Mail coverage of asylum seeker stories has, for example, resulted in seven complaints to the Press Complaints Commission in the past three months. And The Sun had a front-page story headlined 'Inn-Sane' to accompany a piece condemning a decision to allow 21 Romanian women and children to spend a night in a Gravesend hotel after they were discovered among a group of 103 people packed into a goods container.

The hotel was inundated with complaints from guests and the public after The Sun story – potent evidence of the power of the press to fuel the flames of hatred.

But if this was the disturbing national situation with some sections of the press, it was even worse with local newspapers on the south east coast of England. Take this leader column from the Dover Express, October 1, 1998, which left its readers in no doubt about the paper's views on refugees: 'We want to wash dross down the drain. We are left with the backdraft of a nation's human sewage and no cash to wash it down the drain.' Another recent editorial continued in the same vein: 'Illegal immigrants, asylum seekers, bootleggers and scum of the earth drug smugglers have targeted our beloved coastline'.

Such sentiments are regularly expressed in the Dover Express and its sister paper, the Folkestone Herald, and have even led Kent police to voice their concerns to the editor of the two titles, Nick Hudson, that such coverage incites racial hatred. Hudson defends the press coverage of refugees seeking asylum: 'I do not believe press

coverage is inciting racial hatred and it is an issue people feel very strongly about. Many are not prepared to stick their necks out and deal with the issue. The exceptions are probably the Daily Mail and The Sun.'

Such media coverage has also generated concern from human rights organisations.

Anne Thomas of the Refugee Council says, 'The type of skewed

coverage we have seen provokes letters, particularly in the regional press, saying they are over here to take our jobs and we should kick them out.' Press coverage has also spurred the Commission for Racial Equality to distribute to every newspaper, from national to free, a guide on how to report on travellers,

gypsies and East European asylum seekers. The A4 'good practice' leaflet was compiled by the CRE in response to complaints from the public

about how these groups are treated, particularly in local newspapers.

The PCC in its role of press regulator has been less than effective in dealing with race reporting complaints. Without a clear lead from such a body, journalists need to be aware of the NUJ guidelines on reporting race and to recognise the damage which skewed, sensational, or alarmist reporting can do to race relations. But there also needs to be a much broader debate and campaign to build awareness of the consequences of sensational race reporting, and to put effective remedies in place for those who are affected by it. The CPBF will play its part to achieve this.



A Brighton Argus feature that drew accusations of racist reporting



EDITORIAL Is bigger better?

THE Economist (12.12.98) presented a gloomy picture of Britain's media future and suggested some dramatic solutions. It argued that increasingly the entertainment business is run by global giants like Time-Warner, Disney and Viacom, whilst Britain's media groups are puny by comparison. The result is that whilst imports of TV programmes have risen rapidly, British TV exports have stagnated because the giant global groups make the programmes people want to watch and the UK groups don't.

The reason for this state of affairs, the magazine argues, is that 'Britain is still stuck with a regulatory structure designed for a bygone age' which imposes its ideas of 'quality' on programme makers and leads to the production of non-commercial television. This advice is clearly aimed at the two government departments – the DTI and Media – which now have to make sense of the responses they received from the consultation on the Green Paper, Regulating Communications.

The solution advanced is that the government needs to make room for British media companies to grow: 'ITV should be unbound and the BBC should be forced to shrink.'

These arguments are familiar; they were exactly the same ones which were used to justify changes in cross-media ownership in the 1996 Broadcasting Act. In reality the ITV companies have become bigger – United News and Media, Carlton and Granada have taken over other franchises – and begun to operate more commercially. So why haven't they been able to export more if it's all just a question of size?

Maybe the answer is far more simple. UK television has been through the twin shocks of the Birtist revolution at the BBC and the dismantling of the ITV structures after the 1990 Broadcasting Act. Programme making and creativity have been downgraded in the chase for ratings, cheap TV and the bottom line. Or, as one letter pointed out in response to The Economist piece, 'accountants and creatively brain-dead marketing men now run both ITV and the BBC'. Changing the rules on media ownership and shrinking the BBC will only exacerbate the problem.

Another country

THE election to decide who will take their seats in the Scottish Parliament is now only months away. This milestone in the relations between Scotland and the rest of the United Kingdom has also precipitated a number of other crucial policy debates.

One of these is to do with the way the media reports Scotland now, and how that will change after May 1999. A timely conference, Broadcasting in Scotland: a changing agenda, organised by the Voice of the Listener and Viewer last November gave a striking insight into the depth of feeling this topic is generating north of the border.

The conference took place just over a week after the Independent Television Commission had decided, in spite of the strong current of political and public opinion, to move News at Ten from its prime-time slot. But in Scotland, as Sarah Thane, director of programmes at the ITC pointed out to the House of Commons Media Select Committee hearing on the News at Ten decision, in Scotland the burning issue was the Scottish Six. MPs on the Select Committee seemed unaware of what she meant.

And this vividly underlined the point made at the conference by media academic, Philip Schlesinger, that there was a 'communications gap' with devolution reporting much sparser south of the border and as a result people had 'no idea of what's going on in Scotland'. This state of affairs will change, however, as the media debate intensifies, spilling over into the English media, and also connecting with similar debates about broadcasting in Wales and Northern Ireland. At present, though, broadcasting is one of the reserved powers which stays firmly in the hands of the government and there is political opposition at the highest level to devolve this to the Scottish Parliament.

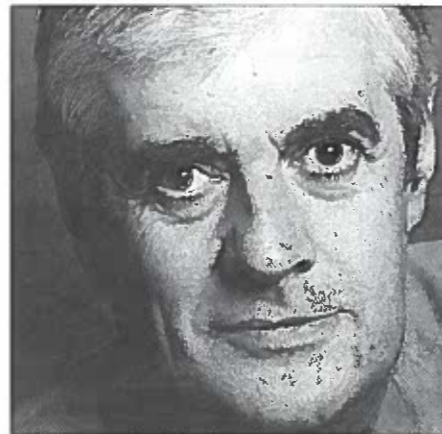
There are three main areas of concern which are emerging.

- The first is to do with the BBC, and its strongly centralised London-based news reporting which has been a long-standing source of resentment. For example, Scots complain that the nightly Six o'clock News is full of distortion because there is no attempt to distinguish English from Scottish political news. Education in Scotland is not the responsibility of David Blunkett, and the Arts Council's remit does not extend to Scotland, for example. And on the evening of the North-East Scotland Euro by-election result last November the Nine o'clock News had the item low down the running order,

and managed to report the fact that Labour was beaten into third place behind the Tories, without mentioning that the SNP won decisively.

When the BBC Board of Governors issued a statement after its 19 November meeting that it was 'minded to support' a London-based six o'clock bulletin rather than an opted-out Scottish version, it was denounced in Scottish papers as London-based arrogance, and a cartoon in Scotland on Sunday showed director-general Sir John Birt as a puppeteer pulling the strings of BBC Scotland controller John McCormick and the presenter Sally Magnusson.

Professor Lindsay Anderson resigned from the BBC's broadcasting council in Scotland in protest, and journalists at BBC



BBC Scotland controller John McCormick: Puppet on a string?

Scotland put forward their case in a letter which argued for a 'Scottish Six' which would have European, UK and Scottish news stories drawn from the BBC's network of correspondents 'but the running order and the style would reflect the priorities of its audience'. They pointed out that the radio precedent was well established – Good Morning Scotland, broadcast at the same time as Today, used material from the latter when appropriate.

- The second area is to do with the role of the dominant Scottish Media Group, owners of The Herald, and the Grampian and Scottish ITV franchises. The ITV franchises are required, under the terms of the 1990 Broadcasting Act, to carry national and international news from ITN and any variation of this would require primary legislation at Westminster, the ITC Scottish representative believes. Scott Ferguson, Controller, Scottish Television, when asked

whether SMG might launch their own operation now that the BBC has not, said 'It is the viewers who matter most... We'll find out what they want so that when we do make a decision on this matter it will be an informed decision based on giving the customers what they want, not what political or media hype suggest.'

However one change will be put into effect once ITN move to a 6.30pm bulletin – Scotland Today will move to 6.00pm, to be followed by the ITN news at 6.30. But in post-devolution Scotland will ITN be able to adequately reflect a changing political reality which satisfies Scottish viewers? And if ITN does put more political staff in Scotland, it will still have to be concerned about viewer reaction to Scottish Parliament debates elsewhere in the UK.

- The third point, and one which is basic to the concerns of the CPBF, is that the media should reflect the political realities, and the range and diversity of interests amongst different audiences. Clearly at one level, in terms of broadcasting regulation there is mismatch between the political structures of Scotland post-devolution, and those of the London-based BBC Board of Governors and the Independent Television Commission. Regulatory changes are surely needed to reflect political ones.

But also the pressures on broadcasters to report and explain changing political processes will not just be restricted to Scotland. News and current affairs reporting will also have to adjust in different parts of the UK and acquire a new vocabulary and awareness to explain and understand the political changes underway in Scotland. When the BBC governors decided against the Scottish Six, they did approve BBC News plans to improve regional coverage and extra investment. They included a BBC-wide training programme to ensure all staff know what makes Scotland, Wales and Northern Ireland 'different'. The important test will be to see how successful the broadcasters are in conveying that difference to listeners and viewers.

One thing is certain however. There are too many pressures building to see the BBC decision on a Scottish Six as fixed and final.

CPBF ACTION POINTS

A DECEMBER CPBF meeting in Edinburgh stressed the importance of establishing a CPBF group in Scotland. Initiatives agreed included organising a fringe meeting at the Scottish TUC this year.



Greg Palast at the CPBF meeting

Palast points to the open door

WHEN the Observer 'named and shamed' the New Labour lobbyists trading 'cash for access' to ministers it did not expect the party's spin-doctors to respond by trying to frame the journalist who broke the story. But it happened to Greg Palast last September and now he's blasting back.

His target is more than unscrupulous lobbyists – now most of the media are in his sights. 'The real story was of the corruption of the decision making process, but the media obscured it by going for a personality: Derek Draper,' he said.

Speaking at a CPBF public meeting – Lobbyists: Are They A Threat to Democracy? – Palast pointed out that Draper 'bailed out the Labour Parry by putting on bells and caps and playing the court jester. And with his big mouth he ate up the story.'

'What was covered up,' explained Palast, 'was this incredible and corrosive relationship between business and government while the Labour Party was out hunting business and saying our back doors are open to you to cut deals. All you had to do was 'hire the cronies and friends of insiders.'

The deal with Murdoch was simple says Palast, 'Basically if you can keep the tabloids cool and we can get some benign coverage you don't have to worry about nasty provisions in the competition bill and the unions bill will be to your liking.' Lobbyists waltzed Tesco's through Prescott's back door, the Transport White Paper was delayed, and proposals for a supermarket car park tax vanished from the final version. Prescott's own task force finds out in the press.

There is a role for legitimate lobbying. The problem is the back door and that Labour is opening it. It is the big boys who are let in while humbler campaigners are locked out. That is corrupt and corrosive of democracy. Report by Mick Gooling (Chair NUJ Press and PR Branch)

PCC – Page 7

Mandelson: His masters' voice

JOHN BOOTH

ASTHE froth slowly subsides on the Peter Mandelson affair, it's a good time to stand back and reflect on the wider influence of the man largely credited with the creation of New Labour.

Riddles about who leaked details of the Geoffrey Robinson loan to Mandy biographer Paul Routledge, and then who leaked the author's text to the papers may be diverting, but bigger issues lie beneath the surface agitation of the Westminster lobby – ones about journalism and democracy that are at the heart of the concerns of the Campaign for Press and Broadcasting Freedom.

As the journalist headhunted to be deputy to the newly-appointed Labour director of campaigns and communications in 1985 and then sacked by him the following year, I've followed Mandelson's fortunes with some interest. Throughout I've been impressed by his hard work, determination and single-mindedness, abilities which will doubtless take him far in whatever field he now chooses following his removal from the Cabinet.

But alongside that recognition of his conscientiousness I have also remembered the phrase he used when he was trying to sack me back in the summer of 1986: 'If we have to terminate your contract I will make any fabrication of the truth and stick by it faithfully'. Biographer Paul Routledge reminds us that these inventive powers achieved a more public echo a decade later when Mandelson said, in response to Conservative criticism, 'if he was accused of 'trying to create the truth' he would plead guilty'.

The fact that it took his vaulting desire to own a champagne home on brown ale money to bring Mandelson's capacity for truth creation to a wider audience tells us a lot about the reporting of public life in this country. For while the smearing of political opponents – mostly Labour ones – had been his stock in trade for years, until the events of Christmas 1998 and the publication of Routledge's unauthorised biography, it was an activity largely unknown to the British public.

In Goodbye to All That, Bryan Gould's valedictory volume, the former Labour MP tells us of how his suspicions of Mandelson, then a party employee, were confirmed when a Financial Times reporter quietly inquired why Peter Mandelson was "out to get" him. Gould concluded that Mandelson's "playing of favourites ...

probably did more to undermine Shadow Cabinet unity and to distract major players from the job in hand than any other factor".

But in all the publicity that followed the publication of Gould's book and the many oblique references to the "Prince of Darkness" by his many victims, few journalists ever spelled out the mechanics of what was going on. Routledge was one who did, as was David Hencke of The Guardian, one of the Lobby who consistently got up Mandelson's nose and who was had a deserved key role in the final loan story. Veteran BBC reporter Nicholas Jones also deserves great credit, not just for his year-in-year-out professionalism but for his writing on the spin-doctoring trade which made known to those who read political books more of what Mandelson's work was about.

But for the most part, the Lobby remained tame and compliant for years in helping change not only the policies but the very nature of the Labour party.

From being an organisation which had its own weekly newspaper and active membership participation in policy-making – policies that challenged the power of the City, the influence of the United States, the secrecy of the state, the concentration of media ownership and the growing divide between rich and poor – Labour became a heavy-handed top-down, pre-Keynesian chorus for a highly orthodox and conservative leadership.

Along the way some important improvements were made in the way the party presented itself – changes I and other sacked press people such as John Underwood and Joy Johnson were sadly not allowed to participate in – but at a very heavy price, one that included a loss of direction and, increasingly, the commitment of members.

Not all of this should be blamed on Mandelson, of course. For apart from the brief spell when John Smith kept him out of things, none of what he and his acolytes in the party and journalism did could have happened without the support and approval of Neil Kinnock and Tony Blair.

But without Mandelson, our public life would not have plunged to such cynical depths. In his absence, a happier prospect of more radical politics and more honest journalism might begin to slip into view. John Booth, a journalist who has worked for The Observer, The Guardian and The Washington Post, was a former head of external relations for the National Union of Teachers. He was Labour's chief press officer in 1986.

SLAPPs and chills

Julian Petley on pressures on broadcasters in 1998

SLAPPS stands for Strategic Lawsuits against Public Participation. The term was coined by two American academics who noticed that corporate interests were increasingly threatening environmental campaigners with lawsuits for defamation, conspiracy, invasion of privacy, interference with business, and so on. These cases never came to court, nor were they intended to. SLAPPs are a form of strategic legal intimidation or gamesmanship, designed to frighten and harass critics and to discourage potential ones from voicing their views in the first place.

Those covering environmental protests are increasingly feeling the heavy hand of the law. So serious is the situation that MEP Patricia McKenna has tabled a question at the European Parliament in which she accuses the police of 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.'

This year a charge of obstruction against a student cameraman covering the Manchester Airport protest for Channel 5's What's the Story? came to light in January when it was dropped after the CPS offered no evidence. But in August Ben Edwards of Eye Contact, a Bristol video news agency, was arrested while filming a demonstration at a genetically modified maize site in Devon. While he was under arrest his house was searched by Bristol police, who removed computer discs, documents and tapes. He was released on bail without charge, but his equipment remained confiscated in what can only be construed as a crude attempt to put him out of business. Roddy Mansfield, a video journalist with the Undercurrents group, has been arrested six times and, with the aid of the NUJ, is now suing the Metropolitan Police. No wonder we see so little coverage of environmental protests on television!

A classic SLAPPs story emerged in June, when Franny Armstrong revealed that both Channel 4 and the BBC were unwilling to show her remarkable *McLibel: Two Worlds Collide* for fear of – yes, you guessed – libel

(see FP 106 for full story).

In March an actual libel case came, albeit briefly, to court, with Marks and Spencer versus Granada over the 1996 World in Action programme *St Michael: Has the Halo Slipped?* which revealed that one of their Moroccan suppliers exploited child labour and labelled garments 'Made in England'. Marks and Spencers insisted that the programme implied that it knew of these abuses; Granada denied this and argued that the programme demonstrated merely that the company had failed to monitor its supplies properly. On the first day of hat was expected to be a long and complex trial, Mr Justice Popplewell simply asked the jury why they thought 'Mr Average Viewer' would have taken the programme to mean what Marks claimed it meant. After a short

Just how sensitive big business has become to scrutiny was revealed when ten of the country's biggest companies met to discuss a campaign against the BBC's Watchdog

deliberation the jury supported Marks' interpretation, and Granada, not permitted to present any evidence at all in its defence, was forced to concede and to pay £700,000 in costs and damages. This 'sudden death' procedure may cut legal costs by avoiding lengthy libel trials, but such a crudely 'commonness' approach is hardly best suited to settling highly complex matters of fact and interpretation.

Britain's libel laws which, unlike those of many other countries, place the onus on the defendant to prove truth or show fair comment, thus putting the defendant at a considerable disadvantage vis a vis the plaintiff, already exert what has been called a considerable 'chilling effect' on investigative journalism, and this judgement threatens to lower the temperature to freezing point.

Corporate players in this game also exploit the various broadcasting complaints systems. In February, the BBC Programme Complaints Bulletin revealed that a number of complaints from Sir Richard Evens, Chief Executive of British Aerospace, about a June 1997 *Newsnight* report on the Eurofighter,

had been upheld. It's worth noting that, in December 1997, British Aerospace refused to cooperate with, and then threatened to sue, a *Panorama* on the same subject.

Just how sensitive big business has become to journalistic scrutiny was revealed in August when the chairmen of ten of the country's biggest companies, including apparently Ford, the AA, Airtours, BT, DSG Retail (owners of Dixons and PC World), Hotpoint and Procter and Gamble, met to discuss a plan of campaign against the BBC's *Watchdog*. (One says 'apparently' since the *Watchdog* Ten are peculiarly coy about their composition and activities.) Since developing its journalistic teeth the programme has not shirked from taking on the big High Street names, including the above, and the response has been a barrage of complaints, 12 of which have been upheld by the Programme Complaints Unit over the past four years.

It's also worth noting that this year the Broadcasting Standards Commission has entertained (and upheld or partly upheld) complaints about *watchdog* from Ford, Dixons and Airtours.

Nobody, of course, can or should defend stories that don't stand up. However, whether or not the above examples constitute proper use of the complaints system, especially if complaints are accompanied by threats of legal action, is certainly open to question. Furthermore, in this country, ever since the crucial 1993 action between Derbyshire County Council and *Times* Newspapers, it has been the case that a public authority cannot bring a libel action, because that would inhibit freedom of political speech.

However, as the power of public authorities, including governments, daily drains away and those of big business increase in direct proportion, there is an argument that what constitutes 'political speech' needs to be widened. After all, it could convincingly be argued that the major political forces in the world today are no longer national governments but transnational corporations. In such a situation, and especially given companies' increasing willingness to resort to SLAPPs and other chilling tactics, is it not time that their legal arsenal was depleted, and would not taking away their much-abused ability to exploit our oppressive and archaic libel laws be an excellent place to start? They do, after all, have just a few other means to defend themselves.

This is an edited version of an article appearing in the January/February issue of Index on Censorship

NEWSPAPER REPORTING OF SOCIAL WORK

Newspaper	Positive		Neutral		Negative	
	Reports in ccm	As a % of total	Reports in ccm	As a % of total	Reports in ccm	As a % of total
Daily Mail	34	2.2	406	26.6	1086	71.2
Sunday Mirror	19	32.8	31	53.5	8	13.7
Daily Telegraph	34	9.7	58	16.5	259	73.8
Guardian	97	14.4	354	52.7	221	32.9
Independent	44	14.5	107	35.3	152	50.2
Mail on Sunday	3	1.2	9	3.6	238	95.2
Mirror	12	5.1	75	32.1	147	62.8
Observer	10	6.8	50	33.8	88	59.5
Sun	7	4.5	32	20.5	117	75

Hard pressed

BOB FRANKLIN

SOCIAL work gets a bad press. Sensational and hostile reporting has become a fact of social workers' professional life since coverage of the death of Maria Colwell in 1973. A recent study, *Hard Pressed*, analyses reporting of social work in nine national newspapers (the *Daily Mail*, the *Daily Telegraph*, the *Guardian*, the *Independent*, the *Mail on Sunday*, the *Mirror*, the *Observer*, the *Sun* and the *Sunday Mirror*) between 1 July 1997 and 30 June 1998 and confirms the trend for reporting of social work to be overwhelmingly critical.

This negative coverage of social work is evident in all newspapers (tabloid or broadsheet), although the *Mail on Sunday*, the *Sun*, the *Daily Telegraph* and the *Daily Mail* are the most critical with three quarters of each newspaper's reports being 'adverse'. The *Mail on Sunday*, however, presents a very striking profile with 95% of its reporting of social work rated as 'adverse', only 3.6% 'factual' or neutral and a mere 1.2% rated as 'positive'. By contrast, only 33% of reports in the *Guardian* and 14% in the *Sunday Mirror* are 'adverse' (See table).

Journalists routinely use the same pejorative words and phrases to fix a now well known litany of sins in readers' minds. Here are the ten most frequently used phrases (from a list of 45) to describe social workers in press coverage. They account for 70% of all descriptions of social workers in newspaper reports: 'abusing trust' (16.8%); 'negative' (9.6%); 'incompetent' (7.2%); 'negligent' (6.3%); 'failed' (6.2%); 'ineffective' (5.5%); 'dismissed' (5.2%); 'suspended' (4.3%); 'misguided' (3.9%); 'wasteful' (3.8%). Only five descriptions among the 30 most frequently used words were positive and these were placed well down the rankings: "socially useful" (16%);

"caring" (21%); "effective" (23%); "effective use of funding" (24%) and "helpful" (27%)

Social workers are variously described as 'bunglers' (*Sun* 15 10 97) who 'fail to intervene' (*Observer* 10 8 97). They lack 'common sense values' (*Guardian* 23 12 97), but social workers also 'take your kids away' (*Sun* 19 1 98) and 'sexually abuse youngsters in their care' (*Mail* 5 2 97). They 'suffer from the pernicious doctrine of political correctness' (*Telegraph* 27 3 98). On occasion, parents have only been able to 'watch in horror and disbelief as their weeping children were dragged from their beds and taken away by "care" workers in frightening dawn raids' (*Mail on Sunday* 1 2 98); in short, social services 'have taken over' (*Sun* 25 2 98).

Any press strategy designed to deal with this very hostile press coverage confronts problems. Ultimately, newspapers are driven by the need to survive in an increasingly competitive market which triggers an editorial appetite for dramatic, if not sensational, 'bad news' and human interest stories: on both counts, social work offers journalists considerable potential for 'good copy'.

There are other problems. Certain newspapers are ideologically hostile to social work and opposed to the emphasis which social services places on collective solutions to social problems, with funding from the public purse. "Middle England" is less a geographical locus than a set of political and cultural values, but the *Daily Mail* seems convinced that the great majority of its readers reside there. *Hard Pressed*, National Newspaper Reporting of Social Work and Social Services, which is available at £5.50p from Community Care, Quadrant House, The Quadrant, Sutton, Surrey, SM2 5AS

Radio on

future.radio.uk:
public policy on the future of radio

Christine Murrioni, Nick Irvine and Robert King
IPPR £4.95

Academic research and publications on radio tend to get a much lower priority than the plethora of material published on television. But we use radio extensively and in a variety of different, and changing, ways. A few statistics underline these points.

Every year 12 million new radio sets are sold in the UK: portable receivers, car stereos and stackable hi-fi tuners. Each household is likely to have between five and seven portable radio receivers. And we listen to them. Radio is the most popular broadcasting medium until 4.00pm each day, and in terms of the minutes we spend 'consuming' radio it is way ahead of newspapers and magazines, and only slightly behind TV.

This information, and much more, is contained in a very useful new publication from the left-leaning think tank, the IPPR. The booklet has a brief history of radio, but the main focus is on the recent period, and media policy issues for the future. Following the 1990 Broadcasting Act, which abolished the IBA, created the Radio Authority, and lessened the requirements on commercial radio there was a rapid expansion of commercial radio franchises, and greater revenue attracted from advertisers. The result was that by 1995 commercial radio had overtaken the BBC in audience share. However this picture isn't uniform. The area where the success of commercial radio is most obvious is at local and regional level, whereas at a national level the BBC still leads its commercial rivals.

Radio is of course affected by the same turbulence and change as other media – as the report identifies 'digital technology may throw radio into the arena with many competing screen-based media sectors, because it allows transmission of audio and data streams, so ... how far is radio going to move away from being 'radio' and become TV?'

The booklet makes a number of policy proposals, including support for public service broadcasting 'with the key function to provide a benchmark of high standards, risk taking and innovation for the entire sector'. It also supports the creation of a new community radio licence for small scale not-for-profit community broadcasting.

A useful and informative publication – and not at a rip-off price, either.

BBC REVIEW TEAM

THE line-up for the panel which will review the funding of the BBC was announced by Media Secretary Chris Smith in mid-January. Gavyn Davies – chief international economist at Goldman Sachs – will chair the panel of nine. He's the co-author, with Andrew Graham, of the BBC-commissioned Broadcasting, Society and Policy, which was published last year. The book concluded that positive regulation of broadcasting and a well-funded BBC were more necessary than ever in a multimedia, digital society.

The other members of the panel are: Lord (Tony) Newton, a former Conservative Cabinet minister; Lord Gordon of Strathblane, chairman of Scottish Media Holdings; Sir Alan Budd, Economics Professor at the London Business School; Rabbi Julia Neuberger; Helen Black, regional head of health in UNISON's southern region; Ruth Evans, a former director of the National Consumer Council; David Lipsey, who worked as political editor of The Economist; and Heather Rabbatts, chief executive of Lambeth council.

The panel's remit will assume the licence fee will remain the main source of revenue until 2006, but will also look at how other sources of income can be developed. It will also look at how the corporation can strike the right balance between its public and commercial activities.

When the BBC Charter was renewed in 1996 there was the requirement for a review in 2001 of BBC funding, and this initiative fulfils this. The panel will present its findings to Chris Smith in July, and these will then be put out for public consultation.

The CPBF welcomed the announcement, but reiterated its belief that the future of the BBC and its funding is intimately connected with other changes in broadcasting and that now is the time to launch a more wide-ranging independent public inquiry into the future of broadcasting.

LIVE TV

ONE of the most scathing and humorous accounts of Kelvin MacKenzie's regime at The Sun was Chris Horrie's *Stick It Up Your Punter*. Horrie has now turned his attention to the Mirror Group's excuse for a cable TV channel, L:ve TV, which Kelvin MacKenzie stamped his inimitable style on with topless darts and the Norwegian weather girl.

MacKenzie did not co-operate with the book and has since moved on from L:ve TV to take over Talk Radio. The book is out soon.

HUMAN RIGHTS: UK CAN DO BETTER

THE Universal Declaration of Human Rights celebrated its fiftieth anniversary on December 10, 1998. The document contains 30 articles covering the full range of civil, political, economic, social and cultural rights.

MEDIA MONITOR

The Universal Declaration set in train a proliferation of human rights standards, resulting in the adoption of numerous international and regional treaties aimed at better protection of human rights. 'The next 50 years needs to see radical improvements in the creation and adoption of methods of enforcement of human rights standards; an area from which states have continually fought shy,' says Sarah Cooke, director of the British Institute of Human Rights.

'This is as true in the UK as elsewhere, despite it being a time of great optimism in terms of domestic human rights developments, such as on November 9, 1998, the Human Rights Act incorporating the European Convention of Human Rights into UK law received Royal assent,' says Ms Cooke. 'There is however still room for improvement.'

The government has failed to agree to give individual the right to complain to the United Nations under a number of core international human rights treaties – although over ninety other states have done so including all other members of the European union. 'There would be no better way of indicating the seriousness of the Government's commitment to upholding human rights and furthering crucial developments in keeping with the spirit which animated the original signatories of the Universal Declaration 50 years ago,' says Ms Cooke

MAI ABANDONED

THE recent publication by the Commons Trade and Industry Select Committee on the Multilateral Agreement on Investment – MAI – (virtually ignored by the British media) should mark the final nail in the coffin of government support for the agreement.

Perhaps the most damning statement in the report is that 'a persuadable case has by no means made out for an MAI' and that 'before embarking on new negotiations of a multinational investment agreement, the government state clearly the rationale for such an agreement, particularly in relation to the benefits it might bring to UK business and consumers and to the developing world.'

Negotiations stalled when the French government pulled out of the MAI negotiations and it's now dead in the water. This in itself is a tribute to the solid work done by campaigning groups world-wide that were against the MAI. After all when talks began over three years ago in the OECD they were carried out under a cloak of secrecy. The abandonment of the talks is also a significant setback for transnational corporations

who had so much to gain.

It now seems likely that further talks will be transferred to the World Trade Organisation, perhaps by the end of the year. However the concerns expressed in FP107 about the effects of the MAI on media policy are still valid.

BW

RECOMMENDED

FOR an excellent overview of some issues associated with copyright in the digital age get hold of 'Who owns John Sutherland?' in the London Review of Books (January 7). Sutherland documents some of the ways that scientific and legal publisher Reed Elsevier is jacking up subscription rates for their journals whilst at the same time moving into electronic journals. He makes the point that if you subscribe to a printed journal and then stop doing so, at least you have your back numbers. 'Unsubscribe' from an electronic database and you have nothing.

The hardest-hitting sections of the piece deal with the way publishers are developing their electronic publishing enterprises. The Times Literary Supplement has an on-line archive with the full text of the paper from October 1994. It is free only to subscribers but he points out 'I have a small volume's worth of words (some 40,000) on that archive. No-one asked my permission to convert and put them there, or paid me'.

The Guardian's enthusiastic promotion of its Guardian Unlimited website is understandable when you realise that 'it is the British organ which has been most forward in expropriating the products of its contributors' brains. Every freelance contributor is required to sign an agreement giving the paper perpetual rights to everything they ever have or ever will write for the paper'.

He identifies the essential points about the growth of databases and electronic archives – they can create a commercial stranglehold over key areas of information, and place freedom of thought and expression at risk.

BRAINY RADIO

'SOMETHING is going wrong with our culture,' asserts playwright Howard Brenton. He is one of a group of people, including Tariq Ali, who want to launch Radio Einstein early next year. Brenton sees the proposed station as the first assault in a war against falling standards in the media and arts programming.

His ideas are outlined in an article in the Times Educational Supplement (15.1.99): the plan is to launch 'a cultural radio station, unashamedly broadcasting classical and modern music and tough, argumentative reviews and discussions. It will ... attempt to rebuff the market realists. Let the culture wars begin.'

Politically convenient concessions

Recent decisions by the PCC suggest it is time to change what the letters stand for, argues Mike Jempson of the media ethics body PressWise

THE Press Complaints Commission has shot itself in the foot so many times it has barely a leg left to stand on. Yet Lord Wakeham persists in telling the world that 'the British way' of self-regulation is beyond comparison and reproach.

Its latest self-inflicted wound is a refusal to deal with a complaint from US investigative journalist Greg Palast, branded a 'sex pest' by The Mirror after he changed his shirt in the empty hotel room of Labour NEC hopeful Margaret Payne during the party's 1998 Blackpool conference.

The Mirror's sensational front page denunciation of Palast followed an earlier splash calling him a liar after he revealed the Derek Draper 'cash for access' scandal in The Observer last summer.

At the time Palast was content to pour scorn on The Mirror from the columns of other national publications rather than pursue the expensive option of legal action. But the 'sex pest' taunt was taking character assassination too far. It was lifted and given a gloss by the London Evening Standard, and Palast swiftly dispatched lawyers' letters. The Standard conceded its error, published a correction and apology and paid sufficient damages to allow Palast to take his wife on a Brazilian holiday.

But The Mirror was unrepentant. Editor Piers Morgan offered to see Palast in court. Like most people Palast lacks the resources to spend two years pursuing a libel action, so he went to the PCC via PressWise. After all, self-regulation is supposed to be a free alternative to costly court action.

Palast's case is cut and dried. The Mirror's claims had been investigated by The Guardian's Roy Greenslade, and by his colleagues on The Observer. The woman Palast was alleged to have sexually harassed has made no such claims, and staff at the hotel where the crucial incident took place have provided evidence that Palast identified himself, and was admitted to her vacant room as a result of their error. Far from telling The Mirror Palast had bluffed his way into the room by 'conning' them, staff say the newspaper never even spoke to them.

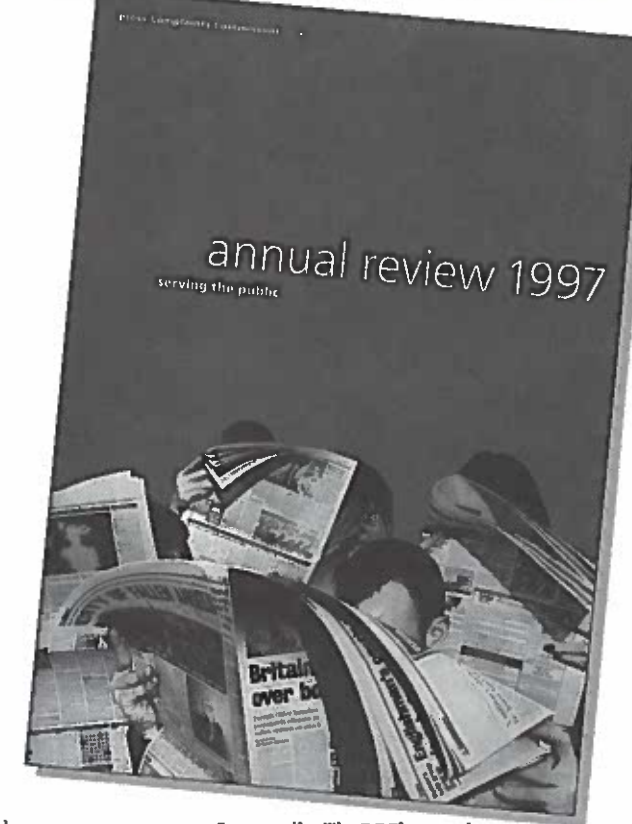
Yet the entire Commission has decided the matter can only be dealt with in court – in effect bowing to the will of Piers Morgan, who had to be publicly reprimanded by Rupert Murdoch when The Sun intruded on the private agony of Earl Spencer's sick wife.

It is not the first time that Morgan has tried to bluff his way out of complaints. When The Mirror sought to embarrass Tory Chancellor Ken Clarke on a Budget Day with a distinctly dubious tale about his brother's business dealings, Morgan used the PCC to challenge the complainant to sue, knowing full well that he could not afford legal fees.

Morgan has been cosying up to New Labour as he battles to recoup lost circulation, and offered The Mirror's services to Peter Mandelson during his recent discomfiture over sleaze allegations. Small wonder Palast believes he is the victim of a sting to get him back for challenging Labour's sleaze-free credentials.

Nor is the PCC above confusing what is politically convenient with the facts.

In its latest bi-monthly report it exonerates the News of the World over a story in which even the by-lined reporter admitted that quotes were made up. Yet his editor, Phil Hall, newly recruited to the



See no evil – The PCC's annual report

Commission, told the Press Gazette "Every single quote, every word of it, is on tape."

The NoW had offered money to a hard up surrogate couple who were so horrified by their story's treatment that they came to PressWise, as did the intended parents who were wrongly castigated in the article. The NoW refused to correct inaccuracies and made it clear that the balance of the contracted fee could not be paid while a complaint was outstanding. The couple withdrew from the fray, and the PCC blamed PressWise, which had had to apply its resources to resolving successfully the fate of an unborn child put at risk by the News of the World. The PCC says nothing about the cheque book journalism which was the root cause of the complaint.

The PCC claims to provide a quick and free means of putting the record straight when the press get it wrong. However it never mentions Clause 53.5 of its Constitution which gives it the absolute right not to proceed with a complaint for any reasons it chooses. This cynical get-out was invoked in the Palast case and others that might have opened up a can of worms. No wonder the industry thinks the PCC's £1.3m annual budget is money well spent to protect the press from statutory controls.

As these cases demonstrate, we need a more genuinely independent system of press regulation, if not a statutory right of reply – which even fledgling democracies like Bulgaria have now enacted. Until then a close eye must be kept on all PCC decisions.

Making the connection

Is there a link between the demise of News at Ten, the £2 million Carlton fine for a faked documentary, and the end of World in Action?
asks **Granville Williams**

THE announcement by the Independent Television Commission on November 19, 1998 giving the green light for the demise of News at Ten will have prompted rejoicing amongst ITV executives.

All of this is a far cry from the abortive attempt in 1993 to raise the issue of a schedule revamp, including moving the news. As recently as October 1995 the ITC threatened to fine the ITV companies, who are joint owners of ITN, when they wanted to move News at Ten back by fifteen minutes to show an extended episode of Cracker.

This time the ITC board of the great and good voted 7-3 for the change, and early in 1999 the flagship ITV news programme will disappear after thirty-one years. It will clear prime-time for films and other popular programmes which attract high audiences and therefore higher advertising revenue.

It's the same relentless commercial logic which saw in mid-December the last World in Action. The new January schedule doesn't

include the programme, first aired 35 years ago, in its Monday-evening slot and it's unlikely that it will ever return to it. Granada suggest there may be some WIA specials but the notion of a hard-hitting, investigative, current affairs programme has disappeared from the ITV schedules. This Week went when Thames lost the franchise, Yorkshire's First Tuesday and the current affairs unit around Grant McKee has disappeared, and now WIA.

Of course such programmes are risky and costly – WIA was the subject of two libel actions recently, which it lost. But it does seem as though the pressures from an insidious form of commercial censorship has achieved what years of political and regulatory pressure failed to do – silence WIA.

And then there was the hefty £2 million fine the Independent Television Commission imposed on Carlton for the faking of key sequences in The Connection. Now of course documentary film makers do sometimes attempt to present as real something which they have artificially created – the sequences used in John Grierson's Night Mail of a mail truck's interior built in the studio with one side open to the camera, for example.

But Mark de Beaufort, producer of The Connection was part of a vicious loop

where the publisher-broadcaster wanted programmes which attract audiences; the more sensational the story the more likely it will be commissioned, so independent producers search desperately for programme ideas. The pressure on all concerned is obvious.

One of the letters published in the wake of the revelations about the fake documentary was from a former editor of This Week, Jack Saltman. He wrote, 'The fault lies with the casualisation of production people and companies like Carlton which are not interested in providing solid, quality programmes made by staff people, but only by cutting costs and using cheap casual labour. The fault also lies with the so-called light regulatory touch of the ITC and worse still with Mrs Thatcher's Broadcasting Act.'

It was, of course, the policies in the 1990 Broadcasting Act which created precisely the conditions which have been behind all three of these events in ITV. The logic of the Act was to dismantle the old ITV system; it created new structures, a new ethos in broadcasting which abandoned public service broadcasting ideas, and brought forward people delighted to run the new franchises as commercial operations. Unfortunately the Act has still not finished doing its damage. We can expect more controversies.

Free Press is edited by Granville Williams for the National Council

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