

WHAT A CARVE UP!

TRADE Secretary Stephen Byers gave the green light for the next round of ITV takeovers on Friday July 14. Whilst he cleared the proposed merger between United News and Media and Carlton (provided they divested themselves of the prime South East franchise, Meridian) he also permitted Granada to takeover either United or Carlton.

Maybe now Lord Hollick will be less willing to merge with Carlton if the price has to be the sale off his prize franchise, Meridian. There were, anyway, stories that the Labour-supporting peer and the Conservative inclined Michael Green were not the most harmonious duo. Granada is in the front running to buy Meridian, and with plenty of cash to do so, following the launch of Granada Media as a distinct group. Clearly the announcement by Stephen Byers is most favourable to Granada, who just have to wait and see whether the United/Carlton deal crumbles and then move against one of the groups – most likely United – or pick up Meridian and wait for expected changes in ITV ownership rules which will see the emergence of an ITV system owned by one company.

The announcement was dressed up with the usual justifications by media commentators about the need for the ITV companies to grow bigger in order to compete with global media groups. However there was precious little consideration of what it means for ITV viewers in the regions, or serious questioning about whether the government should be so willing to accede to the ITV industry lobby which has gradually demolished the regional franchise structure since the 1990 Broadcasting Act.

In less than a decade the structure has been transformed, with the three groups battling it out for the English ITV

franchises, and Scottish Media Group dominant north of the border. The consequences of these changes have been cutbacks in commitments to regional programming and production, and this process will be speeded up as more money is poured into costly takeover battles. The high-profile and profitable programmes will be pushed, ones which can attract large audience on the ITV network, and resources put into those. Granada, owners of Yorkshire TV, are moving to a five-night transmission of Emmerdale Farm, for example.

What we are witnessing is the assertion by the big media groups of their power to determine the priorities of media policy. The old regulatory role of the Independent Broadcasting Authority went with the 1990 Broadcasting Act, and now the Independent Television Commission is attempting to flex its muscles to ensure the ITV companies adhere to some public service obligations and provide adequate news provision. Since the scrapping of News at Ten, ITV has lost much of its audience for news, but it has generated greater revenue from advertising around the programmes which have replaced it. Now the ITV companies seem determined to resist any attempts by the regulator to improve the provision of news.

As ITV moves to two big groups, with the prospect of only one controlling the system in a few years time, the ability to regulate programming in the face of the power and influence of such a dominant group will become more difficult. We will see the effective end of what was a high-quality television structure, which served its viewers nationally and in the regions well. It's a form of cultural vandalism really, but one that the companies can justify by pointing to the ever-rising value of their share prices on the Stock Exchange.



**Byers:
green
light**

Spinning round

THE disenchantment Ken Follett expressed in his Observer piece came across loud and clear. He focused on the practice of briefing, the practice of vilifying your colleagues in off-the-record conversations with journalists.

He wrote: 'The people who do the briefing, who whisper the words of poison into the ears of journalists, are of no consequence. They are the rent boys of politics, and we shudder with disgust when they brush past us in the lobby.'

Barbara Follett followed up with a Diary piece in the New Statesman where she wrote about the 'sneer-and-smear culture of politics'. She went on to suggest a series of remedies, including 'Tell the newspapers not to offer parliamentary staff £50 for telephone numbers and £200 for gossip. Pay parliamentary staff enough so they are not tempted by these bribes.'

These rather sordid insights into the government political machine all seemed rather fanciful when one watched the BBC 2 programme presented by Michael Cockerell, *News From Number 10*.

Cockerell has written and produced a good deal of material on political communication, and for this programme he got, according to the publicity, 'unprecedented access to Tony Blair's news machine'. However much of the programme lacked impact: Alastair Campbell displayed none of the anger or abuse towards certain lobby correspondents which he is noted for. Indeed a series of leaked memos from No. 10 suggest that civil servants and special advisers were told to smile and be polite for the cameras during staged meetings.

But reality intruded. The final sequence included the debacle of Tony Blair's speech to the WI and the awful recognition that those who live by spin can also see their credibility disintegrate. Godric Smith, a career Whitehall information officer, has taken over Alastair Campbell's role, whilst he spends more time on strategy. But what is clear is that events in the last few weeks have badly dented the reputation and effectiveness of Labour's vaunted information spin machine.

MPs attack Sky's sporting monopoly

A CROSS-party alliance of MPs came together to promote a private members bill which sought to prevent providers of subscription broadcasting services from acquiring the sole rights to live broadcasting of sporting events.

Introduced in the Commons by Crispin Blunt, the Tory member for Reigate in Surrey on 20 June, the ten-minute bill stands no chance of making any further progress, but indicates concerns across the political spectrum.

The MP referred to Sky's joint arrangement with the BBC for rights to FA cup matches and England Internationals for three years, worth over £345 million, as well as its own successful bid of £1.1 billion for a similar term, to broadcast premier league matches.

The only reason why Sky was prepared to pay these vast sums was so

Main target for criticism was lack of competition and choice

that it could become a monopoly supplier of live football.

He also criticised Sky's poor customer service record: 'When dealing with Sky to establish or repair the service, the arrangements were wholly inflexible and designed to suit its schedule, rather than mine.'

The main target for his criticism was the lack of competition and choice. Sky's sporting package costs over £300 a year, almost three times the licence fee.

'Those paying subscription charges for satellite television have the right to expect some competition and to have at least some ability to shop around for the leading sporting events... It is time to protect the public from a monopoly supplier,' he concluded.

Cashing in on sport

MIKE MARQUEE

DETERMINED to mine every nugget from a rich seam, football's Premier League bosses have auctioned television rights for the three seasons starting from 2001 for a total of £1.645 billion. The bulk comes from a £1.11 billion deal with Rupert Murdoch's Sky sports for rights to 66 live games per year. Another £328 million is being coughed up by cable giant NTL for the rights to screen another 40 games per year on a pay per view basis – the first time top-class British football has received the pay per view treatment. Bringing up the rear is ITV, which paid £183 million for a weekly highlights package.

There's a much bigger story here than the demise of Match of the Day – only one of several long-established British sporting institutions threatened with extinction as a result of the global sports-biz bonanza. Like museum admission, access to major sporting events ought to be a public right. After all, these events are part of a collective inheritance, the flowers of a century and more of popular creativity. Although more sport is now available through more media than ever before, punters are increasingly forced to pay through the nose for their share of what was once the people's pastime. Over and above the license fee, sports lovers pay satellite or cable subs, additional charges for pay-per-view events, not to mention money shelled out on sponsors' and advertisers' products.

English football may not be lighting up the world on the field of play, but it is setting the pace in squeezing revenue from every pore of the game. Satellite and cable TV audiences have grown steadily, but it will be many years, if ever, before they can claim the social inclusiveness of terrestrial broadcasts. In the long run, sport will be tailored to suit its target TV audience; coupled with ticket-price inflation and the spread of the corporate hospitality racket, the assignment of ever larger chunks of big-time sport to exclusive broadcasting outlets is bound to alter the culture of spectator sport. Any quaint notion that the colonisation of sport by higher income groups will raise the level of civility among spectators ought to have been laid to rest after the spectacle of the England fans at Euro 2000 – Sky subscribers to a man, I'd bet.

Sports-related economic activity is now said to account for some 2-3% of GDP across the advanced industrial economies. Media and sponsorship revenues are the industry's driving force. Gate receipts are of dwindling importance, and along with

them, the three C's of sports partisanship that in the past drove so many millions through the turnstiles: continuity, community and commitment. The greater the investment in sport, whether by broadcasters or sponsors, the greater the temptation to exercise hands on control. Both Murdoch and NTL own shares in a number of major football clubs, as does Sylvio Berlusconi. Nike's sponsorship of the Brazilian team gives it a say in where and when the team plays, and some whisper, even who gets to play in it.

The more closely you examine the media-corporate-sport nexus, the harder it is to locate the boundaries between its different components, and that's bad news for sports fans. The "rights holders" themselves – the FA, the Football League, the ECB, the RFU, etc. – are for the most part unrepresentative, unaccountable quangoes. The FA that conducted the mega-auction of Premier League footie is all white, all male and all rich. Lord Maclaurin, the Tory peer who chairs the ECB, also sits on the board of Vodafone, English cricket's principal sponsor. One might ask precisely how these bodies come to claim these rights – after all, the events they are auctioning are popular institutions – and on whose behalf they exercise them. Maclaurin and the ECB argued that their first duty to cricket was to maximise its revenue from television; accordingly, they lobbied the Labour government to remove Test matches from the elite group of "listed" sporting events (which must be televised free to air). Chris Smith acceded to the ECB's request; inevitably, the BBC lost out to a joint Channel 4/Sky Sports bid. So in pursuit of higher revenues, the ECB has ensured that major cricket events will be shown to smaller audiences. A strange way to nourish the grass roots of a sport desperately in need of a populist shot in the arm.

The development of WAP technology and the "digital platform" will mean more sport will be available through more outlets. It will also mean that consumers will pay more and that some sporting events – perhaps Test matches or Premier League football – will become e-commerce luxury items. The culture of sport will be transformed, as the shared experience of watching sport "live" is replaced by an atomised, interrupted, casual form of "interactivity". Ideal for selling the products of multi-national corporations in a global but highly segmented marketplace, but not necessarily healthy for sports, sports fans, or the society of which they are a part.

MEDIA MONITOR

AOL MERGER FACES EU INQUIRY

The massive AOL merger with Time Warner faces two investigations by Europe's competition commission. The first will look at the impact of its music joint venture with EMI, where competition concerns focus on three areas: recorded music, music publishing, and recordings delivered by the internet. The merger would lead to four companies controlling 80% of the market for recorded music in the European economic area. Time Warner/EMI would control the largest number of copyrights in music publishing and be considerably larger than its closest competitor.

The commission announced a week later that it intended to investigate more fully the AOL/Time Warner merger. Concerns focus on the vertical integration of content from Time Warner – one of the largest publishing and recording companies – with the online services of AOL – the largest internet access and service provider. AOL also has a deal with the German media group Bertelsmann. The merger would mean AOL would have preferential access to the main catalogue of music in most EU countries and it could, potentially, act as a gatekeeper by dictating technical standards for the delivery over the internet and so monopolise music-player software.

Meanwhile the merger still awaits approval from the US authorities, but don't expect any surprises there.

GANNETT HUNGRY FOR MORE

Three quarters of the regional press have changed ownership in the past five years as Pearson, EMAP, Reed and United News and Media decided to move out. One of the new entrants into regional newspaper ownership in this time has been the powerful US media group, Gannett. It first acquired the UK regional group Newsquest, and more recently purchased Newscom for £440 million.

Now it is to seek consent from the Trade Secretary, Stephen Byers, to bid for Regional Independent Media (RIM), whose titles include the Yorkshire Post, Yorkshire Evening Post, Sheffield Star and Lancashire Evening Post. If Gannett was successful in taking over RIM, it would make it the largest regional publisher in the UK.

Also there is a concern about the concentration of daily regional newspapers in one group. Gannett would own the Yorkshire Evening Press, the Bradford Telegraph and Argus as well as the Leeds and Sheffield RIM titles. From a commercial point of view

Gannett is only applying the strategy which it developed in the USA where it has built up a powerful presence in local newspapers. Its tactics there of ruthlessly suppressing competing titles – Richard McCord's The Chain Gang gives a vivid account of some of the tactics employed by Gannett – seem to have been softened in the UK. For example, the company has allowed successful ballots to establish the NUJ to negotiate on behalf of journalists at the Oxford Mail and Bradford Telegraph and Argus.

One other contender for the RIM titles is Johnston Press, who have also made a request to the Trade Secretary to takeover RIM. They bid against Gannett for Newscom, and the cost of acquiring RIM is likely to be in the region of £500 to £550 million. In this takeover business deep pockets are needed, and Gannett certainly has those.



Fourth Estate website – you won't find the Murdoch biography

TAKEOVER HALTS MURDOCH BOOK

The book publisher Fourth Estate, set up in 1984, and publisher of a lively list of authors, is to become part of Rupert Murdoch's media empire. The founder of the London-based company, Victoria Barnsley, has sold it to the US-based HarperCollins for £12 million. The Guardian Media Group was the biggest shareholder in Fourth Estate.

Reasons given for the sale include the difficulty of competing as a small group in a publishing world dominated by huge groups able to offer big advances to best-selling authors. HarperCollins will also give it greater access to the American market.

One of the first victims of the takeover is an unauthorised biography of Rupert

Murdoch by Michael Crick. Crick established his reputation with his book on the Walter Mitty world of Lord Archer, and he had received a six-figure advance for a book which promised to shed new light on the rise of Rupert Murdoch.

Now both Fourth Estate and the author are seeking a settlement because of the conflict of interest. But the affair also worries Fourth estate staff who remember the controversy over the planned publication of Chris Patten's book about Hong Kong. The book was dropped amidst allegations that Murdoch personally intervened to prevent publication because any criticism in the book of China would disrupt global plans to expand his media interests there.

THE RISE OF VIVENDI

From its unlikely origins as a water supplier (Compagnie Generale des Eaux in 1853) Vivendi has now become the world's second largest media group, through its £22.5 billion acquisition of Montreal-based Seagram, whose interests range from films and music to drink.

Jean Marie Messier, chief executive of Vivendi since 1996, seems determined to reshape what is still a group spanning a range of utilities services (transport, energy, water, and waste management) into a powerful media and communications business which will be a European variant of the AOL/Time Warner merger, bringing together new and old media.

The new company, Vivendi Universal, will be based in Paris and comprise the following:

- **Universal Music Group:** the world's largest music company with operations in 59 countries
- **Films:** Universal Pictures and Canal + will have access to 9000 films
- **Theme parks** in Hollywood, Orlando and Port Aventura in Barcelona
- **TV:** Vivendi owns 25% of BskyB. The new company will also buy the 51% of Canal + that Vivendi doesn't own
- **Vizzavi,** the company's internet service provider, has a potential customer base of eighty million
- **Havas,** the news publishing arm, has five million paying readers
- Vivendi also has stakes in **telecoms** – Cegetel and Vodaphone

Rupert Murdoch, who fell out with Messier, and sought to block the Vivendi stake in BskyB, now realises that it is better to cooperate rather than compete and wants to do business with this new media power.

THE GOVERNMENT'S COMMUNICATIONS WHITE PAPER

White paper
or white flag?

THE stakes are high for the media industry, as it lobbies to influence the contents of the Communications White paper due out in the autumn.

The signs are that the actual publication will be delayed until later in the year as a team of civil servants from the Department of Trade and Industry and Media, Culture and Sport seek to wrestle with proposals which span media ownership rules to cover the press (regional and national), television and the new media, media regulation, and the role of public service broadcasting in the digital age.

However, rather like the industry lobby preceding the 1996 Broadcasting Act, the worry has to be whether the government is listening more to the voices of the big media groups, or to those concerned with issues of media diversity and democracy.

Emily Bell, Media Business Correspondent for *The Observer* (9.7.00), has suggested that when the two government departments 'are faced with an industry that almost unanimously has decided to pull in one direction, it will be almost impossible to rein back.'

Against a backdrop of media mergers in the USA and Europe the insistent argument being put by media groups in the UK is get rid of ownership restrictions and regulatory controls so that they can grow.

The other dimension to all this is that the White Paper could be published in the months leading up to a general election, and Tony Blair and his Central Policy Unit will want to ensure that there are no proposals in the White Paper which will enrage media moguls like Murdoch.

The Newspaper Society, representing the regional press, in its submission on the Communications White Paper believes the White Paper should address the following issues:

- radical reform of ownership regulation and disbandment of specialist media controls
- reform of burdensome transfer regulations for regional newspaper publishers
- opposition to the introduction of any new statutory or self-regulatory controls over content and delivery mechanisms
- evaluation of the regulatory imbalance between the commercial media sector and public service broadcasters

CPBF COMMENTS ON THE COMMUNICATIONS WHITE PAPER

A group of National Council members drafted the response. The key points are given below but the full text is available on www.cpbfdemon.co.uk or you can obtain a copy from the CPBF National Office, price £1.00 to cover postage and duplicating costs.

GENERAL POINTS

We express our concern at the direction of media policy under Labour since the mid-90s, and hope that the proposed White Paper will initiate a turn towards a more progressive set of policies where the principles of freedom and democracy govern communications policy. We also point out that policy making has been elitist in its conduct, denying wide sections of the population the opportunity to develop views on how mass communications should be developed. The only way we believe this could be achieved is through a national inquiry, which we have consistently argued for

THE PACE AND DIRECTION OF CHANGE IN COMMUNICATIONS POLICY

We identify three factors which have been significant: the emergence of global media; convergence between broadcasting, telecommunications and computer technology; and the growth of the Internet and the online revolution.

We believe that there is a great deal of hype attached to industry predictions about the scale and speed of impact of these technological and other changes. Indeed they are used by the media industry to argue for changes in media ownership and regulation. However we question this trend, and point to the impact on the range and quality of programming, based on the US experience.

We also identify the changes in the Internet from a resource for learning, to one to make and spend money. Its increasing commercialisation also means that at a time when the government is committed to policies to promote the wired society in education, libraries and other services it could boost commercial pressures in areas of society reasonably free from these in the past.

THE NEEDS AND DEMANDS OF CONSUMERS

Media audiences are not just 'consumers'. Consumers are people who buy goods and services, to whom the law offers some protection from being sold a pup, but receiving the media involves considerably more than just value for money. Above all, it involves the right of citizens to be informed about the society they live in. We also argue strongly that citizenship obligations apply to both public service and commercial broadcasting.

We point out that if the purpose of the White Paper is purely economic, and concerned with media prosperity, the needs and demands of audiences are largely irrelevant. The consumers whose interests are paramount are the advertisers who media companies approach with the promise of selling them space to promote their goods to particular groups.

The pressure of 'dumbing down' as public service broadcasters seek to maintain audience share is also identified. We express our concern at the consequences for programming on C4, it was privatised.

We stress that the media must be distinguished from other commercial products, and the need to maintain limits on cross-media ownership, effective regulation, and the application of quotas for domestic production in the case of BSkyB and other commercial operators.

ECONOMIC REGULATION AND CROSS-MEDIA OWNERSHIP ISSUES

We reiterate that the media are not just commercial and purely economic activities, and condemn as totally inadequate an approach which is simply to ensure a competitive environment for the new, multi-channel, converged media. Public service broadcasting has to have a central role in future media systems.

CONTENT REGULATION

There should be accountable, positive regulation across all sectors of mass communication. We propose a permanent Standing Commission on media and communication policy to provide a context for public debate about the industry. There should also be a democratically elected Communications Council to deal with issues of ownership, access etc, and separate sector specific bodies to award licences and set standards.

The Role and Regulation of Public Service Broadcasting

We argue that PSB principles should be positive principles applied across all sectors of communications.

SPECTRUM SALES

We argue there is no morally defensible case for commodifying the electromagnetic resource. Allowing the spectrum to be awarded to the highest bid creates indirect taxation and hits the poor hardest

IMPLICATIONS FOR POLICY AT EU LEVEL

This is a lengthy section, but the key point we make is that public policy principles and objectives have been sharply defined and robustly defended at EU level, in contrast to the weakening of such principles in UK policy since 1996.

The BBC and
Mr Smith

TOM O'MALLEY

ON 21 JUNE the BBC published its Annual Report and the Secretary of State for Culture Media and Sport, Mr Chris Smith, issued a bracing statement.

While Christopher Bland, the Chair of the BBC was asserting that 'the BBC is entitled to be proud of last year...Our staff are creative, energetic, and totally committed to providing the best possible service' Mr Smith was announcing 'tougher tests for new BBC public services'.

The Annual Report listed evidence of the Corporation's achievements. 94% of UK homes attended to its services for at least 2 hours a week, BBC radio increased its share of listeners to 51% and the BBC walked off with 23 of 31 BAFTA and 17 of 24 Sony Radio Awards, in an age the Corporation faces competition from literally hundreds of radio and TV channels.

Since Greg Dyke took over as Director General he has taken steps to dismantle some of the more absurd aspects of internal markets established by his predecessor. He announced plans to increase spending on programmes from 76-85% of income over the next five years. In that period the BBC will have a 1.5% above the Retail Price Index increase on the licence fee netting around £200m a year extra but the government has also insisted on £1.1 billion in 'efficiency' cuts, about £490 million above what the BBC had offered. Trade Unions at the BBC are rightly concerned about the implications of all of this for jobs.

The Report reveals that in 1999 the BBC successfully fought off challenges from competitors who were asserting its behaviour was anti-competitive. BSkyB lost a complaint to the European Commission in September when it asserted that 'the licence funding of the supply of BBC News 24 to cable television viewers was an abuse of European laws on State Aid'. This is a straw in the wind. Competitors are keen to erode the BBC's position in order to increase their share of the market. They use this notion of 'anti-competitive' behaviour to pressurise politicians into reining in public service broadcasters.

Optimists might expect that a Labour

government would robustly defend the BBC against such challenges. Not so. On 21 June Mr Smith announced that the government intends to scrutinise 'the likely impact of the proposed services on commercial services already on the market and on potential future services'. This will involve allowing the BBC's competitors to comment on its plans. Mr Smith's toughness appears limited to hammering the BBC. His deference to the commercial sector demands that they should be immune from such demeaning public scrutiny. Will plans for new schools and hospitals be scrutinised by government out of concern for the profits of private schools and hospitals?

On 27th June Mr Smith announced an 'independent review intended to ensure the transparency in the finances of the BBC', presumably because it is in receipt of the state sanctioned licence fee. An interesting principle if applied consistently. Why not extend it to all organisations – BSkyB, BMW or Nissan – who are in some sense in receipt of regulatory or financial support from the government?

Mr Smith wants the BBC to 'provide innovative and high quality programming without competing unnecessarily with the commercial sector'. What does 'unnecessarily' mean?

It means, as the 1986 Thatcherite Peacock Report on BBC Finances asserted, that Public Service Broadcasting should be relegated to providing only what the market cannot – a sure recipe for the decline of accountable mass broadcasting. It means that New Labour holds some old Tory policies very close to its heart.

While evidence of the BBC's success in the present environment is welcome, Mr Smith's touching, if one sided, concern for the economic welfare of the BBC's rivals is likely to further undermine the Corporation's position

We need to put pressure on our community organisations, Trade Unions, local and national politicians to get Mr Smith to display as much concern for the rights and development of the public service in broadcasting as he shows for the welfare of the Corporation's competitors.

'E-Britannia ...'

BY TOM O'MALLEY

IN 2000 all the talk is about how digital technologies, especially the Internet, are about to revolutionise the mass communications industries.

For some enthusiasts in this book, like Janice Hughes of Spectrum Consultants, the future is bright: 'The Internet is creating a new business ethos of flatter hierarchy, talent motivation, informality and results orientated options and rewards'. This enthusiasm echoes some of the more extravagant claims made in the early 1980s about the way new technology would create a new, more democratic age in the newspaper industry.

But this collection by a range of contributors contains interesting material. As well as some relatively contemporary statistics on media take-up and ownership, it contains a thoughtful case for the development of public service broadcasting in the future by Steven Barnett and a stimulating piece by Andrew Graham on regulation. Graham summarises arguments about why markets do not deliver well in mass communications and offers some interesting ideas about how to regulate for public service in the future. He suggests a trade-off, of sorts, where those operators who choose to abide by public service provisions could be immune from ownership restrictions applying to those who do not operate as a public service. This is perhaps too sanguine a conception of the long term impact of concentration of ownership on content and regulatory structures.

The collection ranges across a number of issues, including Europe, new delivery systems, regulation and the role of the BBC. A number of the contributors take as given the virtues of market driven communications, but there is enough well grounded scepticism and criticism of this view in other essays to make the collection interesting.

It is a timely collection, at an accessible price and one which, despite the stylistic unevenness, the lack of a solid framing essay and a more sustained approach to the question of the structures of political accountability, is certainly worth reading by anyone interested in contemporary debate around the future of mass communications. 'E-britannia: the communications revolution' (University of Luton Press, 2000) ISBN 1 86020 5763, £10.95.

Cymru reservation: health devolved but not Casualty!

DAVID M BARLOW

WITH the forthcoming White Paper on UK communications reform expected shortly, Wales finds itself in an unenviable position. Not for the first time, the Principality is peripheral to the decision-making centre in London, its 'voice' on broadcasting matters seemingly subject to the goodwill of the Department of Culture, Media and Sport.

With broadcasting a 'reserved matter', the National Assembly for Wales has no powers in this area, although the DCMS has agreed to consult the Assembly on broadcasting matters 'of particular relevance to Wales'. Apparently, regulatory change in the UK and negotiations over broadcasting in the European Union will fall into this category. The DCMS has also agreed to consult the National Assembly on public appointments to broadcasting organisations. These will include: the BBC National Governor of Wales; the Chair and all Members of the Board of S4C; the National Member for Wales on the ITC; and, a member for Wales on the Broadcasting Standards Commission and the Radio Authority.

However, the notion that a National Assembly for Wales is merely consulted by London on the appointment of Welsh representatives to broadcasting bodies has been rejected by the Welsh Affairs Select Committee in its recent report *Broadcasting in Wales and the National Assembly*. Responding to suggestions by the Committee that the National Assembly should be making such appointments, the Secretary of State argues that "constitutional niceties" required these appointees to be accountable to the Government as a whole.

Similarly, suggestions that the Assembly should be responsible for appointments to the Broadcasting Council for Wales were rejected on the grounds that it would involve changes to the BBC's Royal Charter and could jeopardise the BBC's independence. Not so, according to the Welsh Affairs Select Committee. They suggest that appointments by the Assembly would 'enhance the independence' of such bodies, demonstrate that appointees were accountable to the people of Wales, and signify a 'symbolic shift towards devolution on broadcasting matters'.

More recently, concerns have again been raised about the absence of Welsh voices in key areas of influence. This follows the appointment by Chris Smith (DCMS) and Stephen Byers (DTI) of 'experts' to advise on communications reform. This group

includes neither a Welsh representative nor, on the basis of the available biographical information, members who have relevant and recent experience of working in Wales.

The only apparent – but clearly tenuous – Welsh connection, relates to one of the expert members who is listed as a non-executive director of the Guardian Media Group. GMG Radio Holdings, a company connected with the Guardian Media Group, was recently awarded a new regional Independent Local Radio licence for South Wales. Given the issues to be addressed by the expert group, it is somewhat ironic that GMG Radio Holdings, which is based in Manchester, beat six other applicants – five of whom were from Cardiff or Swansea – to gain a local licence in South Wales.

However, on a more positive note, an active rather than passive role for the National Assembly to influence UK communications reform is provided by Section 33 of the Government of Wales Act. This Act allows the Assembly to make representations to Westminster on any matter that affects Wales. The opportunity to exercise some influence is reflected in the work of the Post 16 Education and Training Committee at the National Assembly. The Committee is conducting a review into arts and cultural policy – including broadcasting – in Wales. To date, the review has involved a number of meetings between the Committee and representatives of broadcasting bodies in Wales.

The primary focus of these meetings has been the switch-over from analogue to digital television, concerns about people in Wales choosing (where they can) to watch television from England, and the convergence between television and the Internet. However, underlying these discussions – and clearly pre-occupying the Committee – is the critical issue of identifying aspects of communications reform which are of particular significance to Wales about which the National Assembly might seek to influence the UK government.

At one of these meetings that representatives of the broadcasters were asked whether broadcasting matters should be devolved to the Assembly. Most found ways of evading the question, but one witness – with tongue in cheek – observed how strange it was that 'health' had been devolved but not Casualty! Although prompting some chuckles, the point was not lost on members of the Committee, nor on those in the public gallery.

IFJ and authors' rights

AUTHORS' Rights, Media Wrongs – June's Authors' Rights 2000 Summit in London, convened by the International Federation of Journalists – saw representatives from writers' and journalists' organisations across the world gather at the British Library for a two day conference and workshop on a matter of growing concern to anyone whose daily bread is their own creative work.

'Intellectual property' – to use the term now favoured by lawyers and politicians – is at a crossroads. The new media and development of global media markets have seen publishers and broadcasters attempt to grab all rights from the people who produce works of the intellect, and they have seen the inherent weaknesses of the global copyright and patent regime magnified to the point of collapse. Authors' rights come in two flavours – economic rights such as copyright, and moral rights such as the right to be identified as the originator of a work. In much of continental Europe, moral rights are held to be inalienable and this legal point underpins the economic rights of creators. No wonder that US and UK-based corporates are trying to impose their model of intellectual property in which moral rights effectively do not exist. The rights grab has been fought by unions like the NUJ in Britain and the National Writers Union (NWU) in the US with some degree of success. One of the campaign's most outstanding victories saw the Guardian newspaper back down, and the Guardian was represented at the British Library by Chris Elliott, Managing Editor of the Guardian, who addressed the summit in conciliatory tones. But the fight goes on, and is currently focused in this country on the BBC.

The Authors' Rights campaign, however, is global in scope and the summit will be followed by regional meetings in Venezuela, Hong Kong and South Africa. Just as important is the fact that the campaign extends beyond the written word. All creative work is at risk from corporate capitalism's need to exploit intellectual property – whether it be a book, a painting, a piece of music, a performance, a design or a computer program. The presence of Philip Jennings, general secretary of the newly amalgamated Union Network International (UNI) on the platform was a sign of how seriously the trade union movement takes these developments. UNI ultimately represents broadcasters, musicians, entertainers, designers and programmers – the very people whose interests are identical to those of journalists and writers when it comes to author's rights.

Gary Herman

The sound of angels

Degraded Capability: The Media and the Kosovo Crisis

Edited by Philip Hammond and Edvard Herman
Pluto Press
£14.99

"THE sound of angels" was how the notorious Nato spokesman Jamie Shea claimed the roar of bombers sounded to refugees.

Thus, the 'Clinton Doctrine' – punishing the innocent to express indignation at the guilty – was implemented.

Yugoslavia, once a favourite holiday destination; bastion of the Non-Aligned Movement and alternative to Soviet style socialism collapsed with the calling in of loans and German recognition of Slovenia and Croatia as independent states. The end of the USSR likewise shifted its importance to the United States who now viewed the Serbian government as an enemy. Yugoslavia is now one of 87 countries and nearly half the world's population under sanctions from the US.

'Degraded Capability' is an important book for anyone interested in the journalism, politics or history of the Kosovo crisis.

Over half of its 18 articles are concerned with 'Reporting the War around the World'. The other two sections deal with 'The West's Destruction of Yugoslavia', of which Peter Gowan's 'The War and its Aftermath' should have introduced the book, in my view, and 'Seeing the Enemy'.

While Gowan gives an excellent general outline, it is John Pilger's articles, reprinted from the Guardian and New Statesman at the time, that sharply address the issues: 'No contortion of intellect and morality, nor silence will diminish the truth that these are acts of murder. And until there is a revolt among journalists and broadcasters, they will continue to get away with it. That is the news.'

Within Nato, with the partial exception of Greece, the mainstream media was supportive of the intervention. Editors

Philip Hammond and Ed Herman say "The media still claim to be objective and truthful servants of democracy, contributing to informed public debate rather than helping to engineer consent to policies decided from above. If they fail in this regard and join the leadership in promoting and selling a war, they are de facto enemies of democracy, and servants of the policy-making elite." This demands reiteration, even if it represents no departure from a sorry tradition.

It would have been worth pointing out that elite opinion is not of one mind. At last year's meeting of the Bilderberg group, Henry Kissinger counselled: "It would have been better to build on last September's accord between the negotiators and Milosevic. American politics fragmented on this issue. Kosovo could be this generation's equivalent of Vietnam – a conflict that could split society and convulse us with self-righteousness. Meanwhile the Balkans looks far from stable. Macedonia is combustible. The only thing that is preventing Bosnia from falling apart is our presence. NATO is in danger of replacing the Ottoman and Hapsburg empires in a series of permanent protectorates."

Last year Pluto published 'The New Military Humanism – Lessons from Kosovo' by Noam Chomsky. Anyone interested in the background should seek out Michael Barratt Brown's booklet 'The Yugoslav Tragedy – Lessons for Socialists' published in 1996 by the European Labour Forum.

Useful websites include the Yugoslav journalists' Alternative Information Network – www.aimpress.org; the Media Center and Radio B92, which can be accessed via www.mediachannel.org; www.iwpr.net; www.peaceinbalkans.freereserve.co.uk; www.peacecouncil.org.uk and Serbian Orthodox priest, Father Sava Janjic's site – www.decani.yunet.yu.

As Agent Mulder might say, "The truth is out there."

Martin Spellman

Libel – Britain's expensive export

THE prospect of the English courts becoming a magnet for wealthy individuals worldwide wanting to stifle investigative reporting and free speech was presented by CPBF chairman Julian Petley when he addressed a debate in London on English libel law.

The event, titled A Town called Sue and co-hosted by the Campaign and the Institute of Ideas, saw a political diverse panel unanimous in their condemnation of the law as it stands.

The only point of divergence was whether the law needed drastic rewriting or scrapping altogether. Speakers included Mick Hume, editor of LM magazine before it was folded after losing its libel battle against ITN; John McVicar, whose case contending that his financial inability to fight athlete Linford Christie in the libel courts amounts to a breach of his right to free speech has gone to the European Court of Human Rights; Dr Chris Evans, founder of Internet Freedom; Radio 4's Marcel Berlins, and Toby Young, Spectator columnist.

Petley drew attention to the Law Lord's decision in May to allow Russia's richest man, Boris Berezovsky, to press ahead in the English courts with a libel case against the American business magazine Forbes over an article in a 1996 edition of the title – even though only a small number of that edition was distributed in the UK. The article could, however, be read by UK computer users over the Net – and the UK's tough libel laws present easier ground for Berezovsky than those of the US, where free speech is enshrined in the constitution. Said Petley: "As communications become more and more global, we are essentially exporting our own libel laws." He said the case presented the possibility of English libel law's "chilling effect" (the fear that UK publishers and broadcasters have of being sued, leading them to back off wealthy, litigious characters worthy of investigation, such as the late Robert Maxwell) spreading overseas.

Naomi Marks

CPBF NEWS

ITC CONSULTATION

The CPBF is putting in a submission to the ITC on its consultation of Public Service Broadcasting. Details in the next issue.

CAN YOU HELP THE CPBF?

One simple and relatively painless way to help the CPBF financially is to take out a monthly standing order. A number of people do this, and it provides a vital cash flow which helps us to pay the bills when other sources of revenue are thin.

So if you can afford it, please fill in the standing order to help us be effective over the next couple of years when media policy controversies around the White Paper, Europe and the next election will keep us busy.

Geoff Mason CPBF National Treasurer

STANDING ORDER MANDATE

To: The manager of (enter name and address of your bank) _____ Bank

Address _____

Please make monthly payments of £ _____ commencing _____ 20__

to the Campaign for Press & Broadcasting Freedom _____ at Unity Trust Bank plc,
Birmingham (Sort code 08-60-01, Account no. 20013750) until further notice in writing.

Please debit account no. _____ name _____

Signature(s) _____ Date _____

Please cancel any previous standing orders to pay monies from my/our account the Campaign for Press & Broadcasting Freedom account no. 20013750.

Please send this completed form to your bank.

Free Press is edited by Granville Williams for the National Council

JOIN

**THE CAMPAIGN
FOR PRESS AND
BROADCASTING
FREEDOM**

CPBF web site: www.cpbfdemon.co.uk
Email address: freepress@cpbf.demon.co.uk

MEMBERSHIP RATES PER ANNUM

- | | |
|---|-----|
| a) Individual membership | £15 |
| b) Unwaged | £6 |
| d) Supporting membership
(includes free CPBF publications) | £25 |
| e) Institutions (eg libraries:
includes five copies of Free Press) | £25 |

AFFILIATION BY ORGANISATION

- | | |
|---------------------------|------|
| f) Fewer than 500 members | £25 |
| g) 500 to 1,000 | £30 |
| h) 1,000 to 10,000 | £50 |
| i) 10,000 to 50,000 | £115 |
| j) 50,000 to 100,000 | £225 |
| k) Over 100,000 | £450 |

I/We want to join the CPBF and enclose a cheque/PO for £..... FP17

Name

Address

Postcode Tel.....

Organisation (if applicable)

Return form to CPBF, 8 Cynthia Street, London N1 9JF

Tel: 020 7278 4430