

# Switch on to regulation

By Adrian Monck

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Politicians frequently bemoan the poisonous relationship between themselves and members of the press. Peter Hain asked at a meeting earlier this year what could be done to rebuild relationships between journalists and the government. There is an answer, and it's one that will stick in the throat of every print journalist. It's regulation.

What is really poisoning political life? Surely it is the kind of rancid editorial dished out daily by the likes of the *Daily Mail* on one side and the holier-than-thou hectoring of *The Guardian* on the other.

Broadcast journalists are used to getting a caning - especially at the Beeb. Part of the BBC's self-imposed, post-Hutton penance is the establishment of a seminary dispensing truth, justice and the corporation way to every journalist who takes the licence fee-funded shilling. But broadcast journalism remains the quality benchmark and standard-setter for all journalism in the UK.

The cocktail of editorial opinion and news served up in our privately owned press is unknown in broadcasting. Take the Murdoch empire. The unregulated Trevor Kavanagh is an out-and-out ideologue, albeit a brilliant one. Adam Boulton on the regulated Sky News is an insightful and authoritative analyst.

The reason for the difference is, I would argue, regulation.

Regulation that insists on accuracy, fairness and, crucially, impartiality.

The new programme code proposed by Ofcom devotes a whole section to impartiality and the code in its entirety is 35 pages. The Editors' code of practice, that underpins the work of the Press Complaints Commission, is not much longer than this article.

Impartiality doesn't merit a mention and the PCC administers the kind of knock-kneed discipline that tabloid leader-writers routinely blame for the decline of the family and the collapse in moral standards.

So does regulation produce cringeing journalism? Take Boulton again. He's hardly neutered by the obligations of fairness and impartiality. And Ofcom's proposed rules for the independent sector are light indeed when you consider the BBC's policy. Its rules on impartiality and accuracy only begin at page 35 of its producer guidelines, and you have to get to page 51 before you move on to the chapter on fairness and straight dealing.

And yet Marr, Mardell, Trevelyan et al emerge from this regulatory yoke to produce engaging reports.

I hate rules - something about the journalistic psyche makes me believe they don't apply to me. But all my working life I've laboured under the precepts of impartiality and fairness and they've never, yes never, got in the way of my journalism or that of my colleagues.

What regulating does is set out the playing field. And that has set the tone for political reporting in British broadcasting for more than half a century. That tone, even in its most populist incarnation on ITV News, never stoops to patronise or rant. Instead it offers serious engagement with serious public issues, because we - the broadcasters - are obliged to be fair.

Fair does not mean anodyne.

Impartiality does not mean a 15-second soundbite for every shade of political opinion. Nor does the tide of complaint, bile and whingeing from political parties and their press people mean that broadcasters' interpretations of impartiality are cheerfully accepted. But it does mean we have a broadcasting culture where fairness is the assumed starting point for journalism and a genuinely independent watchdog to guard it.

The threat now is from so-called "light-touch" regulation. You hear it from the people at Ofcom in its multi-million pound palace of dead broadcast technology.

The people at *Fox News* know all about this. They've been censured for breaching the part of the code that asks for "respect for the truth".

*Fox News* presenter John Gibson was ticked off by Ofcom for a diatribe against the BBC that made, in the words of the judgement, "false statements" for which Mr Gibson was "unable to provide any substantial evidence".

Such is the lightness of touch, that the judgement is the punishment.

No on-air apology, no suspension of licence, just a reprimand. Gibson responded by mocking the Ofcom "bureaucrats" and our regulatory system whilst throwing in a few more digs at the Beeb. Ofcom's proposal of labelling *Fox News* "Made in the USA" will hardly set Roger Ailes and his cohorts aquiver.

The fashionable argument is diversity - that people can choose their opinions to match their ringtones. Tina Brown writing about *Fox News* - again - laments that its "brilliant belligerence and formidable TV skills are not matched enough with reportorial testosterone and creativity elsewhere". Try al-Jazeera, Tina.

News is important not because it's a consumer product but because it informs citizens. As the BBC is reminding everyone in its campaign for charter renewal, there is an ideal of public service and as broadcast journalists, thank goodness, we're actually meant to act like there is.

If regulation is to continue to prop up the public service values that distinguish British broadcast journalism it might be that tougher, and smarter, ways of intervening need to be devised.

Perhaps Ofcom needs to "*encourager les autres*". When Kurdish TV station Med-TV breached the programme code in the 1990s the ITC issued formal warnings, a £90,000 fine, and finally stripped it of its licence to broadcast. Maybe now Ofcom is regretting letting *Fox News* off the hook for its shock-jock war coverage.

When Ofcom's predecessors commissioned the most recent study of broadcast news that probably lurks behind some of the recent proposals, they went straight to a man who'd spent almost his entire career in, you probably guessed, print journalism.

Former *Financial Times* man Ian Hargreaves found that the public overwhelmingly supported regulation on impartiality and accuracy and wanted it extended.

And what did he recommend? That regulators should "loosen up" impartiality rules on some broadcasters.

So at a time when political journalism in print has become a kind of organized lobbying, and where television retains its credibility precisely because it is regulated, we're seeing not an extension of the rules that preserve that credibility to newspapers but instead a weakening of the pillars that support the nation's most trusted media.

The government knows it needs to do something about the way it communicates. The Phyllis report was an acknowledgement of that.

But will it possibly make the leap of imagination required to recognise that to restore the probity of political journalism it is necessary to reinforce the boundaries for it? No one is holding a breath.

The irony is that many politicians are not in favour of regulation. They prefer accommodation - with proprietors, with interest groups, with favoured individuals who can be trusted mouthpieces.

And broadcast journalism is good at calling to account, bad at accommodation.