

Response to Ofcom Media plurality measurement framework – Consultation.

Damian Tambini & Sharif Labo
London School of Economics & Political Science
Department of Media & Communications

Summary of key points

- The scope of Ofcom’s plurality framework is narrow and does not cover other risks from media communication that could harm the end goal of a well-functioning democratic society, and were identified by the select committee on culture, media and sports as the objective of this review.
- The framework does not make mention of what it will be used for, a transactional review, public interest test or wide public policy. Without this, it is hard to envisage it being an effective tool.
- Web referral data is a vital metric to assess the relative importance of digital intermediaries to news publishers and at a minimum should rely on or be supplemented with actual census level data.
- Measuring personal importance through data that captures consumer sharing of news on social media may provide some valuable insights hitherto unexplored.

Do you agree with our proposed measurement framework for media plurality? What, if anything, should be added to the measurement framework?

Do you agree with our approach to online content? If not, how could it be improved?

Ofcom [states that](#):

“Plurality matters because it makes an important contribution to a well-functioning democratic society. Media plurality is not a goal in itself but a means to an end”

Media Plurality can however be seen as more than just having a diverse set of voices but also ensuring that media communication does not give rise to other risks that harm this end goal of a well-functioning democratic society, [Craufurd Smith, Tambini and Morisi](#) summarised the objectives of media plurality policy as follows:

- (i) Maintaining the integrity of the democratic process;
- (ii) Preventing media misrepresentation and suppression of information;
- (iii) Enhancing access to diverse information and opinions;
- (iv) Protecting freedom of expression.

Ofcom’s media plurality measurement framework is focussed on just 1 of 4 potential risks - enhancing access to diverse information and opinions.

Under a narrow definition of media plurality, digital intermediaries may pose a minimal risk to ensuring citizens can access diverse information and opinions as noted from survey data in Ofcom’s consultation and recent research from an [internal Facebook study](#) for example. There are other areas however where there is potential harm to the end goal of a well-functioning democratic society. For example, maintaining the integrity of the democratic process and preventing suppression of information. Digital intermediaries have the capacity, technical know-how and scale to target messages to users based on their profiles. The role they play is one of an [online gatekeeper](#) deciding what information is prioritized, demoted or omitted. Because the algorithms that govern this editorial process are opaque to a user (indeed a significant proportion of users are [completely unaware](#) that any filtering process is taking place on social media for example), there are no guarantees that an intermediary could not manipulate information and news which would hinder participation in democratic conversations. This would present a real risk to democratic communication and to the end goal of a well-functioning democratic society.

The [Facebook voting experiment](#) provides some evidence of how manipulating data (in this case showing some users a message to encourage them to vote) had real life political consequences (Researchers estimated about 340,000 extra people turned out to vote in the 2010 US congressional elections because of this message). Encouraging civic responsibility might be benign but what is the guarantee in the future this message could not be targeted to supporters of one party whose policies might benefit the intermediary or certain information could be suppressed.

To be clear there is no evidence this has taken place but the voting experiment, opaque algorithmic authority and the intermediaries vast scale mean there is a potential for harm which is not captured under the existing regulatory framework. A wider theory of harm in relation to media plurality entails monitoring new elements that are not relevant to the existing legal and regulatory framework for media plurality, but are foreseen in the objectives that lie behind these instruments.

The key problem with the current framework is that it is cast too narrowly and does not contain any explicit acknowledgement of what the measurement framework would be used for. In our view it is unlikely that Ofcom would be able to design an effective framework without specifying the range of uses that this framework would be put to. The current version is based on a clear misconception of what the DCMS asked Ofcom to do. According to the Government's [Media Ownership Consultation Report of 6th August 2015](#),

“Government has been clear that it will not consider changes to the existing policy or regulatory framework for media plurality until the measurement framework and baseline assessment have been delivered, so that we can ensure any changes are proportionate and targeted”.

In our view it flows logically from this that the measurement framework is not merely an update of the Public Interest Test transactional review, or the Communications Act periodic review. It is a framework for a general review of media plurality that should address as wide a possible remit, with a view to informing long term public policy in relation to media plurality. This reflects the fact that the policy initiative is a direct result of (1) the recommendations of the Leveson Inquiry and (2) recommendations from Parliament, namely the [House of Lords Communications Committee report on Media Plurality](#). Both Leveson, and the House of Lords were concerned with the wider implications of media power in a democracy, and the danger that a threat to media plurality may pose. This review framework should reflect the breadth of purpose and examine all potential threats to media plurality.

In summary, the scope of the framework Ofcom has put forward needs to better account for the new risks that arise because of intermediaries expanded role in consumer media diets. Regulation of the algorithm is not the intended goal here but rather a dialogue between intermediaries and regulators that establish an ethical code of practices to ensure the objectives of media plurality policy continue to be met in a digital age.

Census Web Referral Data

4.31: Ofcom refers to the need to understand the proportion of online news accessed through intermediaries and proposes using survey data to understand this. This is an important measure and should be supplemented with census level industry data. Despite news publishers carrying more content than news and current affairs which is the scope of media plurality reviews, census level data will provide a more accurate view of the changes taking place within the intermediaries themselves. Industry data from providers like Comscore or Similarweb will provide a better estimation of the relative importance of intermediaries to the online news industry. At the least, survey data should be compared with this industry data (at static intervals) to understand where or why significant differences arise. Understanding how online news receives its traffic is key with important conclusions likely to be drawn from this data. It is therefore essential to have reliable figures. Utilising survey data has its advantages notably the ability to ask respondents to refer only to news content and the ability to break results down by demographics but 1 major shortcoming is unknown accuracy. As this is such an important measure, benchmarking survey data against census level estimates will provide a good sense check and combine the best of two approaches.

Data on sharing news on social media may provide a good proxy of personal importance.

4.54/55: Ofcom suggests asking users about which news sources they engage with as a proxy for measuring personal importance. This could provide a level of insight into a particularly complex issue. A recent study ([Oeldorf-Hirsch & Sundar, 2015](#)) found that sharing news on Facebook can increase users involvement and interest in news topics, compared with users who passively read the news. While there is still no observable link between increased engagement and personal importance or impact, it provides another proxy independent of what the user may self-report. The value it could provide is measuring the difference between what a user says is important and what they actually do (or share in this case).

Ofcom should look to source independent third party data about which news sources are most shared rather than relying on claimed sharing behaviour. [Newswhip](#), a commercial provider collects this data on social media. This type of data will need to be interpreted with caution as it only represents one source of online news (albeit a fast growing one) and cannot be extrapolated out to represent all news consumed but it will provide directional value.

Secondly a distinction between [hard and soft news](#) will need to be made. With the advent of social sharing news websites promoting listicles and quizzes such as Upworthy and BuzzFeed, a distinction will need to be made between sources that are seen as being within the scope of media plurality and those that are not.

In summary, observing actual sharing behaviour may provide a useful proxy for measuring impact and personal importance however for it to hold any value it should focus on observed rather than claimed behaviour.