

JOINT RESPONSE FROM ITV, UTV, CHANNEL 4 AND CHANNEL 5 TO OFCOM'S REVIEW OF ITS LIST OF MAJOR PARTIES FOR THE MAY 2015 ELECTIONS

This is a joint response from most commercial public service broadcasters to Ofcom's consultation about its review of the list of major political parties for the elections taking place on 7th May 2015. Most of us submitted a joint response to Ofcom's previous consultation about the list of major parties to be used in the elections held on 22nd May 2014¹; and as we again share a common view on the issues raised in this consultation, we believe it is beneficial to us and to Ofcom for us to again submit a single paper.

Like the exercise it conducted for last year's elections, this current consultation stems from Ofcom's decision² to maintain a central list of major parties that it will review regularly. We do not address the merits of that decision or any alternative approaches in this paper.

While it is important to be fair, accurate and duly impartial in how we cover all parties contesting an election, we believe that the due weight we are obliged to afford major parties in our election coverage requires the relevant evidence leading to a party qualifying for such status to be defined clearly.

We agree with Ofcom that its decisions about which parties should qualify as major parties should be based on

- (i) evidence of past electoral support, represented primarily by past performance in comparable elections, with reference to relevant data for electoral performance in other types of election since the last comparable elections; and
- (ii) evidence of current support as represented by opinion poll data.

We also agree with Ofcom that levels of electoral support should be considered in each of the four nations of the UK, while recognising that much coverage of the elections (and all PPBs on Channel 4 and Channel 5) will be broadcast on a UK-wide basis. As Ofcom said in its Statement on its previous major party consultation, "the present concept of a single list of major parties is suitably flexible as to apply to

¹ *Joint Response from ITV, STV, Channel 4 and Channel 5 to Ofcom's Review of its list of Major Parties for the May 2014 elections*, December 2013; UTV was not a party to that joint response, STV is not a party to this response

² Published in its Statement on its "review of the Ofcom Rules on Party Political and Referendum Broadcasts and Proposed Ofcom Guidance for broadcast coverage of elections", 21 March 2013

both allocations of PEBs and election reporting for elections taking place at both a UK/Great Britain-wide level and a devolved nation level"³.

We believe Ofcom has assembled all the relevant evidence both of past election results and of current support in Annex 2 of its consultation document. Having considered this evidence in detail, we have come to the view that Ofcom's conclusions about which parties should be classified as major parties are correct.

We agree that, for the purposes of the General Election and the English local and mayoral elections taking place on 7th May 2015, the Conservative, Labour and Liberal Democrat parties should continue to be classified as major parties in England, Scotland and Wales; that the SNP and Plaid Cymru should similarly remain as major parties in Scotland and Wales respectively; and that UKIP should be added to the lists of major parties in England and in Wales, but not in Scotland.

We also agree that the Democratic Unionist Party, Sinn Fein, the Social Democratic and Labour Party, the Ulster Unionist Party and the Alliance Party should be classified as major parties in Northern Ireland.

We also strongly support the proposed change to Rule 9 of Ofcom's procedures for dealing with disputes about its Rules on Party Political and Referendum Broadcasts. We believe it is important in a democratic system for any party to have the right to appeal to Ofcom if it believes it has been treated unfairly in the allocation of PPBs. But current arrangements require both Ofcom and the broadcaster(s) involved in any dispute to engage in detailed correspondence about allocation decisions within a short timescale during the busy election period, whether or not there is any clear merit in a party's representations.

Therefore, we welcome Ofcom's proposed amendment allowing it the discretion whether or not to entertain a party's complaint. This should ensure that meritorious complaints are entertained and properly considered; and that frivolous or unsubstantiated complaints do not take up time and resources.

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³ Ofcom, *Review of Ofcom list of major political parties for elections taking place on 22 May 2014: Statement*, 3 March 2014 Paragraph 2.36