

27 November 2014

Ofcom media plurality framework- call for inputs

The News Media Association has been formed from a merger of the Newspaper Society and the Newspaper Publishers Association.

We would like to make the following general comments in response to Ofcom's call for inputs.

We note that Ofcom intends to build upon its 2012 advice. In relation to local news media companies, we therefore confirm our continuing support for the recommendations and views set out by Ofcom at para 2.25- 2.26 of that advice:

'2.25 For local areas (below the level of a nation) we believe the issues facing local media are more about sustainability than plurality. In our June report, we said that there was a tension between plurality and commercial sustainability that was exacerbated at smaller geographic units. The same may be true of the English regions. In this context, we would not recommend that a periodic review of plurality considered local or regional media except insofar as they contribute to plurality at the level either of the UK or of one or more of the devolved regions.'

2.26 In making this recommendation, we note that the existing regime to deal with the competition issues raised by local media mergers is widely perceived as being too onerous. This is not the place to address that concern, but we do believe that it is important that it is not exacerbated by the plurality framework. We therefore recommend that the Government considers whether the public interest grounds associated with mergers should be modified so as to have the same focus as the periodic review: namely, on those mergers which might affect plurality at the level of the UK or the devolved nations.'

It is important to the whole industry that a media plurality measurement framework does not lead to new restraints on freedom of expression, more onerous controls over media ownership, or wider and stricter regulation of media content of any description. Even if news and current affairs alone are to be measured as recommended, the wider context cannot be ignored. A range of different opinions, views and information emanate from a very wide range of different content and different genres over different platforms and reach a wide audience. There is a myriad of sources, outlets and content.

Any measurement of plurality must be set in the overall context of supporting sustainable media businesses. Successful news media companies should not be handicapped by virtue of that success, whether manifested as market share or otherwise. Nor should commercial news media companies be hampered by plurality audits or plurality controls, but publicly funded or licence fee funded news media organisations such as the BBC be exempted.

Any plurality system of measurement needs to recognise the emergent competitive threats that media businesses face from diverse competitors. Therefore if availability and consumption are to be considered by Ofcom, then they should be viewed in their totality

across all providers or disseminators of news and current affairs (if those are to be the only focus), whether assessing plurality, market share or competition concerns .

In particular, the difficulties caused by the newspaper merger and transfer media ownership regime create to news media companies and problematic approach of the competition authorities must not be transplanted to any new plurality regime.

Sector specific measures could encourage blinkered assumptions. In any event, there is no single industry standard measurement even within the newspaper industry applicable to print or online. Introduction of a media plurality measurement framework should not force any company or any industry into any particular existing system or to set up new systems that the measurer would happen to find more convenient for its own purposes.

Ownership of news media companies is not determinant of plurality at any level. The fact that a particular news media company may be dominant in a particular market, or a particular area, or in one or a number of different geographic areas, does not mean that plurality is adversely affected in those areas, nor should measurement assumptions be made to that effect. Nor should plurality measurement only take into account formal undertakings or guarantees of editorial independence- it should not overlook the traditions of independence that underpin many news media companies.

The evolution of the industry and the ever developing digital opportunities only increase any news media company's contribution to plurality. Their websites provide trusted and safe environment not just for the publication of more news, current affairs, information and other multi media content generated or commissioned by them, but real engagement with their users/audience, enabling them to promote a huge range of views, provide platforms for lively debate and open up further areas through user generated content.

Plurality measurement has also to recognise that sustainable and successful news media companies actually guarantee the continued provision of high quality of news and current affairs . Plurality assessments ought to recognise that commercial success enables independent commercial news media providers (of whatever size) to invest in the original content, journalism, investigation, reporting, analysis, to produce high quality news and information services, which in turn results in the greater impact of their services. They should not be penalised for doing so. Plurality measurements and assessments should recognise that particular providers or particular services may have particular strengths, they should not assume any uniform standard of services, or that larger numbers of providers of news and current affairs, perhaps of very different type or of variable standards, automatically means greater plurality.

Accurate measurement of plurality in a very fast changing landscape should entail Ofcom's regular measurement of impact on users through testing/surveys. Ofcom should not force news media companies into onerous and expensive generation of research, statistics, information for the purposes of media plurality measurement.

We would be very happy to discuss these matters further or facilitate discussions with the industry as Ofcom's thinking develops.

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