



From the Chairman

20 June 2007

John Whittingdale Esq MP
Chairman
CMS Select Committee
House of Commons
London
SW1A 0AA

Dear John,

Inquiry into self-regulation of the press: online journalism

In light of some of the commentary following the Prime Minister's recent speech, which touched on the changing nature of the media, I would be grateful if I could make this very brief supplementary submission on behalf of the PCC.

It has been suggested in some quarters that the technological developments which enable newspapers and magazines to publish audio-visual material on their websites will lead to greater regulatory controls on newspapers because there will be irresistible pressure for a single Code to cover broadcast and print journalism. We think this is a faulty conclusion from a reasonable analysis. There are numerous reasons for this.

Any formal regulation of commercial online operations would inevitably be viewed as anti-competitive, and therefore at odds with the government's own initiatives in promoting growth in the creative economy. Just as the distinctions between commercial media are arguably being blurred, so the distinction between commercial and non-commercial media is becoming less clear. Individuals or groups with specialist knowledge are free to provide unregulated information through blogs or websites. Forcing commercial media to comply with imposed rules that did not apply to non-commercial operators would not be fair to the former – and would in fact lead to a greater fragmentation of the media as journalists sought to redefine themselves as non-commercial. Furthermore, complications would arise from the inevitable definitional problems about who fell into which category, given the advertising that is attracted by

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Sir Christopher Meyer

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some private blogs. It is no answer to compel everyone who communicates electronically to abide by legal rules. That would neither be compatible with freedom of speech, nor practical to enforce for reasons set out in our original submission.

There is a further point. The traction of a media regulator with legal powers derives in part from its ability to issue licenses for information platforms. But it is not of course necessary for publishers of online information to seek licenses; and it would probably be impossible to introduce such a system without somehow trying to isolate the UK from the rest of the world in terms of which servers the government permitted its citizens to access information through. Apart from the inherent undesirability of such a move, it is unlikely that it would be widely tolerated by consumers.

This all brings us back to the features that we think are necessary in a body that has to police rules for editorial information online: independent administration; flexibility of structure (that means not having to rely on parliament to define the remit); and the buy-in and co-operation of the industry.

We do not believe that anything else can be reconciled with freedom of speech and the freedom of the media to compete in a global and diverse business environment.

There may be grey areas going forward about the jurisdiction of Ofcom and the PCC, in relation to a small number of services provided by both broadcasters and newspapers online. I am happy to report that we have a good working relationship with Ofcom. This will enable us to identify where these grey areas are likely to arise, and to work through any difficulties together. The PCC's own jurisdiction has been growing organically in any case, as you know. We do not believe that it is either necessary or desirable for the government to alter the current balance by force of legislation.

With kind regards.

*Yours etc,
Christopher*

Sir Christopher Meyer

