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Monitoring Media Pluralism in Europe: Application of the Media Pluralism Monitor 2017 in the European Union, FYROM, Serbia & Turkey

Country Report: United Kingdom

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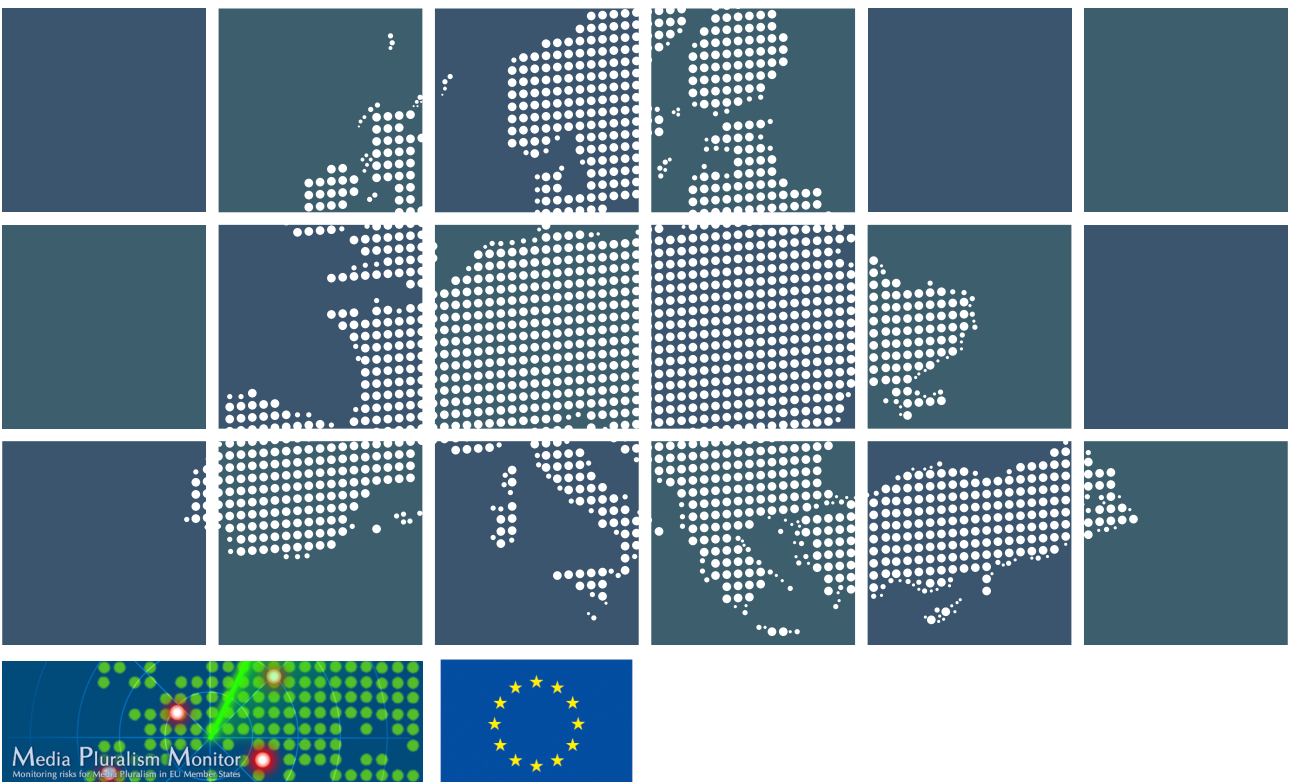




TABLE OF CONTENT

| | | |
|------|---|----|
| 1. | About the Project | 1 |
| 2. | Introduction | 3 |
| 3. | Results from the data collection: assessment of the risks to media pluralism | 4 |
| 3.1. | Basic Protection (22% - low risk) | 5 |
| 3.2. | Market Plurality (41% - medium risk) | 6 |
| 3.3. | Political Independence (29% - low risk) | 8 |
| 3.4. | Social Inclusiveness (35% - medium risk) | 9 |
| 4. | Conclusions | 11 |
| | Annexe 1. Country Team | 12 |
| | Annexe 2. Group of Experts | 12 |

1. ABOUT THE PROJECT

1.1 OVERVIEW OF THE PROJECT

The Media Pluralism Monitor (MPM) is a research tool that was designed to identify potential risks to media pluralism in the Member States of the European Union. This narrative report has been produced within the framework of the second EU-wide implementation of the MPM, carried out in 2017. The implementation was conducted in 28 EU Member States, Serbia, Former Yugoslav Republic of Macedonia (FYRoM) and Turkey with the support of a grant awarded by the European Union to the Centre for Media Pluralism and Media Freedom (CMPF) at the European University Institute.

1.2 METHODOLOGICAL NOTE

The CMPF cooperated with experienced, independent national researchers to carry out the data collection and to author the narrative reports, except in the cases of Malta and Italy where data collection was carried out centrally by the CMPF team. The research is based on a standardised questionnaire and apposite guidelines that were developed by the CMPF. The data collection was carried out between June and December 2017.

In the United Kingdom, the CMPF partnered with Drs Rachael Craufurd Smith and Paolo Cavaliere from the School of Law, University of Edinburgh, who conducted the data collection and annotated the variables in the questionnaire and interviewed relevant experts. The scores assessing the risks for media pluralism were provided by the CMPF and calculated according to the algorithm developed by the Centre itself. The national report was reviewed by CMPF staff. Moreover, to ensure accurate and reliable findings, a group of national experts in each country reviewed the answers to particularly evaluative questions.

Risks to media pluralism are examined in four main thematic areas, which are considered to capture the main areas of risk for media pluralism and media freedom: Basic Protection, Market Plurality, Political Independence and Social Inclusiveness. The results are based on the assessment of a number of indicators for each thematic area (see Figure 1 below).

| Basic Protection | Market Plurality | Political Independence | Social Inclusiveness |
|---|--|---|--|
| Protection of freedom of expression | Transparency of media ownership | Political control over media outlets | Access to media for minorities |
| Protection of right to information | Media ownership concentration (horizontal) | Editorial autonomy | Access to media for local/regional communities and for community media |
| Journalistic profession, standards and protection | Cross-media concentration of ownership and competition enforcement | Media and democratic electoral process | Access to media for people with disabilities |
| Independence and effectiveness of the media authority | Commercial & owner influence over editorial content | State regulation of resources and support to media sector | Access to media for women |
| Universal reach of traditional media and access to the Internet | Media viability | Independence of PSM governance and funding | Media literacy |

The results for each domain and indicator are presented on a scale from 0 to 100%. Scores between 0 and 33% are considered low risk, 34 to 66% are medium risk, while those between 67 and 100% are high risk. On the level of indicators, scores of 0 were rated 3% and scores of 100 were rated 97% by default, to avoid an assessment of a total absence or certainty of risk. For more information on the MPM methodology, see the CMPF report “Monitoring Media Pluralism in Europe: Application of the Media Pluralism Monitor 2016 in EU-28, Montenegro and Turkey”, <http://cadmus.eui.eu/handle/1814/46786>



Disclaimer: The content of the report does not necessarily reflect the views of the CMPF or the EC, but represents the views of the national country team that carried out the data collection and authored the report. Due to updates and refinements in the questionnaire, the MPM2017 scores may not be fully comparable with those of MPM2016. For more details, see the CMPF report on MPM2017, which will soon be available on <http://cmpf.eui.eu/media-pluralism-monitor/>



2. INTRODUCTION

The United Kingdom ('UK') of Great Britain and Northern Ireland covers an area of 248,531.52 square kilometres with a growing population of 65.6 million. The official language is English, with Scots, Scottish Gaelic, Welsh, Ulster Scots and Irish all recognised regional languages. There are also significant populations whose main language is Polish, Punjabi, Urdu, Bengali, Gujarati, Arabic and a range of European and Chinese languages, indicating the ethnically and culturally diverse nature of the UK. Nevertheless, a large 86% majority of the resident population in England and Wales reported their ethnic group as 'White' in the 2011 census, with Asian, Black, African, Caribbean, Arab and other mixed ethnic groups largely constituting the remainder.¹

Economically, UK GDP grew by 1.8% in 2017, down slightly from 2016. Though this suggests a degree of resilience, the economy faces an uncertain period until the UK's future relationship with the European Union is resolved. Rising inflation has contributed to a slow-down in consumer spending, while the fall in value of the pound relative to the euro has both helped and hindered businesses, depending on their import or export orientation.

The UK is a constitutional monarchy with a bi-cameral parliament. Significant powers are devolved to the nations - Northern Ireland, Scotland and Wales - with the Westminster Parliament retaining powers in key areas including broadcasting, telecommunications, competition and intellectual property. The UK does not have a codified constitution or modern charter of rights but is a signatory to both the International Covenant on Civil and Political Rights and the European Convention on Human Rights (ECHR). The Human Rights Act 1998 (HRA) incorporated key ECHR rights, including Article 10 on freedom of expression, into domestic law. In line with the principle of Parliamentary sovereignty, Parliament can legislate expressly contrary to these rights, though this would bring continued adherence to the ECHR into question. At the Westminster level, the main parties of the left and right are the Labour and Conservative Parties respectively. The Conservative Party lost 13 seats at the 2017 national election but retained power with support from the Democratic Unionist Party, while Labour gained 30 seats. Both Conservative and Labour parties are internally divided over Brexit, with certain smaller parties pushing for continued membership of the customs union and single market.

With its sizeable population and comparative wealth, the UK has been able to build a vibrant and diverse media sector. It has an established public service tradition as well as a range of commercial television and radio services distributed over online and offline platforms. The print sector continues to experiment with a range of revenue streams in an attempt to address the loss of advertising, while the power of search engines and social media sites in directing how news is prioritised and revenue streams is now attracting attention in Parliament. In 2017, Ofcom expressed initial plurality concerns over the proposed Fox/Sky consolidation.

From a regulatory perspective, 2017 was the first year in which Ofcom assumed enhanced regulatory oversight of the BBC; including changes to its public service provision; while IMPRESS, the UK's first recognised press regulator, managed to fight-off a legal challenge to its recognition in court.

1 Data in this paragraph obtained from Office for National Statistics at: <https://www.ons.gov.uk/>.

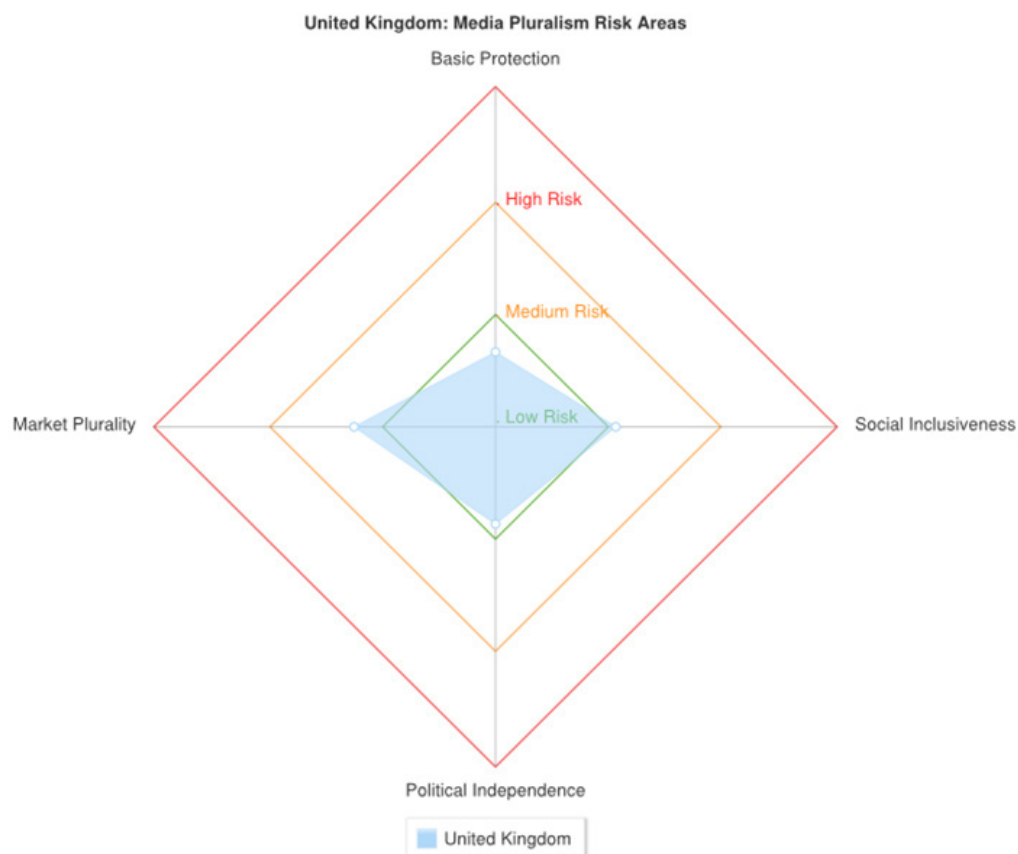


3. RESULTS FROM THE DATA COLLECTION: ASSESSMENT OF THE RISKS TO MEDIA PLURALISM

The United Kingdom is generally acknowledged at the international level to respect freedom of expression and the media. The Conservative Party has proposed radical changes to the domestic human rights framework, with withdrawal from the ECHR, abolition of the HRA, and adoption of a domestic UK bill of rights, but these have been put on hold until resolution of the Brexit negotiations.

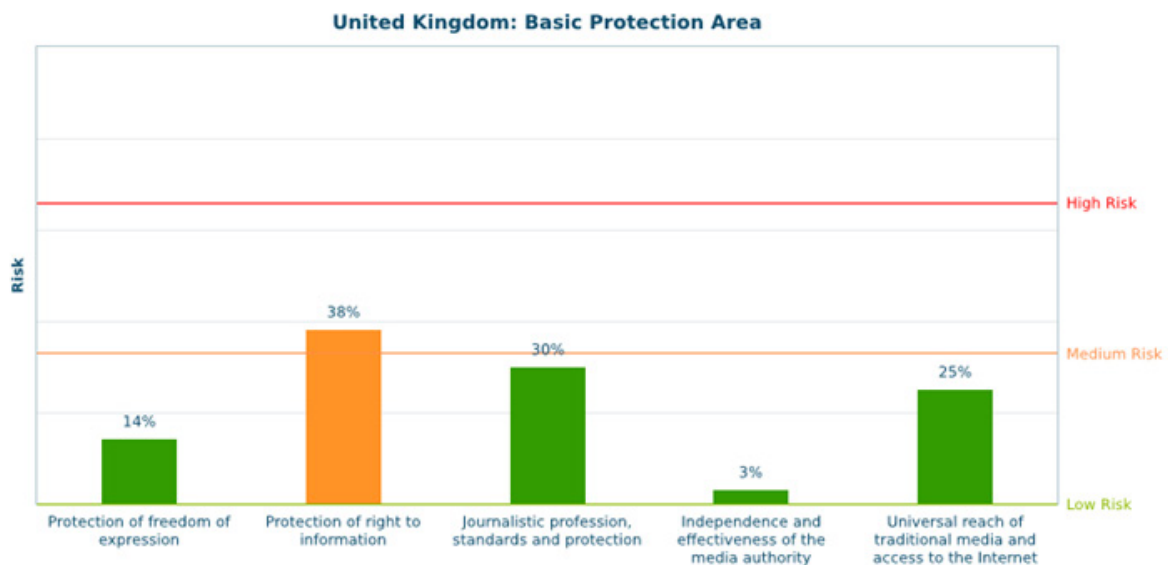
Major discussions have taken place in the last few years concerning the scope and limits of freedom of the press and its ethical and professional obligations. In the aftermath of the News International phone hacking scandal in 2011, Lord Justice Leveson chaired a public inquiry and recommended a new independent body to oversee the press sector, with oversight by a recognition body to ensure the regulator meets the required standards. A second stage of the inquiry was envisaged, to consider the relationship between journalists and the police. After consultations in 2016/2017, the Culture Secretary decided, with opposition from the House of Lords, not to proceed with 'Leveson 2', arguing it was no longer required given the conclusion of legal actions against individual police officers and journalists and the need to focus on other challenges, such as the financial pressures on the press. Press regulation campaigners have sought judicial review of this decision. A similarly controversial decision was taken not to implement the cost-shifting provisions in section 40 of the Crime and Courts Act 2013, which would have protected from costs those media companies who had signed-up to a recognised press regulator such as IMPRESS; while imposing costs, even if successful, on companies without such membership.

Privacy of digital communications has been at the centre of heated debate since the now Investigatory Powers Act 2016 was announced; enabling the bulk collection and interception of communications by security and other services.



3.1 BASIC PROTECTION (22% - LOW RISK)

The Basic Protection indicators represent the regulatory backbone of the media sector in every contemporary democracy. They measure a number of potential areas of risk, including the existence and effectiveness of the implementation of regulatory safeguards for freedom of expression and the right to information; the status of journalists in each country, including their protection and ability to work; the independence and effectiveness of the national regulatory bodies that have the competence to regulate the media sector, and the reach of traditional media and access to the Internet.



The indicator on Protection of freedom of expression scores at 14% (low risk).

The UK is ranked 40th of 180 countries in the 2017 Reporters Without Border's (RWF) World Press Freedom Index, so there is no room for complacency. Major concerns cited were section 40 of the Crime and Courts Act 2013, which will not now be implemented, whistleblower protection, and online threats to journalists.

In the civil field, the laws of defamation (previously decriminalised) and privacy provide defences helpful for the media, including reporting in the public interest. The Scottish Law Commission has proposed 'codifying' key criteria and defamation defences in statute, broadly in line with the English 2013 Defamation Act.²

The indicator on the Protection of right to information scores at 38% (medium risk).

Freedom of information legislation facilitates access to information, including datasets, held by public bodies, with exceptions for information held for journalistic purposes. RWF expressed concern at reporters being excluded from attending political party campaign events prior to the 2017 election, raising questions of political accountability. Whistleblower protection continues to be problematic, contributing to the medium risk classification. The Public Interest Disclosure Act 1998 protects employees where they disclose specified matters to designated bodies but uncertainties regarding qualifying requirements and the limited contexts in which disclosure to the media is protected may result in matters of genuine public interest being covered-up. Implementation of the EU trade secrets protection directive (EU 2016/943) could further deter the disclosure of corporate wrongdoing.

The indicator on Journalistic profession, standards and protection scores at 30% (low risk).

The Investigatory Powers Act 2016 requires those seeking a warrant for disclosure of journalistic information to indicate this expressly in their application to a Judicial Commissioner (sections 23, 28, 29), but it does not give news organizations prior notice of such applications. In March 2017, Liberty launched a crowd-funded legal challenge to the broad surveillance powers in the Act and, in November, the government consulted on necessary amendments in light of the Court of Justice rulings in the Tele2 Sverige/Tom Watson cases. Wide-ranging Law Commission proposals for a new Espionage Act also caused concern.

2 Scottish Law Commission, Report on Defamation, Scot Law Com No. 248, December 2017.



Entry to the journalism profession is not dependent on specific qualifications or a license. In the print sector, falling circulation, title closures and job losses continue to create insecurity, though some titles have successfully grown their online services.³ An estimated 20% of journalists do not have union protection. There were relatively few reports of attacks or intimidation of journalists during 2017, the most well documented being that of BBC reporter Laura Kuenssberg, assigned bodyguards to attend the 2017 Labour Party Conference; but harassment online, particularly of women journalists may go largely unreported.

The indicator on the independence and effectiveness of the media authority scores at 3% (low risk).

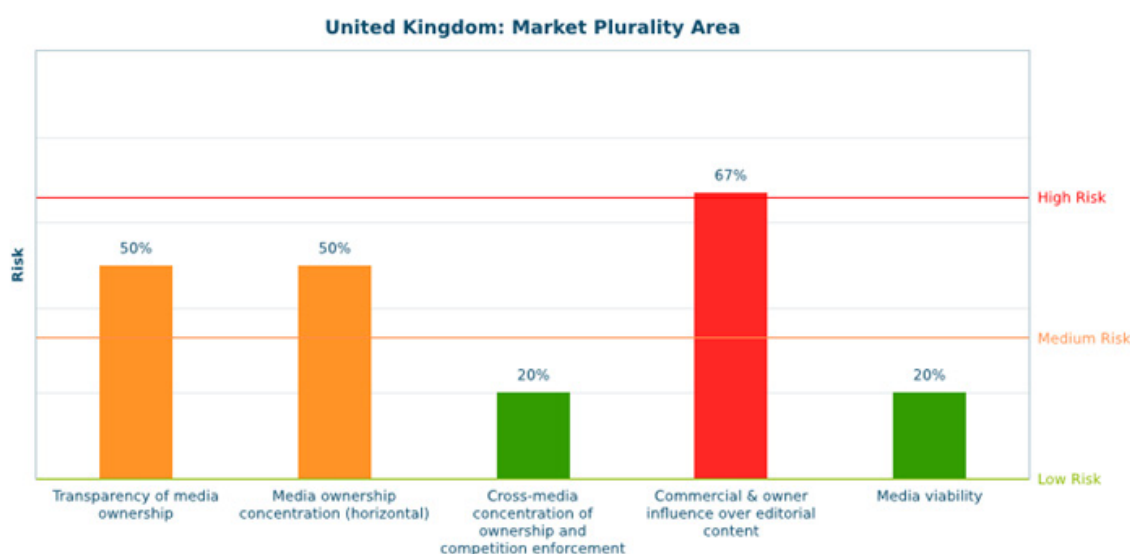
On regulatory independence for the broadcast sector, Ofcom operates independently from government, in line with EU requirements, with extended competence for the BBC.⁴ Much of the printed press considers the 2013 Royal Charter on self-regulation of the press to pose a threat to press independence, though a legal challenge to the recognition of IMPRESS under the Charter was rejected in October 2017.⁵ Funding and transparency arrangements for the various regulators appear adequate, with IMPRESS currently dependent on charitable funding.

The indicator on universal reach of traditional media and access to the internet scores at 25% (low risk).

Universal service is an important aspect of public service provision, with public service DTT stations reaching 98.5% of UK households. In 2017 Ofcom reported that it had found no major concerns in the UK regarding the openness of the Internet. Four ISPs account for 81% of this market.

3.2 MARKET PLURALITY (41% - MEDIUM RISK)

The Market Plurality indicators examine the existence and effectiveness of the implementation of transparency and disclosure provisions with regard to media ownership. In addition, they assess the existence and effectiveness of regulatory safeguards to prevent horizontal and cross-media concentration of ownership and the role of competition enforcement and State aid control in protecting media pluralism. Moreover, they seek to evaluate the viability of the media market under examination as well as whether and if so, to what extent commercial forces, including media owners and advertisers, influence editorial decision-making.



The indicator on transparency of media ownership scores at 50% (medium risk). The UK does not have a specific, publicly accessible, database recording media ownership. Detailed ownership information is available on companies registered at Companies House, but it would be time-consuming to build up a more general market picture in this way. In the broadcasting context, Ofcom requires licensees to provide and update detailed ownership information but publishes limited ownership information on its website.

3 D. Ponsford, 'The Sun cites Comscore data to say it is now the number two UK newspaper online', Press Gazette, February 20, 2017.

4 Art.3, Framework Directive, 2002/21/EC. See the robust letter from Ofcom Chairman, 27 July 2017, to the Secretary of State at: https://www.ofcom.org.uk/_data/assets/pdf_file/0020/105338/Reply-to-Secretary-of-State-from-Dame-Patricia-Hodgson.pdf.

5 R on application of NMA and Press Recognition Panel [2017] EWHC 2527 (Admin).



The indicator on media ownership concentration (horizontal) scores medium risk (50%) and the one on cross-media concentration of ownership and competition enforcement scores low risk (20%).

Specific concentration thresholds within and across media sectors were abolished a number of years ago, with a single cross-media restriction, limiting consolidation between major newspaper companies and the Channel 3 broadcaster, retained. In the case of major media mergers, the UK now relies on the application of the media public interest criteria in section 58 of the Enterprise Act 2002, which cover plurality and diversity issues, complemented by the application of competition law. The Secretary of State is competent to initiate and ultimately determine a plurality review, with advice from Ofcom and the Competition and Markets Authority. Though the Secretary of State acts in a 'quasi-judicial' capacity, there is a risk of political influence, or its appearance, and that support from news services could be used as bartering tools in negotiations. The 2002 Act is triggered by a merger and does not apply to 'endogenous' growth.

UK media markets tend to be dominated by a few major players. The top four television groups accounted for over 70% of the audience share; in radio this figure was in excess of 80%. Similarly, the top four newspaper groups accounted for around 77% of the newspaper readership. As originally proposed, 21st Century Fox's take-over of Sky would have given the Murdoch Family Trust material influence over not only the largest UK-wide newspaper group but also one of only three significant providers of television news.⁶ Aggregated financial figures posted by some international companies made assessing domestic revenues more difficult, and finding comparable figures for cross-media consolidation also proved problematic.

In relation to the competition impact of state funding, Ofcom now has enhanced regulatory oversight of the BBC, with power to decide whether the BBC can make a material change to its UK public service provision.⁷ Despite concerns that Ofcom would be overly protective of commercial interests, it has provisionally approved the BBC's 2017 proposal to launch a Scotland television channel.⁸

The indicator on commercial and owner influence over editorial content scores at 67% (high risk).

In relation to editorial independence, broadcasters are required to act with due accuracy and impartiality. Advertising in both print and broadcasting sectors must be clearly recognisable. But there is little formal protection for journalists or editors in the print sector from commercial or proprietorial pressures, while Ofcom has more limited competence in the online sector. In a few instances, procedures have been established to protect editorial autonomy (eg. the Times, 1981), but the effectiveness of such rules is questionable.⁹ The IMPRESS code requires transparency of paid-for-content and conflicts of interest to be disclosed, whereas the IPSO Code, covering the major press publishers, solely addresses financial journalism.

The indicator on media viability scores at 20% (low risk).

Audiovisual revenues and expenditure on online advertising increased over the year, while revenues for radio and the print media fell. A number of major titles, such as the Daily Mail, recorded an annual drop in circulation from April 2017 of over 10%.¹⁰ The news industry has thus continued to experiment with new methods to combat declining print sales, such as reader contributions, exclusive content, and crowd-funding.¹¹ The BBC will support the development of local television stations through the purchase of programming up to 2020.

6 Ofcom, Public interest test for the proposed acquisition of Sky plc by 21st Century Fox, Inc, Ofcom's report to the Secretary of State, 20 June 2017, para.1.4 at: https://www.ofcom.org.uk/_data/assets/pdf_file/0012/103620/public-interest-test-report.pdf

7 See BBC Charter articles 45-46.

8 BBC, 'New BBC Scotland TV channel given 'provisional' approval by Ofcom', 20 April 2018 at: <http://www.bbc.co.uk/news/uk-scotland-43837258>

9 See Ofcom, n.8, para.11.20.

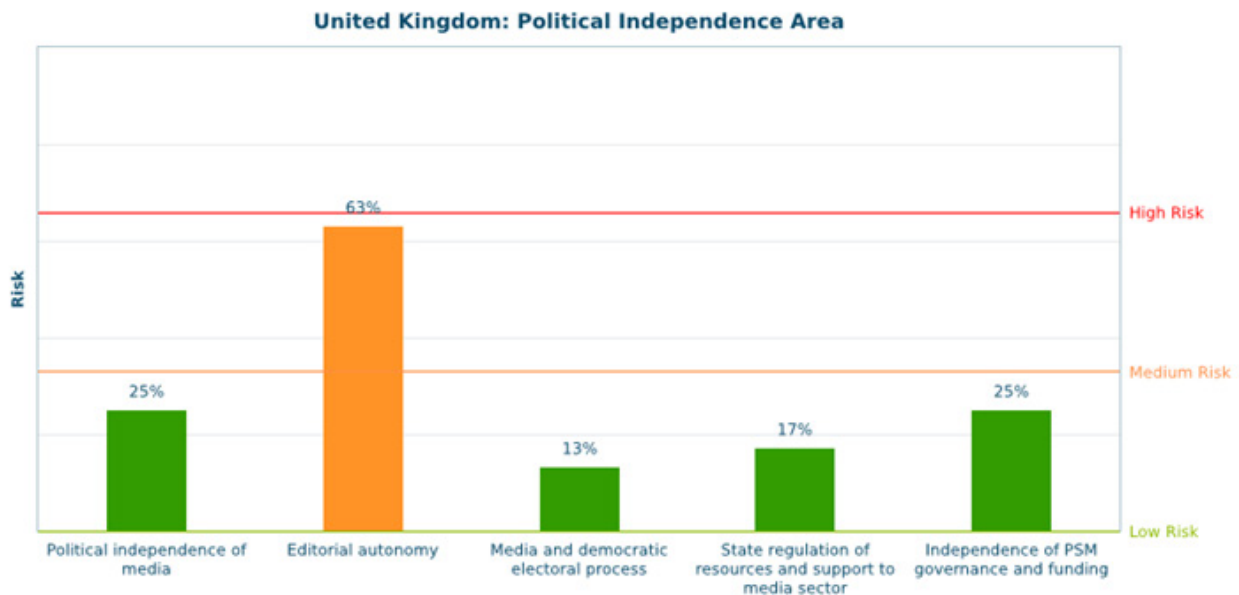
10 D. Mayhew, 'National newspaper ABCs: Daily Telegraph decision to stop selling bulks sees circulation fall by nearly a fifth year-on-year', Press Gazette, May 17 2018.

11 The Guardian reported 800,000 supporters in October 2017: K. Viner, 'Together, we are safeguarding the Guardian's independent journalism', the Guardian, 26 October 2017.



3.3 POLITICAL INDEPENDENCE (29% - LOW RISK)

The Political Independence indicators assess the existence and effectiveness of regulatory safeguards against political bias and political control over the media outlets, news agencies and distribution networks. They are also concerned with the existence and effectiveness of self-regulation in ensuring editorial independence. Moreover, they seek to evaluate the influence of the State (and, more generally, of political power) over the functioning of the media market and the independence of public service media.



The indicator on political independence of media scores a low risk (25%).

Political influence over the broadcasting media is constrained through the prohibition on political bodies holding broadcasting licences and the due accuracy and impartiality rules, noted above. Political advertising on broadcast channels is prohibited and the allocation of party political broadcasts carefully regulated. The printed press is not subject to the same ownership or impartiality restrictions and can take political advertising, leaving it more exposed. The Advertising Standards Authority does not regulate political advertising, so that advertisements in the press and certain online services are subject merely to general law requirements. Newspapers in the UK are not generally owned by political parties or organisations (exceptions include the publications of the Socialist Workers Party), though they are broadly politically aligned. Local authorities are prohibited from publishing news sheets or other publications that emulate commercial newspapers in style or content.

The Leveson Report expressed concern over a lack of transparency regarding contacts between ministers and media officials, noting that there were 'legitimate perceptions ... that politicians and the press have traded power and influence ... contrary to the public interest and out of public sight'.¹² Under the terms of the Ministerial Code, Ministers must ensure that no conflict arises, or could reasonably be perceived to arise, between their Ministerial position and their private interests. Transparency and disclosure of conflicts of interest requirements also extend to Members of Parliament. 'Alignment' of interests may, however, occur without formal contacts, rendering governmental powers in the media field inherently problematic.

The indicator on editorial autonomy scores a high risk (63%).

Editorial autonomy in the print sector is not generally protected (see 3.2), while in the broadcast sector, due impartiality and accuracy requirements serve to protect independence and are actively overseen by Ofcom. The BBC is subject to an explicit requirement of independence, including in relation to editorial matters, in clause 3.1 of its Charter.

The indicator on media and democratic electoral process scores a low risk (13%).

Regarding media coverage of the democratic process, alongside impartiality and accuracy requirements, party political and election broadcasts provide dedicated airtime for political parties. Obtaining coverage is generally

12 Leveson, Executive Summary, para.120, at: https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/229039/0779.pdf.



most challenging for independent candidates, small parties or those seeking to enter the political field for the first time. Ofcom's Election Committee can consider complaints about due impartiality during an election or referendum period where a substantial issue is raised and the complaint, if upheld, could require redress before the election or referendum.

The indicator on State regulation of resources and support to media sector scores a low risk (17%).

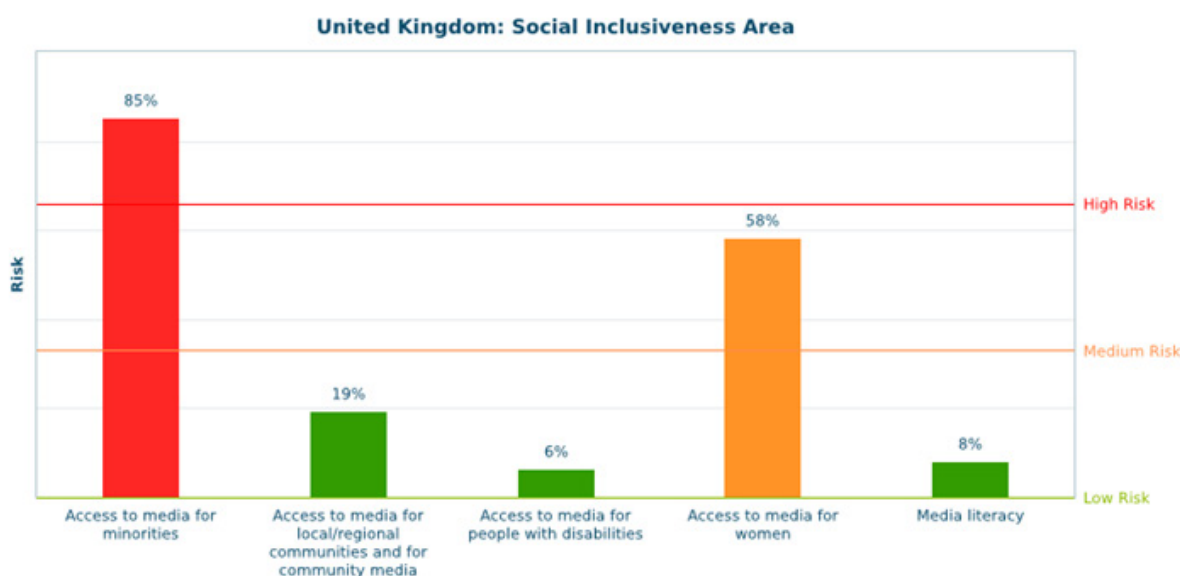
State allocation of broadcast frequencies and subsidies appears fair and transparent, though it is arguable that the VAT exemption for printed newspapers should also apply to online publications. There do not appear to be statutory controls regulating state advertising but civil service ethics, together with freedom of information requirements, exert constraints. Local authority advertising is not to be used to subsidise voluntary, public or commercial organisations.

The indicator on independence of PSM governance and funding (25%).

In relation to the independence of public service governance, the fact that the Secretary of State must approve Ofcom appointments to the Board of Channel 4 and that five of the fourteen non-executive members of the BBC Board are appointed by Order in Council could be used to advance particular interests. The Secretary of State's refusal to approve the suggested appointment of a prominent black woman to the Channel 4 Board in 2016 raised concerns. There are, however, political and legal constraints on the extent to which such powers can be used for blatant political advantage. The BBC Charter provides that appointments are to involve a fair and open competition, according to the Governance Code, with a pre-appointment Commons Select Committee hearing regarding the influential Chair. Appointment of the Nation Members for Scotland, Wales and Northern Ireland requires the agreement of Scottish and Welsh Ministers and the Executive Committee for Northern Ireland (clause 23.8-10 Charter). The mechanism for determining the extent of the licence fee leaves considerable discretion with the Government and hence scope for political pressure.

3.4 SOCIAL INCLUSIVENESS (35% - MEDIUM RISK)

The Social Inclusiveness indicators are concerned with access to the media by various groups in society. The indicators assess regulatory and policy safeguards for community media, and for access to media by minorities, local and regional communities, women, and people with disabilities. In addition to access to the media by specific groups, the media literacy context is important for the state of media pluralism. The Social Inclusiveness area therefore also examines the country's media literacy environment, as well as the digital skills of the overall population.



The indicator on access to media for minorities scores a high risk (85%).

Enhancing diversity is acknowledged to be a major challenge for the media in the UK. Over the last few years a number of initiatives have been taken to address the lack of diversity in its many facets (language, ethnicity, disabilities, gender, etc.), with mixed, albeit overall encouraging, results. Concerns resulting from lack of diversity are typically addressed through legal and policy-based schemes.



The main legal framework resides in the Equality Act 2010 that covers a range of protected characteristics such as age, disability, gender reassignment, marriage and civil partnership, nationality, pregnancy and maternity, race, religion and belief, sex, sexual orientation. However, the most significant action in the last few years stems from either internal policies of broadcasters or secondary legislation. Ofcom enforces obligations to promote equal opportunities on all its licensees (including the BBC) and publishes an annual report. In 2016, the BBC, whose Operating Licence, Charter and Agreement address diversity, launched a five-year strategy to increase the diversity of its workforce and coverage. In the commercial sector, several broadcasters have arrangements in place designed to support or promote equal opportunities for employees with protected characteristics in the near future. BME audiences have long denounced the lack of ethnic diversity, despite recent progress.

The indicator on access to media for local/regional communities and for community media scores a low risk (19%).

Regarding regional and local communities, PSM are requested to air a minimum requirement of indigenous minority language programming each year. Other relevant provisions include frequencies reserved for local television and community radio and must-carry rules for both PSB and commercial broadcasters for regional and local content. The Community Radio Order 2004 (amended in 2010) and Section 262(2) of the 2003 Communications Act provide the relevant framework for community radio, including guarantees for independence. Ofcom awards licences for these services, which include requirements of accuracy and due impartiality in news reporting. State financial support to local and regional media ceased in 2017; but the BBC carries an obligation to purchase local programmes until 2020. The issue of representation of the UK nations and regions has long attracted criticisms towards the BBC, potentially addressed in the new and more detailed Operating Licence.

The indicator on access to media for people with disabilities scores a low risk (6%).

Pursuant to the Communications Act 2003, sections 303 – 308, and section 93 of the Digital Economy Act 2017, Ofcom draws up and reviews the code related to enabling persons who are deaf or hard of hearing, blind or partially blind, or who have a dual sensory impairment (deafblind) to be able to access television services, and monitors its implementation. Under the revised 2017 code, the BBC is required to subtitle 100%, audio describe 10%, and sign 5% of its content. The corresponding targets for other broadcasters are generally lower. Though the limited nature of specific provisions have raised concerns, certain broadcasters have themselves been developing provision further. Access requirements for on-demand services, previously deemed unsatisfactory, have been increased under the Digital Economy Act 2017.

The indicator on access to media for women scores a medium risk (58%).

Regarding gender equality, in 2016 the BBC launched a five-year strategy to increase the diversity of its workforce and coverage, and address the pay gap; particularly controversial given data indicating that two-thirds of stars earning over £150,000 are male. Channel 4 has the goal to equalise the number of male and female employees by 2020 and to increase the number of women directors. Ofcom has also recently started monitoring concrete action taken by broadcasters.

The indicator on media literacy scores a low risk (8%).

The Communications Act 2003 (section 11) tasked Ofcom with the responsibility to promote media literacy and undertake research to contribute public policy. At present there are several projects aimed to provide media literacy through media education, community projects, and not-for-profit media companies with a focus on digital literacy skills, online safety, and fake news, concern over which may lead to greater efforts in this field in future. However, in recent years the prominence of media literacy in the education curriculum and government support for it have been declining.

4. CONCLUSIONS

Recommendations for further action in the near future include:

Basic protection

- The UK commitment to human rights at the international level is an important point of reference for other states and reform of the domestic human rights framework should work with and not be at the expense of the UK's international commitments.
- The Public Interest Disclosure Act 1998 on whistleblowing should be reviewed with scope to adopt more comprehensive legislation in line with international standards. Effective privacy safeguards for the public and media should also inform revisions to the Investigatory Powers Act 2016, with adequate time for consultation and debate.
- Continuing efforts should be made to address the worrying declining trend in funding for investigative journalism, with consideration given to further use of charitable status and tax advantages as mechanisms of support. The VAT exemption available for printed newspapers should also apply to online publications.

Market plurality

- Concentrations in the media sector need to be tackled more effectively, starting, we would suggest, with clearer guidance on unacceptable concentration limits and the inclusion of 'endogenous' growth within the scope of review. Government involvement in this process should be curtailed.
- Ownership information on the media sector should be consolidated and made available in a publicly searchable database.

Political and commercial independence

- The mechanism for determining the extent of the licence fee should be reviewed in order to restrict the scope for Government discretion and political pressure.
- Provisions relating to the transparency of paid-for-content and conflicts of interest should be included in all regulatory codes of conduct.
- In light of the decision not to proceed with section 40 of the Crime and Courts Act 2013, further consideration of the future of press regulation to ensure independence and accountability is required. Access to justice, out with the reach of the IPSO and IMPRESS arbitration schemes, should be explored with a possible media tribunal.
- Political advertising should be subject to effective regulatory oversight.

Social inclusiveness

- Requirements for subtitling, audio description and signing should be gradually increased in line with commercial realities.
- Rapid steps should be taken to effectively address gender pay differentials across the media sector.
- Publicly funded programmes for media and digital literacy should be reprised and enhanced.



ANNEXE 1. COUNTRY TEAM

The Country team is composed of one or more national researchers that carried out the data collection and authored the country report.

| First name | Last name | Position | Institution | MPM2016 CT Leader (please indicate with X) |
|------------|----------------|--------------------------------------|-------------------------|--|
| Rachael | Craufurd Smith | Reader in media law | University of Edinburgh | X |
| Paolo | Cavaliere | Lecturer in digital media and IT law | University of Edinburgh | |
| Joseph | McAulay | Researcher, LLB Hons student | University of Edinburgh | |





