



European Scrutiny Committee

Oral evidence: [EU scrutiny: follow up inquiry](#), HC 540

Tuesday 20 October 2015

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Members present: Sir William Cash (Chair), Geraint Davies, Richard Drax, Peter Grant, Damian Green, Kate Hoey, Kelvin Hopkins, Calum Kerr, Craig Mackinlay, Mr Jacob Rees-Mogg, Graham Stringer, Kelly Tolhurst, Mr Andrew Turner, Heather Wheeler.

Questions [1-59]

Witnesses: **Lord Hall of Birkenhead**, Director-General and Editor-in-Chief, BBC, **James Harding**, Director of News and Current Affairs, BBC, and **David Jordan**, Director, Editorial Policy and Standards, BBC, gave evidence.

Q1 Chair: Lord Hall, gentlemen, thank you very much for coming. I am going to ask the first question or two. The BBC's 2014-15 Annual Report and Accounts states that "While the BBC rightly attends Parliamentary committee hearings, the number of these hearings has been on an overall upward trend in recent years, with increasing evidence that some committees want to question the BBC on its editorial coverage and decision making. It is an important principle that the BBC makes editorial decisions free from Parliamentary and Government pressure and interference. We believe"—that is, the BBC—"that appropriate boundaries should be set to define more clearly the BBC's relationship with the state to protect the BBC's editorial independence." Can you explain exactly what is meant by this statement, which is in your 2014-15 Annual Report and Accounts?

Lord Hall of Birkenhead: Yes, let me try. We are going over ground that we discussed—actually, I thought, fruitfully—last time, which is the balance between appearing before an array of Select Committees, both here and in Scotland, Wales and Northern Ireland, and the editorial independence of the BBC, which we talked about last time, and chapter 6 of our charter. It is about getting it right. Scrutiny is a proper thing for any Committee or for Parliament to ask of us, but if scrutiny is too forensic or too often, it could lead to a sense of a lack of confidence amongst our journalists—a concern that they play safe, as opposed to pursuing what we, by charter, have to do, which is to do impartial journalism across the widest range, with the widest breadth and voice.

We talked a lot last time, Sir William, about the charter and how the Trust and ourselves related it to our responsibilities. The thing that is new for me, which might be



helpful to know—although this does not mean that we do not listen—is that our independence and our impartiality are also key to our audiences. This is pertinent to the work which your Committee is doing. Some 80% of the public, in our recent survey, said that it is important for the BBC to focus on being impartial, and 53% of respondents said that BBC News was the one source they were most likely to turn to for impartial news coverage, which puts a big responsibility on us, as you reminded us last time. We were also the one source they trust the most, by a very, very wide margin. On Europe, 60% of respondents agreed with the statement “The BBC helps me understand the politics of Europe”—not the EU there, but Europe more broadly. The BBC is seen as the best source of coverage of Europe, particularly political and economic coverage. That, of course, puts a particular responsibility, as you reminded us last time, on our coverage of the EU referendum.

I say all that because we have to be accountable to the Trust and to the people who pay for us. We have also got to make sure that we are open to critiques and to ideas about how we can improve and do better in our coverage, but at the same time we have to make sure that our relationship with our audience is one where they can see that we are being independent and impartial on their behalf. I hope that is helpful.

Q2 Chair: That is very helpful, if I may say so, Lord Hall. We received an urgent letter from James Harding yesterday, which the Committee has now got, and it concluded with a series of undertakings about the referendum and the way it is going to be conducted, and said that you looked forward to giving more details today. Much of the rest of the letter contained restatements about your perception of the proper role of this Committee and the scope of the BBC’s editorial independence. We have been over that to some extent just now, but, Mr Harding, why did you consider that these restatements were necessary, given the direct relevance of your undertakings in the final but one paragraph, for our session this afternoon? Was it a gesture of goodwill? Was that the idea?

James Harding: Sir William, I hope so. When we were here last time, one of the questions was, “How are you going to begin to think about the coverage of the EU referendum?” In that context, we are here again today, and I hope that we are not necessarily going to rehearse the conversations we had last time. What we could usefully do is to give you some sense of our thinking about how we best cover the EU referendum. But, of course, in that context, I do want to underline the importance of editorial independence. In the end, the public’s confidence in our coverage of the news relies upon the fact that they know that we are not subject to any political interference or the sway of particular politicians. I hope that that letter set that out.

Q3 Kate Hoey: I have a couple of points about that letter, while we are on it. Again, you talk here about how debates about Europe can often descend into arguments on the BBC. Can the BBC be clear, and can you state today, that you understand the difference between Europe and the European Union?

James Harding: Yes.

Lord Hall of Birkenhead: Yes, absolutely.

James Harding: This is a point that is well-made; you have made it in the past, and I know that Mr Hopkins has made this point before, as well, about this issue of how we specify the European Union. You are absolutely right on this. It is something that we have discussed internally in the BBC. It will be part of the training, which I will discuss a little bit later on.

There is a conversational point that you will also appreciate, which is that you will often see that in a discussion that starts about the UK’s relationship with the European Union or the EU, or the EU-UK relationship, there will be cases where individuals—whether people we are interviewing, or people who are interviewing—use on the third or fourth occasion a



reference to “Europe” as a shorthand for the EU. My view is that we should try at all times to make the point that it is the EU, but we have also got to accept that there are going to be conversational circumstances in which, on a second, third, or fourth reference, people will use “Europe” as a shorthand. As long as it is clear and understood in the context of the EU-UK relationship, that works.

Kate Hoey: It is particularly important because one of the campaigns may well be calling to “stay in Europe”. The other quick point on the letter—again, it is another beef of mine—is that you talk again about Britain, Britain, Britain. It is the United Kingdom. You are excluding Northern Ireland, to which you also have a responsibility so, could we talk about the United Kingdom? Thank you.

Chair: I am sure that is understood.

Q4 Geraint Davies: Lord Hall, you mentioned that the vast majority of your viewers believe the BBC is impartial—I believe it is, actually—but would you not agree that viewers of, say, Russian television think it is impartial? When I have been invited on Russian television regarding my views on TTIP and fracking, etc., it has been clear that I am being invited because those views are against American interests. I presume that Russian television would want to see a break-off of Britain from Europe, yet viewers of Russian television may think that it is impartial. The point I am trying to make is that the fact that people in Britain think you are impartial does not show that you are impartial, does it?

Lord Hall of Birkenhead: Certainly, when I see viewers’ comments on our programmes, or if I am before viewers—or listeners, for that matter—talking about the programmes that we do, I am certain that they have very strong views and are very well-educated and opinionated about what we do. I would take a lot of comfort, actually, from the polling on impartiality, but what I would not be, Mr Davies, is therefore complacent about it. The issue of impartiality—the reason why I think you are interested in how we cover this referendum campaign—means a never-ending search for the very best coverage that we can do, and the broadest range of views that we can cover, with all voices from all parts of the UK represented. It is a constant piece of work to ensure that we are as impartial as we can be. That does not mean we are always right and, as I think I have said before, if we get things wrong, we should say so and move on, having learned from that, as quickly as we can.

Q5 Chair: Of course, it is an evolving picture that you are describing. There has been progress, many would think, since the Wilson report, and you had no objection to the fact that Wilson looked into it and came up with recommendations—indeed, you responded to it. The question is how that evolving picture continues to improve. Could I ask this next question: what are the criteria that you do use to determine whether editorial independence in decision making is leading to the achievement of impartiality?

Lord Hall of Birkenhead: Would it be helpful if we described the sort of checks and processes we go through to determine how our output is matching up to what we want to do each day?

Chair: That would be very helpful.

Lord Hall of Birkenhead: Mr Harding is probably best to do that.

James Harding: Shall I start just by fleshing out some of the points that I have alluded to in the letter? What can we do to make sure that the public feel as though there are means by which they can voice opinions, not just complaints? We obviously have a very rigorous complaints system, and there are a number of ways in which people can make their particular criticisms and concerns known, or contest areas of the coverage.

One of the questions we have is how we make sure that we are alive to concerns before, necessarily, even a formal complaint arises. That is one of the issues that we have.



There is a second question: in the heat of a very fiercely contested debate—I think we can all predict that that will be the case with the EU referendum—how do people within the campaigns, and those people across both sides of the debate, feel as though they have a mechanism to get a point across to the BBC? How do we make sure—this is the third area—that we feel as though our colleagues across BBC News are fully informed of the workings of the institutions of the European Union, and its relationship with the UK?

There are three things that we are proposing in response to those particular issues. One is that, in the run-up to the beginning of the formal campaign, I and senior editors will meet the audience councils of England, Wales, Scotland, and Northern Ireland, and use those sessions specifically to address the concerns and points of view of people among those audiences. As I am sure that this Committee is aware, the audience councils report directly to the Trust. They are there as representatives of our audiences—of licence-fee payers—and in my experience, they have been the most acute and active critics of the work we have done in BBC News. The value of that is that when you go in front of them, they will often raise with you issues that you might not yet see, but that are emerging.

So, in the run-up to the formal campaign, we will have meetings with those four different audience councils. During the course of the campaign itself, I propose that we pull together an audience council specifically for the EU referendum, drawn from those audience councils from England, Wales, Scotland and Northern Ireland, and I hope that that will give us a way, over and above the complaints mechanisms and, of course, the correspondence that we all receive, to keep in touch with audience points of view on our coverage of the EU referendum.

The second issue is about how you keep in touch with the particular concerns that the campaigns have. I am sure that people are aware that this is a particularly complicated issue because, of course, as things currently stand, it is not exactly clear how those campaigns will operate or who will operate them. There are also points of view that exist within the debate, but not necessarily within one or other formal campaign. Our responsibility in the run-up to the official campaigning period is to keep in contact with the campaigns themselves and, of course, with people whose opinions weigh in on this particular subject.

Within the official campaigning period, what we propose is that I will have a monthly meeting with the representatives of the two official campaigns. We will also make sure that we maintain a hotline, as we did in Scotland—I think that both sides in the Scottish debate found that very useful. There is an issue of how we make sure that we are alive to people whose views are pertinent to this particular debate, but who are not necessarily represented by one or the other official campaigns. I would ask the official campaigns to seek to Hoover up those points of view, but it would also be a requirement of us, the BBC, to look at ways to engage with people beyond the official campaigns.

The third and final point is about training. We have seen that we have, for many years now, had training, particularly around the workings of the institutions of the EU. It is extremely helpful. That said, we know that this is going to be a period, rightly, of great scrutiny of our coverage, so our view is that we should re-institute mandatory training of all BBC journalists so that they are as well informed as possible about issues around the workings of the institutions of the European Union and the EU's relationship with the UK. Those are three areas.

Q6 Chair: Thank you very much. In relation to the response that you made to the Wilson report, which is comprehensive, you did, of course, deal with a lot of those questions, including training initiatives and monitoring—all those sorts of things. I presume, therefore, that these matters you have described in the context of the evolving picture since Wilson—and in relation to the very great importance of this referendum, which you recognise—will



lead to an improvement, so far as you can judge it, in relation to getting all those ingredients and elements right for the purposes of this referendum?

James Harding: That is right, Sir William. Often, in the conversations I have with David Jordan, he will say to me, “Yes, that is a good idea. That is why we are already doing it.” You will find that, particularly around the training, a great deal of the work has already been done. My hope is that by reinstituting mandatory training ahead of the beginning of the official campaign, we will make sure that that is true for all journalists across the BBC.

Chair: But to get the balance right, for the purposes of training the researchers who, in practical terms, compile a lot of the questions that the interviewers ask, it is important that they should be conscious of the fact that there are two sides to this argument, and that whichever side you happen to prefer is, in a sense, irrelevant. The question is whether what you are doing is making sure that if there is a Europhile approach to the subject—in other words, if you want to remain in—there is a position there, and also, for those who want to leave, that there is a position there as well. But you will not actually be able to get that kind of training delivered unless you are actually including in the training course people who can provide the arguments on both sides of the equation at equal level. I know that this is difficult, perhaps, but I just thought you might appreciate that, because we want to try to get the thing right, not to take particular sides.

Finally, you would agree, I am sure, that impartiality is not just a question of the opinions of particular editors or producers; it has to be weighed against what is included, as you quite rightly said earlier, in the provisions of the charter and the framework agreement. We are all agreed about that, I hope.

Q7 Geraint Davies: I do not think it is as simple as for and against. You mentioned your audience councils; in the case of Wales, you will be aware that Wales is a massive beneficiary, in terms of billions of pounds of convergence funding, in a way that England overall is not. The second university campus in Swansea would not be there if it were not for Europe. Is the coverage in Wales going to be different in light of the reality of the EU in Wales, or will there be just one blanket coverage?

Secondly, you said there will be coverage of the Yes and No campaigns, but what I put to you is that if you take the Yes campaign, there is, on the one hand, the neoliberal Yes campaign—David Cameron wanting a laissez-faire, free-market situation—and a progressive vision of the Yes campaign involving a more socially inclusive Europe. Will you differentiate those as well? I do not want to see a situation where it is just a black-and-white Yes or No in everything. How are you going to achieve that?

James Harding: Those are obviously very good questions. I will have a quick go at them and pass them to David. The point about the audience councils is actually to understand, most importantly, the perception of the issues and the coverage. A great deal of the coverage that exists on the big network—television, radio and online—will obviously go across the UK, but clearly there are different issues in different nations of the UK, and we have to be alive to those.

Your second point puts a finger on the issue I was trying to address about how we make sure during the course of the campaign period that we are alive to concerns or criticisms that come from within the main campaigns—from the designated campaigns—while there will also be a spectrum of opinion on both sides that may not exist within those campaigns. That is the issue I am just raising with you to say, “Look, we also realise that we have a responsibility to address that, too.”

David Jordan: You make a very profound and important point, Mr Davies, about the range of opinion, and it is our desire to reflect all the range of opinion. When you ask, “Will the debate in Wales be reflected as well as the debate across the UK, or in Scotland or in



Northern Ireland?” that should absolutely be what we are trying to do, and it should reflect all the different reasons why people have come to their conclusion. Ultimately, it is a binary question, but it can be arrived at from a whole series of different positions. It would be our desire to reflect all those positions, as well as the binary question.

Q8 Damian Green: I wanted to pick up the Chairman’s point about training, as someone who was trained as a journalist by the BBC. I have to say, in those dim and distant days, you certainly did get a full range of people in front of you as a trainee BBC journalist, reflecting all sorts of wacky world views, all of which were very good and valuable. I wanted to ask whether we are not slightly dancing on the head of a pin here. Presumably, all these pressures and difficulties, and the requirement for balance, are there in a general election campaign, which we and you go through regularly. Is there anything inherently different in the way the BBC will seek to get impartiality in a referendum campaign from what it would do in a general election campaign?

David Jordan: As you rightly say, we go through this process in advance of every single election that we cover, whether it is a constituency election, or one based on constituencies, or whether it is a referendum. Before every one that we look at, we draw up a set of election guidelines, which are signed off by the BBC Trust, that inform our journalists and our programme makers about how best to approach the particular issues involved in that set of elections, election, or referendum. We have been doing this for a very long time—from the time that you were in the BBC, and ever since—so we have quite a lot of experience of putting these things together.

At the moment, we are drawing up our guidelines that will apply to the referendum, which obviously draw on our experience in all the elections that you have mentioned and other referendums that we have been through in the past, going back quite a long way, and seeking to give the best advice that we can to help programme makers to achieve impartiality and reflect the kinds of debates that Mr Davies was mentioning earlier. We are in that process at the moment, and we will go on through that process. It will not be new to our journalists, but some of the facets of it are bound to be different in relation to this referendum from previous referendums or elections. We have a process that we go through on each occasion.

Q9 Peter Grant: I want to go back to Geraint’s question because it is not simply a matter of the degree of support or opposition to Europe, or to the EU, differing in different parts of the UK. The issues that are vitally important in Wales could be completely irrelevant in Fife, Derbyshire, or London, and that can mean that if the BBC coverage, when it focuses on Wales, is still being edited, directed, and effectively run from London, the people in Wales are going to feel they are being talked about by somebody else, rather than the coverage being done for them. I would suggest that the only way to avoid that is for a lot of the coverage that is shown in Wales to be produced in Wales by BBC Wales, and for a lot of the coverage in Scotland to be produced by BBC Scotland. What plans do you have just now to make sure that not only in the four nations of the UK, but in the different regions of England, the overall coverage that viewers in those areas have experienced by the time they come to cast their vote properly represents the importance of the issues as they relate to their part of the UK, rather than to somebody’s view of the UK as a whole?

Lord Hall of Birkenhead: That is a really important question: what is relevant to particular parts of the UK and what is relevant to the whole? What we aim to do, as we did for the general election, is at some time—probably, I would imagine, early next year—to lay out how, strategically, we want to cover the referendum. Of course, that will change when we actually know the date and the terms that the Prime Minister has engaged with. At that point, we can work out how we can serve both—as you are right to point out, Mr Grant—the nations



of the UK and the regions of England, too, and use all of the firepower we have got at a local and regional level, or a national level in Scotland, Northern Ireland and Wales, to best effect.

The short answer to your question is that it is a combination of them both. There are moments when you want to bring the whole of the UK together, for either debate or discussion. There will be things that we put online—an information service about the terms of the discussion and what people are saying—that might be for the whole of the UK. Equally, I completely concur with what you are saying: the regions and the nations of the UK must have a very important part in that, too. We will be pulling everyone together, working out what our strategic plan is—James will be taking a lead on that—and making sure that we play to our strengths.

Q10 Kelvin Hopkins: I wanted to raise again with James Harding the very good point that Geraint made about each side—the stay and leave groups—having big spectrums of opinion within them. Would you agree that it is wise for the BBC to not fall into the trap of allowing a side to be seen as one party side, and another the other side to be seen as the other party’s side? The Labour left, from Hugh Gaitskell through Barbara Castle to Tony Benn, were all Eurosceptic, as indeed I am myself, yet the majority of our party at the moment seems to be the other way. In the Conservative party, you have Ken Clarke and many others who will take an uncompromising “stay” view, and that should be reflected as well.

James Harding: Yes.

Kelvin Hopkins: Thank you.

Q11 Graham Stringer: Following on from that question, your memorandum draws a distinction between being impartial between political parties and impartiality between arguments during a referendum. Can you explain what you mean in more detail?

James Harding: If I may, I think the answer sits in Mr Hopkins’s question, and Mr Davies’s, too. There is clearly a range of opinion within the political parties about Europe and the European Union, and there is also a range of opinion within the leave or remain camps about the arguments on either side. If you step back and say, “What is the job of the BBC?” the job is to try to make sure that when people across the UK go to vote, they feel fully informed, so the task is partly going to be one of balance, but also one of range and of making sure that you get a sense of all the arguments that are being put forward. Does that answer your question?

Q12 Graham Stringer: In general terms. Going back to Kelvin’s point, how will it work in practice? That is really what I am getting at. Kelvin will be part of the out campaign, and there will be a leader of that campaign, who may be a businessperson, a trade unionist or a Conservative politician. They could be anybody, effectively. However, if that campaign is not really reflecting directly Kelvin’s particular reasons for wanting to leave the EU, how will you deal with that? You could say the same for the in campaign as well.

James Harding: Forgive me if this is too practical, but the practical answer is that in the course of a general election or the independence referendum in Scotland, the way in which the day works is that you start with a review of yesterday’s coverage before the nine o’clock news conference. We then go into the nine o’clock news conference, where there will be an airing around the table of different points of view. At that news conference, the news editors in Scotland, Wales, the UK and London all give points of view, and there is also a news editor representing the English regions, so you use that to take a look at the stories of the day. We then meet again at about 3.15, when we look again at what has moved in the course of the day.



After the six o'clock news bulletins have gone out, we would meet again, probably around 6.45, to look at what is happening on "News at Ten" or "Newsnight", and with a view to the following day's "Today" programme. That is the way you try to keep up with the movements of things during the course of the day. Obviously, editorial policy and David Jordan and his team will inform us, I hope, of the points of view that are coming into the BBC. We have a complaints mechanism to also do the same. Part of the purpose of the audience council is to ask what we can do over and above that, so we can, if you like, be alive to observations about our coverage that might not necessarily be fully-formed complaints or criticisms. I hope that we have got a series of ways to listen to what our audiences are saying.

Q13 Graham Stringer: Can I just try to help with the answer? During a general election, it is easy, is it not? You give the Labour Party so much time, and the Conservative Party so much time. If there is a difference of emphasis in the "out" campaign or the "in" campaign about something—about trade union rights, for instance, because Kelvin and I would have a different view on what the European Union means for trade union rights from Alan Johnson—how do you reflect that difference, both within the party and within a campaign? It puts a terrific responsibility on you to balance between views that are not just organisational issues. How do you do that, David?

David Jordan: We have quite a lot of experience of this, actually, going back over time. You are right to raise this as an issue, because particularly when you get designated campaigns, there can be a tendency for the those campaigns to say, "We only want you to have this person or that person to represent us, and we do not want any of the other people who may have come at this from a different perspective to be representing the campaign for Yes or the campaign for No," or whatever it might be. We have had experience of this in the past, even in something like the north-east regional assembly referendum, where we had campaigns trying to tell us, effectively, who we should and should not be talking to.

It is very important that this is part of the editorial independence aspect of all this: that we resist those blandishments and say, "Actually, this is an editorial judgment. There are people arguing for 'out' who have a problem with the sovereignty issue, and there are people arguing for 'out' who have a problem with the EU being a corporatist arrangement," or something of that nature, "so we need to reflect both those arguments in the 'out' argument, as well as other arguments across the range of the 'in' argument." It is our job, and it is our editors' jobs—this is what they are asked to do—to get a range of voices on both sides of this debate to make sure that all those different things are reflected.

That, as is already clear, is not going to be easy. You have already shown some of the dimensions of the issue: not just the different viewpoints in one country, but the different viewpoints in four different countries, in which you have to make sure that you are trying to arrange these things in a way that gives a proper expression to the views, given due weight. You would not give as much time to a minor argument in one part of the campaign as you would to a major argument, so you give due weight, but our objective is to try to cover all those things so that there is nobody in our audiences who feels, "My particular argument has not been represented by the BBC". That is our objective: to represent all the arguments that the audience feels.

Q14 Graham Stringer: Can I just ask one last question about training? Keynes famously said that we are all entitled to our own arguments, but not our own facts. I think Geraint was wrong in facts about Wales being a net beneficiary of European influence; as far as I am concerned, it is only Cornwall and Northern Ireland that are net beneficiaries. That can be resolved at some time. How well are you going to educate your journalists so that they



know the answer to questions like that in what is an extraordinarily complex area, both in facts and structure?

David Jordan: It is part of our training. It is not always possible to resolve these arguments completely. There are often disputes in politics, as I do not have to tell you, even about facts, which are not easy to resolve one side or the other. There were a lot of arguments in the Scottish referendum about the nature of the economic situation of Scotland post-independence, if that had occurred, and it was not always possible to come to a conclusion that one set of arguments was better than another set of arguments in those circumstances. But what we do as much as we possibly can is, where there are clear facts in the situation, we arm our journalists with them, and make sure that they are across them. In particular, we make sure that those people who are carrying out interviews and challenging facts and figures that are put forward by one side or the other have the right facts to be able to say, “Are you sure you have the right figures for that? Are you sure that is a fact, rather than an opinion?” and so on and so forth. So we do try very hard. It is a very tough thing to do, because there are often disputes over facts and figures in politics that cannot be entirely resolved.

Q15 Graham Stringer: How long will the training course be?

David Jordan: We tend to do these things face to face at the moment, so we would probably take our journalists through either a half-day or day-long course on this, which may well involve people outside the BBC. It has not been put together yet.

Chair: That is why I say you need to have both sides represented in the training course.

David Jordan: I take your point.

Q16 Mr Turner: I am going back a moment to the regions. The north-east, north-west, Yorkshire, Birmingham and London, of course, have a city in the middle. In the south-east, there is no such thing. It is in a curve around London, but not in London. East Anglia probably has something similar, and certainly the east midlands. How do you handle these places? How do you do things on a regional basis?

David Jordan: We have, as you know, regional newsrooms, which answer to James Harding in the same way as the national network does, which specialise in looking at the particular issues affecting their regions. We also have local radio stations up and down the country that specialise in looking at the local problems. They will not be absolved from responsibility to report the EU debate, just as the network programmes will be doing, and hopefully we will reflect the particular issues that may come up in those regions and districts.

Q17 Mr Turner: One of the problems, it seems to me, is that the cities dominate. People who live in the rural areas tend to be ignored, and I would not want that to happen.

Lord Hall of Birkenhead: If you go to Radio Lincolnshire or Radio York, a lot of our local radio stations not only represent cities—Lincoln, York, or whatever—but actually do a fantastic job in terms of covering rural and country issues. You are completely right to say that we have got to make sure that those issues are properly covered, and people are given airtime and debate. As I was trying to say earlier on, one of the real strengths of the BBC, which we have got to ensure we really play to as we plan our coverage, is this notion that we can be national—and international, of course—but also local. Going round local radio stations, when I see the quality of discussions and debates that go on involving the public that happen through those local radio stations, I am very impressed. That is something that we will almost certainly be putting at the service of the public as they make their minds up about the big question.



Geraint Davies: We have already spoken about providing more colour, as it were, regionally and within the Yes and No campaigns, but thinking back to the Scottish campaign, would you agree that that came across—this was not your fault—as a binary choice between “Are you in or out?” as opposed to two visions of either a united, socially-inclusive Labour United Kingdom or a more free-market, united Britain, or something else, which was an independent Scotland? That was partly the fault of the Yes campaign just combining the two and not having these finer differentiations, which was one of the reasons for the result, of course.

In terms of the recent past—and this is not your fault—the colour has not been shown, and I wonder whether there is a problem for the BBC in that you cover events, as opposed to filling in the gaps where people are not talking about some of the real issues? Do you feel that you have duty to do that?

Chair: Before you answer that question, could I say that Calum Kerr has actually got a question that closely relates to that? Would you like to ask that a supplementary?

Calum Kerr: Sure. In fairness, I will part-answer that question—there was not any vision from the No side, so you have no blame at all.

Geraint Davies: That is part of the problem, exactly. You should have given us one.

Q18 Calum Kerr: To drive impartiality, we should have come up with one?

I do not want to rake over some of the ground of the Scottish referendum, and some of the points that were raised, but what I would like to ask is this: you talked earlier on, Lord Hall, about learning from experiences and mistakes, as we all should do in life. Referendums are a different challenge from normal elections. I would like to understand what lessons you have learned from the experience of the Scottish independence referendum that will enable you to be better prepared and, potentially, to do things differently when it comes to the EU referendum.

Lord Hall of Birkenhead: Shall I just say a couple of things, and then maybe my colleagues can add to the heap, as it were, of ideas we can put forward? First of all, on Mr Davies’ point, our role is to fill in the gaps, as it were, and to ensure that we are covering issues that maybe are not being covered elsewhere—those issues that we would all get around a table and say, “These are significant and important”. The ability of editors—and I have done this myself—to stand back from the daily crush and rush and say, “You know, that is important, but we have got to make sure we are covering this over here, too,” is very important. I would commend Allan Little’s work in the Scottish referendum coverage as being exactly that sort of perspective: standing back from the rush and the noise, and trying to put some perspective on things. That is really important for this referendum, too. The question of whether we do enough of that is something that we constantly ask ourselves.

As for learning points from the Scottish referendum that we should take into this, I was really impressed by the debate at the Hydro, with 7,500 young people questioning and quizzing the panel about what they thought and how they should vote. It was a bold thing to do, and a brave thing to do, but it was the right thing, and I thought that was an experiment that paid off. I would love to see if we could do more things like that. Why? Because I thought the level of questioning and, frankly, the interaction between the questioners and the panel was outstanding, and there was something there that was really interesting. It would be good to think about how we could carry that forward.

Q19 Peter Grant: The reference to the Hydro event is interesting, because one of the problems with how you define “impartiality” is it can sometimes force you to distort things in order to be impartial. I am reliably informed that several hundred, and possibly several thousand, young people who went to that event as Yes supporters had to go to sit on the No



side because the BBC could not get 50% Yes and No. It is similar, I suppose, to the idea that if “Question Time” were in Oxford, you would not feel the need to make sure there was a quota of SNP or Plaid Cymru supporters in the audience, but when it is in Glasgow, you have to go and find 20% or 30% of Tory supporters from somewhere, which is not easy in Glasgow.

I wanted to look at another example of the kind of incident when while there may have been no intentional fault on behalf of the BBC, it has coloured a lot of opinions in Scotland about the BBC’s impartiality. It was an occasion when, during transmission of the BBC’s 10 o’clock news, a live outside broadcast by one of the BBC’s most senior and respected correspondents was interrupted by an item of news that a major and iconic Scottish business had just announced that it was going to move its headquarters if there were a yes vote. This came about 10 days before polling.

Because you do not interrupt the 10 o’clock news just for anything, that made it a big, big news story, and it turned out afterwards that the announcement had not been made. The information had come in advance from the Cabinet Office. Now, I can understand—especially with an event of worldwide significance that the world’s media are covering intensely—that every journalist wants to be first to break the big news story. How do you balance that with avoiding making the mistake of being the first to break a story that might turn out not to be true? How do you make sure that, even when you have the chance to literally have a worldwide scoop, you stop and check facts before you broadcast it?

James Harding: Mr Grant, you have put your finger on a really big issue, which is around the management of coverage in the course of a campaign, and in particular the way in which campaigns operate around big news bulletins. I cannot get drawn into the details on this, but what I can talk about is how you make sure—I suppose this is partly in answer to Mr Kerr’s question, too—that at a time like this, you are covering not the race but the choice. How do you make sure you get beyond just where different arguments are and where different campaigns are to what really is the choice?

That is what we set out to do last year, ahead of the referendum in Scotland. It is what we sought to do in the general election. Clearly, it is what we need to do with the referendum. Tony has mentioned what we learned from last year and what we learned from the election in May. One of the points that we have to make is that there is an issue, obviously, around polls, and we have to make sure that we think about that in our coverage. The BBC is actually pretty good at making sure that the polls do not lead the coverage; the question beyond that is how you make sure that the polls do not distract you from the coverage of the choice, rather than the race. That is something, as we look ahead to coverage of the EU referendum, that is particularly important. I should just say in brackets: if you look at the case in Greece, one of the things that you saw in polls there was that they were even more erratic, so there are real issues around polls in referendums in particular.

Q20 Craig Mackinlay: Mr Harding, you make a very good point on the polls. I think people are going to look at polls rather more sceptically than they did this time last year. It is a question of whether you will be clouding your view of where the debate is running based on polls for this election, but I will raise a number of things here. This is going to be a referendum with a lot of money involved. There is going to be a lot of money sloshing around on either side of the campaign. There is going to be potential for legal challenge, I am sure, on various things, and you made a very good point in your letter that the referendum will, no doubt, test perceptions of the BBC’s impartiality. You are absolutely right to say so.

If you look to the leaders’ debate before this last general election, there were all sorts of threats of legal challenge, and I do not know quite how you are going to cope with those. There are going to be two funded campaigns—the official remain and the official leave—and



then you have got other sources of potential spending within the political parties, whether they want to line up on one side or the other. Are you more prepared to give weighting to polls and the amount of money being spent by the political parties, or will it be purely binary between the “remain” side and the “leave” side, because there are lots of things going on here?

We mentioned one of these debates earlier. I have been on a “Question Time” style of debate from one of the regionals, and they seem to be rather haphazardly put together at the last minute. You are looking at an audience, and you know half of them, because they are the usual activists, so you end up with a minority view tending to prevail, and it is only through being tough and robust on the platform that you can actually get a bit of balance back. I would recommend to you that there is a lot of advance planning in these types of debates, rather than what I am afraid happens in the regions, when they are sometimes put together a little bit at the last minute according to, “Who can we get on?”

This is a whole different ball game, and I hope you have learned a lot from the Scottish referendum, because it has to be a reasonable parallel to it. This is not a situation where there will be another election around the corner in five years’ time; this is a major one that we will not be revisiting again, and you have a massive role to play to make sure that this is not revisited, and people are not saying, “It was not fair because of that. This side had more; that side had the other; we should have legally challenged this.” I do not want any of that. I want you to come at this completely cleanly, and I am sure that you will. I would not want to be in your shoes—it is rather easier being over here, asking you these questions—but there are lots of things going on in this election, regionally and nationally, and with the worry of legal challenge over your heads as well. There are not really any questions there.

James Harding: The only thing I would say, Mr Mackinlay, is that, firstly, I genuinely appreciate that. Those are powerful points and very thoughtfully put. I appreciate the fact that you can see a fair number of those difficulties. I will take on board and think about your point about the regional debate, which is important. Clearly, it is a point of pride for us at the BBC that one of the things we do is provide is a platform for the public—for people across the country—actually to get heard at these times when the future of the country is being debated. I hope that what you saw, for example, in Leeds in the run-up to the general election was a moment on “Question Time” when you really did feel that people’s voices were heard. I hope that is the case with our radio debates, with our regional television debates, and with our debates in Wales, Scotland, and Northern Ireland. I take on board the point you make.

Q21 Craig Mackinlay: What about the question of balance? There may be more on the remain side, in terms of expenditure and parties that are committed to remain, than those that are committing to leave. How are you going to deal with that one?

James Harding: The reason I make the point in the letter—this is the point that David also made—about editorial independence is that in the end, actually, that is the job of journalists, editors, and reporters at the BBC: to make judgments. You cannot dictate every point of that in advance. You have to make sure that the people are well informed and well trained, and then we leave them to get on and make their editorial judgments. That is what we have to do.

Q22 Chair: When the Trust receives the programme that you are going to put to it as to how you are going to handle the referendum, as I understand it, the Trust will then come back to you with its comments about whether it thinks that the way you are going about it is the proper way. We would obviously like to be informed at the appropriate time about the outcome of that, and presumably, when the Trust gives its response to your proposals, that will be made available to the public at large. Is that right?



Lord Hall of Birkenhead: Perhaps we ought to deal with how the Trust deals with the guidelines. That might be helpful.

David Jordan: The referendum guidelines—in fact, all of our election guidelines—are put out to public consultation by the Trust, and that will happen with this set of referendum guidelines, probably early next year, but it is the Trust’s timetable to determine, not mine. Any comments that are made to the Trust, if they think there is merit in them, are fed back to the executive, and the referendum guidelines are altered accordingly. Then, ultimately, the guidelines are published, but we use them even before they are published. Sometimes, we publish them in draft forms and say, “These will come into effect when the campaign proper starts,” but we use them before they are published as part of our training regime for journalists so that everybody is across them. There is a huge opportunity for public engagement with the guidelines before they are published. If anybody here wants to feed in comments, or anybody in the wider public wants to feed in comments, the Trust offers that opportunity for you to do so.

Q23 Chair: That, obviously, would include complaints-handling resources and training. So, from that point of view, that would all be part and parcel of the package, would it?

David Jordan: The guidelines are about how we deal with the election or the referendum when it is taking place. They will not go into training regimes, but they will go into the broad principles that we are applying and how we want to cover this election, and they will talk about the kinds of things that we have talked about here: what balance is, how we reflect all viewpoints, and so on and so forth. Then, we will put obligations on editors and programmes across the whole of the UK to do that.

Q24 Calum Kerr: You have a challenge here, because balance is very difficult. As we found in the referendum, people sometimes intend to put forward a fully balanced perspective, but a word here or a conflation there, and suddenly you have a quite different meaning, at which point I am sure you face the fallout as people around this table and across the country get animated. For me, the thing is that a referendum is different, so your governance and oversight—accepting everything about independence and individuals running their own programmes—becomes fundamentally important.

We faced some of the challenges that have been raised around this table, such as the regional challenges, in the referendum, when suddenly there was a point in the campaign where some of the supposed heavyweights started arriving from London. They offered a level of expertise, knowledge and background, but quite often were well behind and did not understand the local nuances. It was quite frustrating that suddenly you felt like you had stepped back in time six months, because there were things that people said that had actually been well and truly covered. What I am really looking for is that differentiated governance that recognises both the fact that a referendum is different, and that, within it, the regional aspects that you talked about so well are really important.

I trust the BBC to try to do the right thing. I have had lots of one-to-one conversations with people that give me a degree of faith that there is a conscious level to be competent, but it needs to come from the top down. The message needs to be clear that that governance and oversight is different; you expect it to happen, and there need to be mechanisms to watch for it.

James Harding: I appreciate that. One of the reasons for the letter that I sent to this Committee, and for the comments that I made at the beginning, was precisely to say that—that we appreciate that there are particular requirements around a referendum and this referendum—and the things that we have tried to come up with do address those different



points. For example, the hotline is one of the things that we really learned from Scotland. It was a valuable way of making sure that we kept in touch with the campaigns, and we will import that into this referendum.

The engagement with the audience councils, including the audience councils of each of the four nations, is, again, an attempt to make sure that not just in our daily news coverage, but in a more structured way, we are engaging with our audiences in the four nations, and the training point is about making sure that people are as informed as possible. You want to make sure that you balance, exactly as you say, a set of regulatory requirements—which, if you like, go over and above what we normally have—with, also, that point about editorial independence to make sure that journalists in the BBC feel as though they are empowered, and indeed required, to go out and understand and cover the story. We are trying to balance those things.

Q25 Damian Green: It is obvious to you, and it is clear today, that politicians obsess with every detail of BBC news coverage, even in an era when more and more people get their news and comment online or through social media, which is completely unregulated and massively partial. Just in terms of the mainstream media, at the time of the referendum, will there be any obligations on the BBC that are not also on ITV or Sky?

David Jordan: We have a slightly different approach to impartiality from ITV, Sky and other organisations regulated by Ofcom because the Trust regulates us on impartiality and accuracy; Ofcom does not regulate us in those areas. The Trust takes a view of impartiality, which is that it should apply to all our output, not simply to news output and such output in relation to controversial matters. The application of impartiality in the BBC is a wider application than it would be if it was ITV, Channel 4, Channel 5, or other broadcasters regulated by Ofcom. We have a heightened responsibility, if you like, in the BBC regarding impartiality.

Q26 Damian Green: So it applies to comedy programmes and dramas—things like that?

David Jordan: Yes, but, of course, there is a word I am leaving out, which I should use—I do not, for simplicity’s sake—as the phrase is “due impartiality”. The question is what impartiality is due, and it will not take you very long to work out that due impartiality for a news and current affairs programme is considerably greater than it would be for a comedy show or a drama but, in principle, it applies to everything at the behest of the BBC Trust. Due impartiality would be different for different sorts of programming.

Q27 Chair: Of course, “due impartiality” is combined with “and accuracy”, if I remember correctly.

David Jordan: Yes. Due impartiality, due accuracy, and due weight, if you want to be absolutely precise about it.

Q28 Kelvin Hopkins: I come from a family of puritanical leftists who regarded the creation of commercial television in the 1950s as a descent into barbarism, so that is my prejudice. However, I do think the BBC has standards that are completely different from those for the others. I also think—I hope you would agree—that the BBC sets standards that the commercial channels, to an extent, have to follow, and they raise their game because of the BBC. If we did not have the BBC, we would be like some of those other dreadful countries where they do not have anything so civilised. That is my prejudice.

Lord Hall of Birkenhead: Thank you.



Chair: There you have it, Lord Hall. This is coming from Kelvin Hopkins, as well, so you obviously must be making some progress.

Q29 Mr Jacob Rees-Mogg: I just want to go back to a question we came to the last time you came to the Committee about the money that the BBC receives from the EU, which I know is not huge in your overall budget, but is still some tens of millions. The standard contractual terms when the EU gives out money is that the person receiving money will not say or do anything damaging to the interests of the EU. Does the BBC agree to those standard contractual terms, and will it take money from the EU between now and the referendum?

David Jordan: Perhaps I could answer that. The BBC, as a public service broadcaster, does not take money from the EU. The organisation to which you were referring that takes money from the EU is an organisation called Media Action, and that is an independent part of the BBC, with independent trustees, whose job is to do something very different from broadcasting to the UK. The job of Media Action—it is engaged in a number of current projects funded through the EU—is, for example, in Afghanistan, to work with the Afghan media sector to develop its news and other programme-making skills, including the adoption of public service broadcasting values. In Bangladesh, it is to work on disaster preparedness. In Syria, it is to build on the achievements of an FCO-funded socially responsible media platforms programme, which has successfully established a web-based training facility for journalists and bloggers. In Iraq, it is to help to contribute to the development of an open media environment through improving legal and regulatory freedoms, and then it has a project on governance, which is about holding decision makers and media leaders to account in Algeria, Egypt, Israel, Jordan, Lebanon, Libya, Morocco, the Palestinian Territories, Syria and Tunisia. You would probably agree that those sorts of projects are desperately needed in those countries. That is very separate from making programmes for the BBC.

Q30 Mr Jacob Rees-Mogg: But Media Action is fully owned by the BBC.

David Jordan: It was set up by the BBC, but it is a trust that operates independently of the BBC to carry out those functions which, as you can tell, are not the functions that the BBC would be carrying out.

Q31 Mr Jacob Rees-Mogg: Who owns it?

David Jordan: It is a separate part of the BBC.

Q32 Mr Jacob Rees-Mogg: So it is part of the BBC.

David Jordan: It is separately constituted with independent trustees.

Q33 Mr Jacob Rees-Mogg: This is quite important—it is part of the BBC.

David Jordan: Yes, but it is separately and independently constituted.

Q34 Chair: Why would you need to receive the £30 million, I think it was, that Jacob referred to when you have a total revenue of £5.45 billion? It seems so odd that you would need even to consider that.

David Jordan: With respect, Chairman, that is not what our revenue is for. If it was left up to our revenue, we would not be carrying out those projects. The reason why it was set up independently, and why it receives money not simply from the EU—that is a small amount of its budget, actually—but from the Gates Foundation, the Department for International Development in large measure, and from a number of other trusts and institutions to do that work is because that is not work that the BBC would do. That is work that this trust does



across the world, particularly in areas where they do not have the level of parliamentary accountability, scrutiny in the media, or freedom of expression that we enjoy in this country.

Q35 Damian Green: Presumably the BBC would not be allowed to do this, would it? It would not be under the charter.

David Jordan: No.

Q36 Mr Turner: But if that is the case—if it is not allowed to do it—why would it set that up?

David Jordan: Because, by any token, you would think that that was good work to do.

Mr Turner: No, not necessarily.

David Jordan: Spreading freedom of expression across the world. Training people in how to implement freedom of expression and how to hold politicians to account.

Mr Andrew Turner: I am sure that they are, but just because something is good does not mean that the BBC has to do it. That is the point.

Q37 Chair: Is it a charity?

David Jordan: Yes.

Q38 Chair: Set up and registered with the Charity Commission.

David Jordan: Yes.

Q39 Chair: I would just like to ask one other question, which is related to the World Service. You put out a questionnaire. You mentioned these activities in relation to Afghanistan and so on, so I thought this might be a good moment to ask this question. We are hearing every day of every week now, “Please answer our questionnaire.” This is what is on the BBC website and they give the reference. I took the trouble to actually get that off the website and had a good look at it. I only ask this one question: why is it that, in relation to the World Service, you include impartiality as one of the things on which you want the public to respond but not, apparently, expressly with regard to other matters relating to the BBC? I just invite you to consider it. You might want to slightly improve the questionnaire; that is all I am saying.

James Harding: I will take a look at it.

Q40 Geraint Davies: Is the reason you ask about impartiality on the World Service because you think people who are viewers outside Britain might think it is not impartial, because it is from Britain? You can answer, but my question was going to be this: the basic issue about impartiality, I suppose, and general management is they say you cannot manage anything unless you can measure it. I was wondering what sort of comprehensive monitoring is in place to measure the quality, quantity and impartiality of the BBC, and whether there will be any special mechanisms put in place to measure the output and monitor the output during the referendum period.

James Harding: Do you mind, Mr Davies, if I just try to sweep up a couple of those things? I am slightly worried that Mr Rees-Mogg’s questions were left hanging.

Chair: Yes, by all means.

James Harding: Particularly the idea that somehow a European Union agenda could affect news coverage. Media Action performs charitable functions around the world. It does receive, in fact, a relatively small amount of funding from the European Union. It receives a quite considerable amount of funding from Her Majesty’s Government. The purpose that it performs around the world is to enable free debate. We totally appreciate the point that you



are making. It does extremely good work in some very, very difficult and dangerous places; it has done so for a very long period of time, previously as the BBC World Service Trust.

What is absolutely clear is that the funding for Media Action as it performs those charitable functions is entirely separate from that for the BBC and BBC News, and in the same way that British Government funding for those services is separate, so is EU funding. I do not want there to be a misunderstanding about that particular unit which is Media Action. It is separate from BBC News; in fact, it is separate from everything we do as a public service broadcaster in the UK. Does that answer it?

Q41 Mr Jacob Rees-Mogg: I just want to come back to this, because *The Spectator* did a freedom of information request on the BBC, and found that, in 2013, money—admittedly only £1 million—was received by the BBC from the EU for “programming”. This sounds very different from doing good works around the world. What is this £1 million on programming? That is the core function of the BBC, and it is rather different from the impression Mr Jordan was giving about overseas aid, essentially. It was a freedom of information request from *The Spectator*—in 2013, of the funds received from the EU, £1 million was spent on programming. We need to be very clear and precise.

David Jordan: I entirely agree with you.

Q42 Mr Jacob Rees-Mogg: Is Media Action making programmes?

David Jordan: No.

Q43 Mr Jacob Rees-Mogg: Is it, then, commissioning them from the BBC? Where is the programming coming from?

David Jordan: Media Action does make some programmes for the World Service, but that is a different matter, and not with money given to it by the EU. There are two things you are referring to. You were referring to the question that you asked last time, which was in relation to Media Action, so I answered about Media Action.

Mr Jacob Rees-Mogg: I was not, actually. Last time, I was asking about EU funding broadly, not Media Action.

David Jordan: It is the £35 million figure that you quoted, which relates to Media Action.

Mr Jacob Rees-Mogg: But you have replied about Media Action, and I was asking about all EU funding.

David Jordan: That £35 million, as far as I am aware, is the Media Action funding over a number of years; it is not all in one year, but over a number of years. There is another way in which EU funding comes into the picture, and that is in relation to independent companies that, as you know, make programmes for the BBC. In some areas, independent companies, for example, in drama, may benefit from EU funds to have location incentives to go to particular parts of the country. Some of you will know about film organisations—Northern Ireland Screen, Screen Yorkshire; these kinds of organisations—that provide location incentives, some of which is funded indirectly through the EU. There are also a couple of budgets that are available for people to do things like, for example, re-version programmes that they have made in English so that they are showable in different European countries.

Q44 Mr Jacob Rees-Mogg: Look, you are now giving me a really different answer from the one you gave before. I never mentioned Media Action; I mentioned EU funding. You gave an answer about overseas aid, and now you are saying the BBC does receive money to help with some of its programming, and does receive money to translate some of its



programming. You are therefore signed up to the contractual agreements from the EU that require you not to do anything to damage its interests. Why did you not give the full answer the first time?

Chair: Order. The question will be answered.

David Jordan: I gave a very full answer about Media Action, and now I am giving a very full answer about how other funds are occasionally available for other programmes to make use of in relation to independent companies.

Q45 Mr Jacob Rees-Mogg: Which you denied in response to my first question.

Chair: Can we just calm down a bit? Order. David, would you like to answer?

David Jordan: What I am making clear is that there are some ways in which independent companies can get access to funds that emanate from the EU to help to make programmes like dramas and other kinds of productions. That is separate from, and different from, the funding that goes into the Media Action programme, which is a charity that does work overseas in relation to democratic accountability.

Q46 Chair: Can you just give us a written note on this?

David Jordan: Of course. I would be delighted to.

Mr Jacob Rees-Mogg: We were promised a written answer at the last session.

Q47 Chair: We were, actually. I recall that, because James Harding was asked the question, and I do not think we got one. Let us get it right now; let us try to be positive about this.

Geraint, you have asked your question about comprehensive monitoring, but I do want to ask one question relating to the Wilson report. It was quite clear in the Wilson report, regarding monitoring, through the reply that the BBC gave: you said that for the last three years you had been doing this. One of the questions that I am interested in is whether, in fact, this monitoring is logged, because News-Watch, as you know, has a very comprehensive logging system, and it gets all of the information and has transcripts as well. I wonder why it is—if this is the case—that the BBC does not do the same so that if, in fact, somebody wanted to check something, it would not be like looking for a needle in a haystack, because this is almost impossible for people outside. It is only if you have a written, logged monitoring system that you can say, “On this particular day, this is the direction of the trajectory.” Do you get my point?

James Harding: I do entirely. Sir William, I think I did write after the last appearance, and I am more than happy to do so again to Mr Rees-Mogg to make sure that we have not clarified that, but we have not answered Mr Davies’ substantial question about monitoring.

Chair: That is what we are coming back to.

James Harding: This is obviously a really important point: how do you make sure that you monitor, and how do you make sure that your monitoring is fully accountable? We seek, internally—within programmes, within services—to make sure that we monitor our output, and obviously we want to make sure that our editors have the editorial independence and freedom that I mentioned and, at the same time, have a grip on the overall impact.

It is very easy to get fixated on a particular programme or a particular piece of output. I think everyone here will recognise that balance and impartiality is not just a matter of numbers or minuteage. We need to keep track of those things, and we try to keep oversight of them, but it is actually about trying to make sure that, overall, we monitor not just the volume of what we do, but the nature of what we do. We do keep trying to do that. One of the reasons for having these regular meetings with the campaigns through the course of the



official campaign period is that they will be a mechanism whereby they can raise their concerns not just about the volume, as I say, but the nature of the coverage. The BBC will be required, in effect, to make sure that it is across exactly how that balance is playing out, programme by programme, service by service.

I do think that it is really important—I am sorry if I sound as though I am bashing on about this—that editorial independence means that you have to be able to make a judgment. You have to be able to follow where the argument is going and where the news is going. I do not think that requiring our coverage to deliver on certain percentage points or certain numbers of minuteage is actually healthy or that it makes possible the most informative news coverage that we can do.

Q48 Chair: I want to just follow that. The point about logging—News-Watch does this—is if you want to know whether something was said. Take *Hansard*. *Hansard* is a logging system, and the reason for *Hansard* was in order to ensure that people could question the people who were asking and giving the questions. In this context, if it is important enough, it should be within the resources of this huge organisation, with over £5 billion a year in revenue, to be able to provide for a system that does not just rely on the judgment of a particular editor, and then it disappears into the ether. There should be the capacity for somebody who wanted to try to find out what the question-and-answer session comprised to be able to identify it, and then to question the questioner. I am asking you directly: are you going to provide that service in relation to the referendum?

James Harding: You would like a service that says, minute by minute, how the BBC has provided all its services?

Q49 Chair: I am saying that if News-Watch can provide a system that is identifiable in terms of questions and answers and interviews, why could not the BBC do so?

James Harding: Sir William, the short answer is no. I do not plan at this stage to provide that service. The reason is that I am more concerned that that would be unreliable rather than reliable, and what is actively unhelpful in situations like this is to provide a mechanism that purports to measure the editorial output of the BBC, but actually does not.

Q50 Chair: All I can say is that in the response to Wilson, you said, “We have had in place for the last three years a system of monitoring which requires programmes to log their EU-related output.” You said “This system will be developed further” and that it will “log their output accurately and contemporaneously by subject area and noting the position of key interviewees on issues such as the Euro and the draft EU Constitution”. If that is what you said in response to Wilson, why can you not answer my question relating to the current referendum?

James Harding: Because I suppose, Sir William, that what I am trying to say—I hope that I have said this in the course of this afternoon’s meeting—is that we try to make sure that we balance a system of regulation that puts due pressure on the BBC to ensure impartiality and accuracy, but also enables editors and journalists at the BBC to operate fully independently. The reason why it is important to make sure that you have that editorial freedom is that I can see what the consequences of a system that would probably be flawed, and would try to hem in what particular programmes, editors and reports do, would be.

Chair: I do not want to flog it. I made my point, and I am going to stand by it.

Q51 Geraint Davies: Obviously, during a general election period, there are quite tight constraints on the balance of coverage between the different parties that you do impose.



Would you not similarly be imposing those during the referendum and having some measuring device to do that?

James Harding: Do you want to do this, David?

David Jordan: We gave up the monitoring that the Chairman is talking about at the time because we found it to be actually very unhelpful—not helpful at all—in defining whether we were impartial. In the context of other appearances and elections, we have discovered the same thing. For example, if you are covering an election, how do you define somebody who is of a particular party, but is actually opposing something that party is doing at the time that they are appearing on the radio? Are they in, as it were, that party’s column, or are they in another column that tells you what they were doing? It becomes very, very confusing, and it does not necessarily sum up the nuances and differences that exist in election campaigns, in our experience. That was the reason why we gave it up. It was also very expensive and time consuming, and we thought that by allowing editors essentially to be responsible for impartiality in their output and having an overall view—which we have through a series of meetings and discussions that take place in the BBC—we would be better able to make sure that we achieved impartiality, rather than through simple numbers.

Chair: But that does beg the question about who evaluates the impartiality. Anyway, we will leave it at that, and come onto Kate Hoey. We may come back to this one later.

Q52 Kate Hoey: You talked about the money side of the EU but, obviously, the BBC likes to quite regularly use—particularly on the “Today” programme—Ministers from different EU countries coming on sometimes to tell us what we are doing wrong or whatever. How are you going to make sure that, during the referendum campaign and prior to it, that you are getting a balance on that as well? There was the Norwegian incident, which we all complained about, which was pretty one-sided and ridiculous. How are you going to balance that? How are you going to make sure that your editors know and understand that they have to have impartiality, too, when they are bringing on people from the rest of the EU?

James Harding: It is a good question, and I am aware of the history around this. The one thing I would point to is that I hope that what you have seen, particularly in the last year or so, is coverage out of Europe that tries to report on the spectrum of opinion within the European Union about the institutions and operations of the European Union itself. It is really important that that is clear, too. Specifically on this, this is going to be a debate that, obviously, will be overwhelmingly dominated by individuals and voices from within the United Kingdom. There will be voices from outside the UK; some will be in favour of UK membership of the EU and some will be against it. I understand the underlying point you are making, though, which is how you make sure that people in positions of authority in the EU are balanced against those people who may take a different view about UK membership.

Q53 Kate Hoey: For example, would you take the decision not to have any of the European Union commissioners from other countries speaking on the EU? Obviously they have got an interest.

James Harding: I generally do not like the idea of saying, “We are not going to have X or Y kind of person on the BBC at all.” Our job should be to make sure that the BBC is open to people of all points of view. Our job, as you say rightly, has to be how we balance it.

Q54 Kate Hoey: Just one final point on that: a lot of ex-EU Commissioners are from the United Kingdom, obviously, such as Peter Mandelson, Roger Liddle, and so on. Is it their duty to inform the audience, when they are being asked questions, that they are on a European Union pension and signed up to whatever they sign up to when they take their pension, or is that the BBC’s job?



James Harding: If I understand the question, I think you are saying that when the BBC is interviewing people who have a relationship with the European Union, or a point of view, we should make sure that that is as best explained as possible when they are on air. As with so much that we do these days, it is not just about what the argument is; it is the context, both of the argument and of the people involved. If I understand correctly, that is the point that you are driving at. It is not that we should exclude those people; it is that we should explain.

Kate Hoey: Yes, that they are on an EU pension, linked to whatever they might have signed up to. That is fine.

Q55 Damian Green: That is a very interesting point, if you want to put people in context. Can we therefore assume that if the BBC interviews a journalist who comes from a newspaper whose owner is declared to be anti-EU, you will be putting that in context? That seems to be the exact equivalent of what Mrs Hoey has just been saying.

Kate Hoey: That is totally different.

James Harding: I would take David's point about due accuracy. We have got to make sure that we give context but get it right.

Q56 Geraint Davies: Will the referendum guidelines specifically address the issue of Government purdah? Do you believe that the outcome of the debate in Parliament is clear for broadcasters? As you will appreciate, the Government is not supposed to be outspoken during that period in favour of the EU.

Calum Kerr: They forgot that last time.

Geraint Davies: Yes. I was wondering how you are going to manage that, particularly in the light of the other comments that have been made. Obviously, you will be sitting within the context of, possibly, a Murdoch media machine that is trying to drive people to leave Europe, and obviously there are a lot of other issues happening with Sky and ITV and online. I was just wondering, given the Government wants to remain in Europe but is gagged by purdah—

Kate Hoey: We are in Europe.

Geraint Davies: In the Union—how are you going to manage that process?

David Jordan: If I understand that correctly—and please correct me if I am wrong—you are referring to the Government's officers or bureaucrats, not the political members of the Government? Clearly, they will have a role to play.

Q57 Chair: I mean, the purdah issue is about the civil service machinery.

David Jordan: Clearly, and regrettably, we do not get an awful lot of civil servants coming on the BBC expressing their political views. I am sure that we would encourage more to do so if we could. I suspect that that issue is not going to be so much around people coming and talking on our airwaves, or being prevented from doing so. It is more about how the Government itself interprets purdah in a way that makes sure that information is still available when it is supposed to be available. That is an issue that we had in the past, which has sometimes meant that purdah is interpreted as putting a clamp on everybody speaking about everything, which is clearly not correct.

Q58 Chair: By the way, you are not going to know the outcome of this until after the Act has gone through, on the assumption that it does, and the regulations have been produced. So that is a kind of “get out of jail free” card for you at the moment.

David Jordan: Thank you.



Q59 Geraint Davies: On this issue of purdah, if it is the case that Parliament is to constrain the Government in issuing information that is relevant to the EU debate, and they are not allowed to talk about it, will the BBC then go, as it were, to Europe, to find out what is happening and to tell the British public about the EU? Do you see what I am trying to say?

Lord Hall of Birkenhead: I think I do. I go back to, “What is our job?” Our job is to find out information and to lay it before the British public in as fair and impartial of a way as we can, and, referring back to our discussion earlier on, to ascertain—especially when opposites all seem to be true—where the truth lies. That is the job that we have to do, and I know that we will do it with relish. I have also taken from this afternoon a lot of things, including how we make sure that the layers of the organisation, in a good sense—the local, the regional, and the nations—all play their distinct part, both to themselves and also to the whole of the UK. That is a point that a number of you have made very powerfully, and that is something that, as we plan our coverage, is a very useful point for the future.

Chair: In conclusion, could I just simply say that I hope you have found that these sessions have actually turned out to be, perhaps, more useful than some people thought they would be? A bit of good humour does help with this, but in addition to that, the tone and the manner of the discussion has been a good dialogue. There are still a lot of questions that remain to be answered, and some of the proof of the pudding will be in the eating. In addition to that, we have got the Trust to come as well. You were quoting somebody—I do not know who it was—just now. If I could quote a bit of Lewis Carroll, words mean what you choose them to mean; the question is: who is master? That is all.

Lord Hall of Birkenhead: Life is full of questions, especially in journalism.

Chair: Thank you very much.