

The News Media Association—written evidence (FON0056)

House of Lords Communications and Digital Select Committee inquiry: The future of news: impartiality, trust, and technology

The News Media Association (the “**NMA**”) is the voice of UK national, regional, and local news media in all their print and digital forms - a £4 billion sector read by more than 46.1 million adults every month. Our members publish around 900 news media titles - from The Times, The Guardian, The Daily Telegraph and the Daily Mirror to the Manchester Evening News, Kent Messenger, and the Monmouthshire Beacon.

Trends over the next 12 months and 5 years

1. **What impacts (positive and negative) do large technology platforms and online news aggregators have on the UK’s news environment, including media plurality? And how might this change?**
 - 1.1. The tech platforms and their impact upon news providers remains the biggest challenge facing the news media sector. Numerous studies including the Competition and Markets Authority (the “**CMA**”) market study into the digital marketplace, Cairncross, Furman and various Select Committee reports have highlighted the damaging consequences the platforms’ business practices have had on journalism and the urgent need for reform.
 - 1.2. The emergence of a small number of powerful platforms as gatekeepers to the entire web has altered the landscape of how news is consumed, and media plurality by extension. As evidenced by both Ofcom and the CMA, more and more people are turning to platforms to access news,¹ rather than directly visiting news publisher websites, or buying newspapers. At first glance, this has the potential to positively impact media plurality by offering consumers a varied diet of fact-checked news and credible opinions. And yet, we are witnessing a proliferation of harmful content, disinformation, and misinformation being disseminated online, particularly through social media. The shift in consumption habits towards platforms has given rise to a concerning trend of echo-chambers, where individuals are exposed to often uncredible content that creates and reinforces damaging perspectives.
 - 1.3. Whilst democracy hinges on the idea that opinions matter, for democracy to function effectively, it is vital that the sources of information that shape these opinions are grounded in facts and evidence, rather than falsehoods and misinformation. Unlike others, news media publishers stand behind their editorially controlled and legally checked content. The COVID- 19 pandemic brought to light

¹ Ofcom, “[Media Plurality and Online News](#)”, 16 November 2022; The CMA, “[Online platforms and Digital Advertising Market Study](#)”, 1 July 2020.

some of the negative impacts of platforms, especially social media, on consumers' ability to access quality news and information. Social media was often accused of unwittingly surfacing false information – from untruthful claims about vaccine efficacy and even conspiracy theories that led to attacks on 5G towers.² This misinformation and disinformation posed a significant threat to public health and safety and underscored the urgent need for trustworthy and reliable sources of news and information.

- 1.4. As a counterweight, it is vital that platforms surface legitimate news content from responsible news publishers. Premium news publishers employ trained and professional journalists, editors, and lawyers who work within robust systems to ensure their content is credible, accurate, and adheres to a code of standards, such as the Editors' Code of Practice.³ There is great care taken to ensure that the information they provide is well-researched and verified. Moreover, publishers have established processes for addressing complaints and ensuring that errors are corrected. Consumers can feel confident that when they access content from reputable news outlets, whether through platforms or otherwise, they are receiving information that is as accurate as possible and that there are means available to rectify and redress situations where individuals feel that publishers have fallen short of achieving these high standards. And yet, despite news media being the remedy to disinformation, platforms have been poor business partners to publishers and media plurality in turn.
- 1.5. These platforms' negative impact on news are well-documented. As an increasing number of individuals turn to digital platforms for their news consumption, with approximately 64% relying on online intermediaries like Google or Facebook for access,⁴ the roles of these technological giants assume a greater significance. These platforms are now gatekeepers, deciding whether, and which, news items are surfaced and to whom. Any reduction in visibility for commercial publishers leads to reduced advertising revenue and hampers the construction of sustainable subscription businesses. Compounding this issue further, commercial publishers also rely on the advertising intermediation services of platforms, where Google holds a strong position at each stage of the intermediation chain. Advertising intermediaries, on average, siphon off at least 35% of the advertising value procured through the open display channel—precisely the type of online advertising that sustains news creators.⁵ This dynamic contributes to why the average digital reader holds a value approximately eight times less than that of a traditional print reader.⁶ When publishers have sought to enter negotiations with the

² The Guardian, "[UK Phone Masts Attacked Amid 5G-Coronavirus Conspiracy Theory](#)", 4 April 2020.

³ IPSO, "[Editors' Code of Practice](#)", accessed 7 February 2023.

⁴ Pg. 12 Ofcom, "[Media Plurality and Online News](#)", 16 November 2022.

⁵ Pg. 9 the CMA, "[Online Platforms and Digital Advertising](#)", 1 July 2020.

⁶ Deloitte estimated that the industry's average annual revenue per print media user was £124 in 2016, compared to £15 per digital media user: See: Pg.5 Deloitte, "[UK News](#)

platforms – Google and Meta – they have little or no leverage in the process and are forced to accept deals which fall far short of fair compensation for use of their content.

- 1.6. The platforms are critical conduits, particularly for younger audiences, with four out of five people aged 16-24 using social media to access news,⁷ being more inclined to consume news on social platforms such as TikTok, YouTube or Instagram. Publishers cannot be expected to remove their content from them, even in the absence of fair and reasonable terms. To do so would have catastrophic consequences for public access to trusted news and information - particularly important as we contemplate a year of general elections across the world and the threat of AI-powered misinformation and deepfakes - and publisher revenues of which a substantial proportion are now from digital advertising.
- 1.7. Publishers are therefore left with no option but to accept terms which do not reflect the true value of their news content to the platforms. Professor Matthew Elliot, University of Cambridge, estimates that news content created by British publishers generates approximately £1 billion in UK revenues for Google and Facebook a year.⁸
- 1.8. The Digital Markets, Competition and Consumers Bill (the “**DMCCB**”) will help level the playing field between news publishers and platforms by requiring the platforms to enter into genuine negotiations which reflect the value of news publishers’ content or face binding arbitration. We hope that the legislation will reach the statute books as soon as possible and that the new regime is implemented as quickly as possible thereafter. We believe that a new, fairer regime for the digital markets will unlock the full potential of the UK’s digital economy, driving growth and better, cheaper services for consumers.
2. **How is generative AI affecting news media business models and how might this evolve?**
 - 2.1. AI technology has the potential to fundamentally change the way in which we access information in the digital space. Publishers have understandably been very cautious with regards to the use of this technology in their journalism, and any AI use in this regard still requires human oversight and ultimately must comply with legal and editorial standards. However, there are cases where AI can support journalists work, for example, in analysing large caches of documents on datasets to uncover a story that may otherwise go unreported or take hundreds or thousands of hours to manually process. Equally, there may be applications in other parts of their

Media: an engine of original news content and democracy, December 2016; and Pg.37 Mediatique for DCMS, “*Overview of Recent Dynamics in the UK Press Market*”, April 2018.

⁷ Ofcom, “*Media Plurality and Online News*”, 16 November 2022.

⁸ Prof. Matthew Elliott, “*Value of News to Digital Platforms in the U.K.*”, 12 May 2022.

businesses which can drive general efficiencies, potentially freeing up more resource for frontline journalism.

- 2.2. On the other hand, the main problem that has come to light with AI is the use of publishers' content to train Large Language Models without their knowledge or permission – a flagrant breach of content creators' IP rights. The ability of publishers to invest in journalism is directly linked to their ability to protect and monetise their IP – the former cannot happen without the latter. If AI technology companies are allowed to ride roughshod over publisher IP, then the ability of publishers to invest in journalism is seriously damaged. It is of critical importance that publishers' IP rights are respected as the technology develops and that publishers are appropriately compensated for any unauthorised use of their content.
- 2.3. AI firms do not only use publishers' IP without remuneration. The same tech giants that own or partner with the major AI firms are also seeking to directly compete with publishers' content by integrating AI chatbots into search engines. Google is rolling out an experimental version of AI-generated search in more than 100 countries, with an AI summary placed above 'normal' search results linking to publishers' websites. Clearly, if AI firms are intent on breaching publishers' copyright, and then using the models they build on the back of it to supplant publishers on their search engines, this will have a significant negative impact on publishers' business models.
- 2.4. It is no coincidence that the UK has a globally envied creative sector as well as a strong, robust copyright law framework. As this Committee has previously recognised, the creative industries' £108 billion sector supporting 2 million jobs relies on copyright protections.⁹ If the UK can reinforce copyright law coupled with an enforceable licensing regime, it could set up a valuable revenue stream for creatives for years to come. However, there have been persistent attempts to extend an exception to allow text and data mining for commercial purposes. The Government must not be persuaded to make any changes which weaken existing copyright law and the creative industries in turn. The Government must make it absolutely clear to AI developers that they cannot ingest copyright content without licensing agreements.
- 2.5. There are concerns that, without clear centralised regulatory oversight of AI, implementing any regulatory principles could become piecemeal and unwieldy. For example, as different regulators commission consultations to consider various elements of AI's impact, this could mean policymakers are not considering the issue of AI in the round and could leave gaps uncovered and unregulated. Businesses are also challenged with building AI Governance Frameworks to meet sometimes competing or

⁹ Pg. 66 Communications and Digital Committee, "[Large language Models and Generative AI](#)", 2 February 2024; Communications and Digital Committee "[At risk: our creative future](#)", 17 January 2024.

contradictory requirements of different regulators. We would welcome further discussion and insight around centralised approach, cross-regulator collaboration, and safeguards to avoid such risks.

- 2.6. It is worth noting that publishers' content is particularly valuable for AI models, no doubt because it is such a trustworthy form of online content, while also offering a reliable and editorially consistent data set. Analysis by the US News Media Alliance shows that in Google's C4 training set, used to develop AI search products like Google Bard, half of the top 10 sites represented in the training set are news outlets.¹⁰ It would be a horrible irony if the trustworthiness of publishers' content - the key factor in it being harvested by Large Language Models - ultimately leads to the production of that same trustworthy content falling as it becomes increasingly harder to monetise.
- 2.7. Some publishers have decided to block OpenAI's web crawler but there are fears that barring platforms more entrenched in the digital ecosystem, such as Google, could impact the visibility of news content on conventional search platforms, leaving publishers with little choice but to leave their content open to being used by AI companies without their knowledge or consent, or face being delisted from the main search platforms.
- 2.8. We note various developments in the relationship between AI technology companies and publishers including an announcement of a partnership between Axel Springer and OpenAI and, separately, news that The New York Times has filed a federal lawsuit against OpenAI and Microsoft seeking to end the practice of using its stories to train chatbots.
- 2.9. We note also that AI can be used to create sophisticated deepfakes which can be distributed across the social networks at lightning speed before they are debunked. The potential serious threat this poses to the integrity of the elections due to be held across the world is obvious. A strong and healthy journalism sector is a critical part of the defence against these important exercises in democracy being undermined and subverted.

3. **How are perceptions of due impartiality evolving and what challenges do news organisations face around impartial reporting?**

- 3.1. A cornerstone of a free and plural press relies on news brands speaking to their audiences in their own voice – a freedom which is highly valued by the public. Studies consistently show that news media's ability to offer different voices and perspectives is seen as a strength and source of value by the public. For example, research

¹⁰ News Media Alliance, "[White Paper: How the Pervasive Copying of Expressive Works to Train and Fuel Generative Artificial Intelligence Systems is Copyright Infringement and Not a Fair Use](#)", 30 October 2023.

from Ofcom has found strong support for the principles of media plurality with more than 90% of survey respondents agreeing it is important that news is covered by a range of organisations with different people and opinions.¹¹

- 3.2. Plurality of voice is one of the great strengths of the media landscape in the UK because it enables a broad range of audiences with very different backgrounds to be catered for. In turn, this robust plurality engenders public debate on a huge range of important issues – the cornerstone of a healthy democracy.
- 3.3. Journalism is subject to a broad range of rules and regulations, stemming from the law of the land, a myriad of non-statutory regulatory requirements, and the rules set out within the Editors' Code of Practice and the self-regulatory system. This creates a very robust framework driving the highest professional standards for which the UK is known across the world. Quite rightly, the self-regulatory framework upheld by most news media titles focuses upon accuracy in reporting rather than impartiality, allowing titles to speak to their readers with their own voice while maintaining the highest standards of reporting.
- 3.4. We note with interest that, according to Ofcom's 'News consumption in the UK' report, newspapers are ranked by the public nearly as highly for impartiality as broadcast outlets.¹² This, alongside newspapers' high trust rankings - particularly compared to social media – suggests that impartiality is a characteristic ascribed to both newspapers and broadcast outlets by the public.

4. **What factors affect trust in news and how might this evolve?**

- 4.1. Trust in news is a complex issue driven by many different factors. In a strong and plural media, it is naturally the case that readers are more inclined to trust the titles that they read than those they do not. That being said, news media titles as a category consistently rank among the top outlets in surveys of the public asking which media they trust, with local news media viewed as the most trusted source of local news.
- 4.2. However, the high levels of public trust which established media brands command is in stark contrast with trust in social platforms as a source for news. Because social and search platforms – primarily Google and Meta – are critical platforms for news publishers to reach audiences in the digital space, the lack of trust in these platforms has implications for news publishers. Content seen on platforms is often 'flattened' and stripped of clear source branding. This makes building a brand and establishing a loyal readership much more difficult, as well as making it harder for publishers to distinguish themselves from less credible sources. Research from the Pew

¹¹ Pg. 2 Ofcom, "[Media Plurality and Online News](#)", 16 November 2022

¹² Pg. 11 Ofcom, "[News consumption in the UK: 2023](#)", 20 July 2023.

Research Centre revealed that when following links to news content from social media, consumers could only recall the name of the news outlet just over half of the time (56%).¹³

- 4.3. It is critical for a healthy news ecosystem that the public are able to easily identify the originating source of a news story online – the brand of the publisher, such as the masthead - and click through to the publisher’s website to double check the source. We are concerned however that the direction of travel appears to run counter to this, with for example recent changes in X (formerly Twitter) making publisher branding less visible to users and AI technology rendering the sources of information used to train Large Language Models completely invisible to the user.
- 4.4. As such technology develops going forward, it is absolutely critical that the sources for the information which users seek out in the digital space – be that on search or social platforms – are prominently visible to users and that they are given the ability to click through to the originating source, namely the publisher’s website. Otherwise, the already serious problems with mis and dis information in the digital space will be magnified, presenting a serious threat to our information ecosystem. The public are already alert to this threat, with research published in November 2023 showing that fake news and disinformation is their primary concern with AI technology, ahead of the lack of human creativity and judgment, and the loss of human jobs.¹⁴ And while half of GB adults are familiar with the concept of generative AI creating online content, almost three-quarters (74%) feel they would be unable to identify such content if they saw it.

a) To what extent is trust linked to perceptions of impartiality, or to other trends in online news?; and b) What impact do concerns around disinformation have on trust in the information environment? (And to what extent does this differ between different sections of society?)

- 4.5. The rise in mis and dis information in the digital ecosystem clearly has a negative effect on trust. Ofcom’s analysis has found that people who most often use social media to access news are less likely to correctly identify important factual information, feel more antipathy towards people who hold different political views and are less trusting of democratic institutions, than people who use TV and newspapers most often as a source of news.¹⁵ This represents both a risk and an opportunity for publishers - a risk in the sense that, through no fault of their own, trust in journalism is damaged as a result of overall mistrust of the internet; and an opportunity for

¹³ Pew Research Centre, “[How Americans Encounter, Recall and Act Upon Digital News](#)”, 9 February 2017.

¹⁴ News Media Association, “[MPs, Editors And Public Warn Of AI Misinformation Threat Ahead Of Next General Election](#)”, 1 November 2023.

¹⁵ Ofcom, “[Media Plurality and Online News](#)”, 16 November 2022.

publishers to reinforce their credentials as the primary sources of trustworthy information. This was clearly evident during the COVID-19 pandemic when audiences for publishers' journalism rose sharply as audiences sought out trusted information to help them make sense of events during a major public health crisis. Not only were news providers publishing trustworthy, checked and edited information, journalists were actively debunking COVID-19 misinformation spread by others on social media. An NMA survey conducted in September 2020 found that 70% of local editors said they or their journalists had actively corrected or counteracted misinformation about coronavirus spread by others on social media.

- 4.6. Instances in which bad actors clone the branding of a legitimate news media website or web page to disguise misinformation can also be immensely damaging to trust in news. Last year, NLA Media Access, the content licensing organisation, reported that it had found and taken down eight entirely cloned newspaper websites in the first half of 2023. With the increasing sophistication and availability of AI technology, these abuses of titles' IP, and the commensurate damage to trust, are likely to increase. High levels of media literacy are now required by readers to help them differentiate between fact and fiction in the online environment. Robust action to help publishers protect their IP is also required.
- 4.7. Sadly, the mimicry of trusted publishers' brands extends to the upper echelons of the political classes. Political party campaign material dressed up to look like independent local newspapers has become a regular feature in recent local and general elections. We continue to call on all the main political parties to stop this practice which damages trust in both politicians and the press.

Evaluation

5. **How well are news organisations responding to factors affecting their business models, and are any changes needed?**
 - 5.1. Some try to claim that the decline we are seeing in the publishing industry is a result of an inability to adapt; new technology emerged, consumer preferences changed, and the previous business models fell apart. However, while platforms may exert monopolistic dominance in the digital advertising space, they have not replaced journalism, and do not produce any good substitute for public interest news.
 - 5.2. The reality is that the UK news media industry has worked hard to adapt to a rapidly changing ecosystem. It is important to note that the financial challenges faced by the industry are not due to a decline in audiences. In fact, audiences have reached record highs in recent years, and now stands at 46.1 million adults every month.¹⁶ Instead, the challenges stem from digital markets that have become

dominated by a handful of platforms that publishers have little choice but to operate through. As this Committee aptly summarised in a previous report "*The broken market has made it more difficult for news publishers to survive, let alone thrive*".¹⁷ Regulators must also remain alert to attempts by the tech platforms to increase their dominance such as Google's Privacy Sandbox which risks further entrenching Google's dominance in the digital advertising marketplace. Against the backdrop of Google's dominance in the advertising space, our members have relayed that engagement with Google to resolve issues – such as with the key market contextual advertising model, Google Technical Ads Solutions – have not always been forthcoming.

- 5.3. Engagement with the ICO over its interpretation of the law with regard to cookie compliance would also be welcome; current enforcement action by the ICO is both disputed in terms of legal interpretation and is overly prescriptive, with significant consequential impact on publishers' ability to monetise their content. However, the ramifications also reach far beyond publishers' ability to monetise content, having wider impacts concerning the interpretation of the law on consumers, advertisers and the freedom and plurality of the press. While sharing a desire to address the regulator's concerns around individuals' information rights, current action is disproportionate.
- 5.4. Furthermore, the Data Protection and Digital Information (No 2) Bill seeks to include limited exceptions to obtain consent for cookies. However, the current drafting of the exceptions is remarkably narrow, omitting important activities such as audience and ad measurement analytics. These functional cookies facilitate confirmation that an advertisement has been served or presented to a user, and whether it has been clicked on. This is essential information for a media owner to accurately invoice an advertiser for the number of ad impressions in a digital ad campaign. If consumers decide to decline such cookies, they can render the ads delivered to that user worthless. There is scope to remedy this issue in the Data Protection Bill, by including these functional cookies in the category of cookies exempt from needing consent.
- 5.5. Other issues facing the sector include the BBC's expansionist activities which have seen the corporation boost its digital local news offering, in direct competition with local commercial providers. This expansion into areas already well-served by local news publishers is entirely unnecessary and contradictory to the ethos of the BBC Charter which states that the BBC must not engage in activities which distort the commercial marketplace. Ofcom, parliamentarians, and the government must use their influence to urge the BBC to change course.

¹⁷ Communications and Digital Committee, "[Free for All? Freedom of Expression in the Digital Age](#)", 22 July 2021.

- 5.6. Nevertheless, the sector continues to innovate with publishers working on different strategies to monetise their content and provide the best service for readers. One eye-catching innovation from the local news media sector last year was the Public Notice Portal – a digital portal for all the public notices published in local newspapers in the UK.¹⁸ Fully searchable by postcode and type of notice, the portal delivers notifications for users who have signed up to receive alerts about particular types of notices, or notices relating to a specific geographic area.
- 5.7. The consistent undermining of the value of premium publisher advertising, in different ways, makes innovations towards paywall models increasingly desirable for publishers. Analysis from Reuters published in 2024 shows that publishers continue to invest in subscription and membership, with a large majority of those surveyed (80%) saying it is an important future facing revenue stream, ahead of both display and native advertising.¹⁹ Subscription models have become increasingly used by businesses to provide consumers with convenience, consistency and choice, empowering publishers to provide a wide range of products at a lower overall cost. However, for those who have moved towards a subscription model, the DMCCB gives with one hand and takes with the other.
- 5.8. For example, the part of the DMCCB that attempts to deal with subscription traps could have unintended harmful consequences for legitimate players in this space. The provisions allow a consumer to cancel their subscription on notice given by “any means”. Cancellation could potentially encompass not only the exit channels provided by traders but also an unspecified array of other mediums, including postal mail, email, telephone, and third-party platforms – driving up compliance costs, particularly for small businesses, which have already soared in recent years. Also, the provision to end a subscription with a single communication would deny consumers the opportunity to find out about reduced price offers as part of their exit journey which can result in them keeping their subscription at a lower price. The DMCCB also contains prescriptive detail on renewal notices and expands existing law on cooling-off periods. To be clear, we strongly support the separate parts of the Bill which deal with competition reform in the digital marketplace, discussed earlier in this submission.
- 5.9. Publishers are also strengthening their presence on social media platforms such as TikTok and WhatsApp, the former being particularly important in the effort to ensure that younger people have access to trusted, reliable and authentic news and information. The production of audiovisual content for platforms such as TikTok requires substantial investment and may not immediately generate revenue, demonstrating the need for a blend of revenue streams.

¹⁸ [Public Notices Portal](#).

¹⁹ Reuters Institute, “[Journalism, Media, And Technology Trends and Predictions 2024](#)”, January 2024.

WhatsApp broadcast channels allow users to subscribe to a news brand's channel and receive messages with links to the original article, driving referrals to publishers' websites. But this innovation on the part of publishers must be matched by policymakers' will to support news providers in a fast-moving digital economy.

- 5.10. As evidenced, publishers are rising to the challenge, but they are fighting an uphill battle. As the DMCCB seeks to resolve issues in the digital advertising space, it could make subscriptions harder to operate if the proposals are not amended. Subscriptions are complicated further in the local marketplace by an expansionist BBC rolling its licence fee-funded tanks onto the lawn of local publishers. The Digital News Report 2023 reveals the UK ranked joint-last amongst 20 countries in terms of consumers who paid for online news.²⁰ Specifically, only 9% of UK consumers pay for news compared to an international average of 17%. Publishers have shared that there exists a limited incentive for consumers to pay for news when the BBC offers comparable content in substantial quantities, free of ads and subscription barriers.

6. How adequately are UK news organisations providing impartial and trusted news? What actions are needed to address any shortcomings?

- 6.1. As media sources fragment, media literacy is an important tool to help the public navigate the increasingly complex media landscape. Some publishers such as the Guardian, The Times and The Telegraph run media literacy programmes designed to equip young people with the skills to think critically about world events and the role of information in shaping perceptions of them. We also note that the government has worked on developing media literacy in the UK. Understanding the difference between factual news reports and opinion is important, as well as being able to tell the difference between fake and real news online.

a) How should news organisations balance competing demands to provide content that aligns with particular values on the one hand, and provides trusted and impartial news on the other?

- 6.2. News media titles have in the main traditionally been a carefully crafted mix of news, analysis and opinion with clearly defined sections for each. Titles speak to their audience in a voice that is known and trusted by that audience, and with whom their values resonate. This underpins media plurality – a cornerstone of a healthy and robust democracy. Ultimately, the editor is responsible for the content published in their title, and for ensuring that audiences are satisfied with the offering. This includes the title's voice and tone, the stories that are covered, and the mix of news reporting

²⁰ Pg.18 Reuters Institute for the Study of Journalism, "[Digital News Report 2023](#)", June 2023.

and opinion. The large audiences the sector enjoys, alongside relatively high levels of trust, suggest that in the main editors make the right decisions for their readers.

- 6.3. As news organisations disseminate their content across more channels and in more varied formats, they will likely aim to ensure that they are communicating in a way that is easily understood by their audience in each context. For example, on TikTok, news publishers may need to have more journalists – potentially from younger age groups – who are familiar with the vernacular and trends on the platform, allowing them to tailor their content accordingly. Notwithstanding the point that news brands are not required to be impartial, there is no tension in this scenario between aligning with the ‘values’ of a particular platform, and impartiality: instead, using language and content presentation that is appropriate for the medium and audience will ensure that trusted information is widely viewed and understood.
7. **How well is regulatory oversight working? Are any changes needed, for example: a) In the way Ofcom oversees due impartiality and the extent of its remit? b) In the way Ofcom oversees media plurality?**
- 7.1. Self-regulation is vital to freedom of expression: the press is self-regulated for a reason. Reputable independent publishers will not be cowed into submitting to statutory press regulation, however arms-length it may appear to be. A tough new regulator, the Independent Press Standards Organisation (“**IPSO**”), was established in 2014, with real powers based in civil law allowing it to extract real penalties including £1 million fines for the most serious breaches of the Editors Code.²¹ IPSO has also brought about a transformation in the internal complaints handling procedures at all newspaper companies. IPSO regulates over 1,900 print and online titles including the vast majority of UK national, regional and local newspapers and magazines. An independent review by Sir Joseph Pilling found it to be effective and independent.²² A second review by Sir Bill Jeffrey in 2023 found *“its supportive but challenging engagement to improve standards [was] exactly what an effective regulator should be doing”*.²³
- 7.2. We welcomed Ofcom’s discussion paper on media plurality, and we were particularly pleased that it focussed on the impact of intermediaries, primarily the tech platforms. As we said in our evidence to the inquiry, the emergence of the platforms has altered the landscape of how news is consumed, and media plurality by extension. As evidenced by both Ofcom and the CMA, more and more people are turning to platforms to access news, rather than directly visiting news publisher websites, or buying newspapers.

²¹ IPSO, “[Standards Investigations](#)”, accessed 15 May 2023.

²² Sir Joseph Pilling, “[The External IPSO Review](#)”, October 2016.

²³ Sir Bill Jeffrey, “[Independent External Review of IPSO](#)”, 26 April 2023.

Rather than offering consumers more choice, the shift in consumption habits towards the platforms has given rise to a concerning trend of echo-chambers, where individuals are exposed to often unreliable or wilfully misleading content that creates and reinforces damaging perspectives. Given this background, it is very concerning that platforms – in particular Meta which has ceased funding the Community News Project and stopped the Facebook News tab – appear to be turning away from trusted news. This will harm the plurality of choice available to consumers via the platforms which are now one of the important gateways to news.

7.3. At the same time, the downgrading of trusted news available to consumers on these platforms will harm publisher revenues, potentially forcing them to close titles, and negatively impacting media plurality. We are pleased that Ofcom is mindful that the remedies used to address media plurality concerns must be able to adapt to changes in a very dynamic market. The regulator must be given all the tools needed to do the job properly including the powers to request data from the platforms, and working with the new regulator, the Digital Markets Unit, where interests or objectives are aligned.

8. **Are there any actions the Government should take to address concerns around due impartiality, trust, and the influence of technology platforms?**

8.1. The swift passage and implementation of the DMCCB will help create a more sustainable ecosystem for journalism. As discussed above, this in itself will go a long way to ensuring trusted news and information continues to be made available to consumers on whichever platform they wish to access it.

9. Measures in the Online Safety Act were a welcome acknowledgement of the importance of 'Recognised News Publisher' content which necessitated special status. It will be important to monitor the implementation of this Act and the discoverability of recognised news sources online, especially as AI evolves and further changes the digital ecosystem and discovery channels for news and information.

a) Are changes needed to the Media Bill?

9.1. No. The repeal of Section 40 of the Crime and Courts Act is essential. We strongly support the repeal of Section 40 and want the Media Bill to become law as soon as is practicably possible.

b) Are changes needed to the way the Government addresses mis- and dis-information?

9.2. Trusted journalism published by news media is the antidote to mis and disinformation in the digital ecosystem. As AI technology develops, the government and regulators must ensure that publisher

branding is clearly visible on intermediary platforms, so users understand fully where information has been sourced from and are able to click through to verify both the information and the source. More broadly, the government can help address the threat of mis and disinformation by acting to promote the sustainability of journalism, ensuring a healthy and plural news media industry in this country. Ensuring the swift passage of the DMCCB and the Media Bill is important in this regard, and the government should also consider other ways to support the industry – particularly the local news sector – with targeted interventions such as business rates relief. Investing more of its ad spend with news media – as proved so effective during the COVID-19 pandemic – would be an easy and quick way to boost the effectiveness of government communications, while supporting the local news media sector, which plays a critical role in underpinning local democracy. The government should consider the importance of trusted news and information in all aspects of its work on AI.

19 February 2024