

Ofcom—written evidence (FON0063)

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

Ofcom welcomes the opportunity to contribute to this important inquiry, as accurate and duly impartial news plays a crucial role in a functioning democracy. News and information remains critical to support our understanding of the world around us and to help shape our views and discourse about local, national and international events. Citizens can only make informed decisions on how they exercise their democratic right to vote if they have access to trusted and accurate news and analysis. This inquiry comes at a crucial point, as the UK faces an election year, and across the world more than 2 billion voters are set to go to the polls in 50 countries. In this context, we have pulled together a summary of all the relevant areas of Ofcom's work for this submission, and we look forward to considering the Committee's recommendations in designing our future priorities and plans.

This written evidence covers:

- **Ofcom's current regulatory responsibilities related to news, across broadcast and online.** Our relevant duties include ensuring that Public Service Broadcasters (PSBs) deliver news obligations, and that all licensed broadcasters within the UK present their news in a duly accurate and duly impartial way. We also have duties to ensure UK audiences have access to a broad range of media providers and different editorial viewpoints. The Online Safety Act gives us new powers to tackle illegal harms on user to user and search services. Illegal offences include malign state-linked disinformation that targets UK political processes. Some designated services will also have to consistently apply any terms of service they set, including on misinformation and disinformation. We also stand ready to implement proposals in the Media Bill, which will create new rules for Video on Demand (VoD) services and provide PSBs with greater flexibility to deliver their remit across broadcast and online.
- **A summary of the rules on – and our approach to – due impartiality and due accuracy in broadcast media.** We provide a summary of the current rules, their legislative basis and explain how we apply them in a way that both protects audiences but also supports freedom of expression and diversity in editorial approaches.
- **Research findings on news production and consumption.** Studies from both Ofcom and other organisations paint a rich and complex picture of changes to the news landscape, including:

- Fundamental shifts in the way news is consumed, with audiences accessing information from an increasing range of sources and notably online.
 - New approaches in news curation, with expanding roles for online intermediaries and social media platforms; and
 - Disruption to business models, with providers having to adapt to build digital revenues and remain financially viable.
- **A look at audience attitudes to news and the role of media literacy in managing the risks and opportunities of AI.** This includes an overview of audience levels of trust in news; their perceptions of accuracy and impartiality; how people are navigating AI interventions in the distribution of news through online intermediaries and recommender systems; and the creation of news through generative-AI.
 - **Forthcoming Ofcom work in this space,** including our current research on local news and our forthcoming Public Service Media review.

We look forward to discussing these issues further with the Committee in due course and providing any further information where useful.

Ofcom's role in news

We have duties across broadcasting, competition, and online safety, to ensure UK audiences can access high quality and varied news whilst also being appropriately protected from harmful and illegal content. In our [draft Plan of Work](#) for the year ahead, we have set 'media we trust and value' and 'a safer life online' as priority outcomes. Our final Plan of Work for 2024-25 will be published at the end of March.

Here is a summary of our main duties relevant to news, with our broadcasting, plurality and online safety functions set out more comprehensively in the Annex:

- **Public Service Broadcasting (PSB):** To ensure a range of high-quality, trusted and accurate local, national and international news is available to the UK population, the PSB system places obligations on the BBC, the providers of the Channel 3 services, Channel 4 Corporation, Channel 5 and S4C to meet requirements with regard to the quality, amount and frequency of news programming. In return for collectively fulfilling certain statutory purposes and individually meeting service-specific requirements, PSB providers receive regulatory benefits including prominence on electronic programming guides (EPG) to make them more readily accessible by the public.
- **Regulating the BBC:** Public Purpose 1 of the BBC's remit is to 'provide impartial news and information to help people understand and engage with the world around them'. Ofcom sets and enforces the regulatory conditions that ensure the BBC fulfils its Mission and Public Purposes in the 'Operating Licence'.

Through this licence, the BBC has a range of news requirements across its television, radio and online services, including a key objective to take steps to reach, serve and engage with all audiences and make its news and current affairs content easily discoverable.

- **Broadcasting Code:** The Communications Act requires Ofcom to put in place a Broadcasting Code that protects standards objectives, including securing due accuracy and due impartiality in news programming. There are also special impartiality rules for non-news content about “matters of political or industrial controversy and matters relating to current public policy”, and specific rules applicable during elections or referendums. The Media Bill, as currently drafted, requires Ofcom to draft an equivalent VoD Code, to secure many of the same objectives that underpin the Broadcasting Code, although with some differences reflecting the differing nature of the on demand environment.
- **Media plurality:** Ofcom has a general duty to maintain a sufficient plurality of providers of television and radio services; and the availability of a wide range of content in those services which are high quality and appeal to a variety of tastes and interests. We achieve this through our oversight and review of the Media Ownership Rules and conducting Public Interest Tests on potential media mergers when the Secretary of State requests.
- **Online safety:** The Online Safety Act (OSA) does not identify disinformation or misinformation as harms that need to be addressed by online services. However, it does name several offences and provisions that are relevant to these harms. New offences were created relating to foreign interference (National Security Act 2023) and harmful false communications (in the OSA itself). Once our Codes of Practice are in force – following completion of our ongoing consultation and approval by Parliament – all in-scope user-to-user and search services must assess the risk that their services are used to commit these offences, and take proportionate steps to mitigate that risk, such as adopting the measures proposed in our draft Illegal Harms Code of Practice.¹ The relevant designated services – services designated as ‘Category 1’ services under the Act – will have additional obligations to apply their terms of service consistently, including any provisions relating to misinformation and disinformation. We will then hold them to account for doing so and require them to publish information about their safety efforts in transparency reports. Finally, the Act empowers us to protect news publisher content, journalistic content and content of democratic importance by requiring services to carve this out from any measures used to protect users, in order to safeguard continued access to this content. As required by the Act, we will also establish an advisory committee to advise our work on misinformation and disinformation.
- **Media literacy:** Since 2003 we have had responsibilities to promote and research media literacy, to ensure that audiences are equipped with the skills to navigate and understand content including news and critically engage with, for

¹ [Consultation: Protecting people from illegal harms online](#), Ofcom, November 2023

example, the accuracy and partiality of news sources and content. The Online Safety Act builds on these duties, particularly in relation to content on services regulated under the Act, and provides further specificity about how Ofcom can discharge its duty.

To carry out all these duties effectively and proportionately, our work is underpinned by a strong evidence base of research into audience behaviours, attitudes and expectations over time, analysis of trends in cost and spend data, as well as insights into how technology is evolving and effecting relevant markets. Our research outputs of note here include our annual [News Consumption Survey](#); our annual [Media Nations](#) report; and [PSM](#) and [BBC Performance Trackers](#). We conduct ad hoc research when necessary, such as our [recent research on D and E socioeconomic groups perceptions' of the BBC](#) and our research on [Drivers of perceptions of due impartiality: the BBC and the wider news landscape](#) which we undertook as part of our review of [How we Regulate the BBC in June 2022](#). On top of this we have an active network to engage with research from industry, academia and civil society. Collectively, this informs everything we do to ensure we are working for all UK audiences.

Due impartiality and due accuracy in broadcast news

As required by Parliament, Ofcom has put in place a Broadcasting Code designed to protect audiences from harmful content while ensuring there is a diverse range of voices and perspectives. The Code applies to all licensed TV and radio broadcast services, as well as the BBC. We have a range of regulatory tools at our disposal if we have concerns that a specific programme has not met the standards of the Code. These tools include powers of investigation, and enforcement action.

Under the Broadcasting Code, **broadcasters are required to report news with due accuracy and present it with due impartiality.**² In addition, they must ensure due impartiality in non-news programmes that relate to issues of political and industrial controversy or current public policy.³

Freedom of expression underpins our approach to maintaining broadcasting standards. In assessing complaints about programmes we must, in accordance with Article 10 of the European Convention on Human Rights, consider the broadcaster's right to freedom of expression as well as the audience's right to receive information and ideas without unnecessary interference.

² [Section 5 of the Broadcasting Code](#), Ofcom

³ While non-news programmes such as current affairs output do not have to be duly accurate, Rule 2.2 of the Code requires that: "Factual programmes or items or portrayals of factual matters must not materially mislead the audience". This rule recognises that Ofcom is required to guard against harmful or offensive material, and it is possible that actual or potential harm and/or offence may be the result of misleading material in relation to the representation of factual issues. Rule 2.2 is therefore designed to deal with content that materially misleads the audience so as to cause harm or offence.

The due impartiality rules aim to safeguard the integrity of democratic debate for important public issues by preventing influential broadcast media platforms from promoting a partial agenda. **Broadcasters are free to debate and discuss any topic or view on air, provided they do not materially mislead their audience or inadequately reflect alternative views.**

Parliament requires Ofcom to set standards to ensure that “news, in whatever form, is reported with due accuracy and presented with due impartiality” and we define “due impartiality” in the Code as:

*“Due’ is an important qualification to the concept of impartiality. Impartiality itself means not favouring one side over another. ‘Due’ means adequate or appropriate to the subject and nature of the programme. So ‘due impartiality’ does not mean an equal division of time has to be given to every view, or that every argument and every facet of every argument has to be represented. The approach to due impartiality may vary according to the nature of the subject, the type of programme and channel, the likely expectation of the audience as to content, and the extent to which the content and approach is signalled to the audience. Context, as defined in Section two: Harm and offence of the Code, is important”.*⁴

In principle, the requirement for due accuracy in news content means getting the facts right. The “due” element has the same meaning as for “due” impartiality i.e. adequate or appropriate to the subject. For example, for a matter of particular public interest, the bar for accuracy will be correspondingly higher.⁵

For non-news programmes, the Code defines where the due impartiality rules are engaged as:

“Matters of political or industrial controversy are political or industrial issues on which politicians, industry and/or the media are in debate. Matters relating to current public policy need not be the subject of debate but relate to a policy under discussion or already decided by a local, regional or national government or by bodies mandated by those public bodies to make policy on their behalf, for example non-governmental organisations, relevant international institutions, etc.”

Matters of major political or industrial controversy and major matters relating to current public policy *“will vary according to events but are generally matters of political or industrial controversy or matters of current public policy which are of*

⁴ [Section 5 of the Broadcasting Code](#), Ofcom

⁵ For examples, see Ofcom Broadcast and On Demand Bulletins:

- [BBC, World at One, February 2021](#)
- [GB News, Saturday Morning with Esther and Phil, March 2023](#)
- [BBC, News at Six, February 2021](#)
- [LBC News, Various, May 2021](#)
- [Sky News, September 2022](#)

national, and often international, importance, or are of similar significance within a smaller broadcast area”.

Our rules state that no politician may be used as a newsreader, interviewer or reporter in any news programmes unless, exceptionally, it is editorially justified. Outside of news programmes, and outside of an election period, there is no Ofcom rule that prevents a politician from hosting TV or radio programmes, provided that due impartiality is preserved. This includes hosting current affairs formats, which typically feature more in-depth discussion, analysis, interviews and long-form video reports. News, on the other hand, typically includes a newsreader presenting directly to the audience; a running order or list of stories, often in short form; the use of reporters or correspondents to deliver packages or live reports; and/or a mix of video and reporter items.

Explaining how Ofcom applies ‘due impartiality’

In practice, we believe that the Code affords broadcasters significant flexibility in how they bring news and current affairs to audiences. When we investigate complaints, we always explain our decisions as fully as possible in our fortnightly Broadcast Bulletins so that our reasoning is clear and transparent. However, “due impartiality” is a concept which isn’t always easy to understand so below we address a few common questions and misunderstandings.

- **Due impartiality does not mean being strictly ‘neutral’.** Broadcasters are not required to be strictly neutral on every topic, but they must ensure that a sufficient range of views on a topic is reflected as appropriate.
- **Due impartiality does not mean providing equal time to both sides of an argument** (due impartiality ‘by the stopwatch’). Broadcasters may spend more time on one perspective over another, provided alternative views are appropriately reflected, and/or context provided.
- **There is no requirement for due impartiality across the programming schedule as a whole – the requirement is for individual programmes or a series of linked programmes (see below).** A channel may present opinions largely from one perspective, provided that individual programmes provide a sufficient range of views to ensure due impartiality.
- **Within news programmes, we would typically expect alternative viewpoints to be provided within the same programme.** However, due impartiality *may* be achieved through a series of linked programmes rather than each individual programme, for example by broadcasting different viewpoints on a particular issue on successive days in a series of explicitly linked ‘special’ news reports which each separately focus on one particular viewpoint on a particular subject. An important factor here is that this linking is clearly signposted to the audience.

- **The fact that a channel has “News” in its title does not mean that all its content is automatically news, and therefore caught by the news provisions of the Code.** The Code applies to programmes as broadcast.
- **Due impartiality does not require that all alternative views always be given equal weight** in the programme. Indeed, to do so could lead to a ‘false equivalence’ between different viewpoints. What will be necessary to preserve due impartiality in any given case will always depend on the context, including the nature of the issue being discussed.
- **We do not consider all views to be of political or industrial controversy all of the time.** In considering whether an issue is one of “political or industrial controversy” or has been broadly settled, broadcasters should consider relevant factors. These may include independent reports commissioned by, for example, the UK Parliament; whether the issue has already been scientifically established and does not appear to be challenged by, for example, established political parties or other significant domestic or international scientific institutions. An example of an issue which Ofcom considered to be broadly settled is the scientific principles behind the theory of Anthropogenic Global Warming.
- **Ofcom does not regulate excerpts shared on social media.** The rules, and our decisions, are based on the full content shown in programmes on the broadcast channels that we license. We frequently find that complaints about individual clips on social media which come from only one perspective do not warrant further investigation when they are properly considered within the context of the whole programme.

Due impartiality in election periods

Once an election or referendum period has begun, stricter due impartiality rules come into force. These rules are contained within Section Six of the Code and require that broadcasters give due weight to the coverage of parties and independent candidates in UK elections, and representatives of permitted participants in UK referendums. Additionally, candidates standing for election must not act as news presenters, interviewers, or presenters of any type of programme during the election period.

The existing rules in Section Five of the Code continue to apply during election and referendum periods. At this time news and non-news content is more likely to engage the heightened requirements of due accuracy and due impartiality for “*matters of major political or industrial controversy and major matters relating to current public policy*”. During election periods we expect scrupulous attention to the rules of the Broadcasting Code from the BBC and licensed TV and radio broadcasters. Ofcom is always ready to convene its [Election Committee](#) to consider, at speed, substantive due impartiality complaints that, if upheld, might require redress before polling day.

We would be happy to explain the Broadcasting Code and our impartiality rules in more detail to the Committee if this is helpful.

The way news is created and disseminated has changed

While audiences' appetite for news remains, the format and routes to access have radically changed. 96% of UK adults watch, listen or read news in some form. Ofcom's [News Consumption Survey](#) indicates that in 2023, 75% of adults aged 16 and over used TV to access news,⁶ and 40% used radio for their news.⁷ Print newspaper use has reduced significantly from 40% in 2018 to only 26% in 2023 while digital readership of newspapers remained relatively constant at 12% over the same time period.⁸

The PSBs still play a key role. The BBC continues to have the highest reach of any news source across all platforms (TV, radio, news website, BBC Sounds and BBC iPlayer) reaching 73% of all UK adults nowadays. This is followed by ITV output (via TV, website and ITVX) which reaches 42%. Sky also consistently reaches a quarter (24%) of all UK adults. However, these are all in decline compared to 2018, with Facebook now outperforming Sky as a news source.

Audiences increasingly access news and information from a wider range of sources. The source that has seen the biggest growth is online, which is not always regulated or edited to the same standards as broadcast news. 68% of audiences in 2023 used online sources of news,⁹ rising from 64% in 2018. Online sources include the websites or apps of established news sources, including broadcasters, as well as new players, such as 'online intermediaries' (this includes social media platforms, news aggregators and search engines) who do not create news but distribute it from a number of sources alongside other content. Online intermediaries distribute news content without any regulatory or editorial intervention.

Broadcasters are now having to deliver news to these increasingly diverse audiences, in an increasingly competitive environment. They must adapt to the increasing numbers using different online services for news, and to more competition than ever for our attention. Where news is delivered in the form of individual posts on a third party's newsfeed or content service, news providers can lose their 'direct to consumer' relationship, which can make it more difficult to manage their news brand identity and it can impact the level of control they have in monetising their content.

⁶ This includes viewing news via Broadcast video on-demand (BVOD), which comprises 5% of the total in 2023.

⁷ This excludes listening to radio news online which was 1% in 2023.

⁸ Figure 1.1, [News Consumption Survey 2023](#), Ofcom July 2023

⁹ Online sources include use of social media, podcasts and all other websites/apps accessed via any device.

Figure 1: Top 20 news sources for adults in the UK

| | 2018 | 2019 | 2020 | 2022 [*] | 2023 |
|--|------|------|------|-------------------|------|
| TV channel | | | | | |
| BBC One | 62% | 58% | 56% | 53% | 49% |
| ITV1/ITV WALES/UTV/STV | 41% | 40% | 41% | 35% | 34% |
| Facebook | 33% | 35% | 34% | 32% | 30% |
| Newspaper (print + website/app) | | | | | |
| BBC iPlayer** | - | - | - | - | 24% |
| BBC News Channel | 26% | 23% | 21% | 24% | 23% |
| Radio station | | | | | |
| BBC website/app*** | 23% | 25% | 23% | 23% | 22% |
| Sky News Channel | 24% | 23% | 25% | 23% | 21% |
| Social media | | | | | |
| Twitter | 14% | 16% | 17% | 17% | 17% |
| Channel 4 | 18% | 17% | 18% | 17% | 16% |
| Other website/app | | | | | |
| Instagram | 9% | 13% | 14% | 16% | 16% |
| Daily Mail/Mail on Sunday | 18% | 18% | 17% | 15% | 14% |
| WhatsApp | 10% | 14% | 13% | 14% | 13% |
| Google (search engine) | 17% | 19% | 15% | 12% | 13% |
| ITVX/ITVX Premium** | - | - | - | - | 11% |
| BBC Two | 14% | 11% | 11% | 11% | 11% |
| BBC Radio 2 | 12% | 12% | 12% | 11% | 11% |
| The Guardian/Observer | 11% | 11% | 10% | 10% | 10% |
| TikTok** | - | - | 1% | 7% | 10% |
| BBC Radio 1 | 9% | 9% | 9% | 8% | 8% |
| Channel 5 | 10% | 10% | 8% | 8% | 8% |

Source: Ofcom News Consumption Survey 2023. Question: D2a-D8a. Thinking specifically about <platform>, which of the following do you use for news nowadays? Base: All Adults 16+ - 2023=4556, 2022 W2*=2792, 2020=4576, 2019=4691, 2018=4618. *2022 W1, and 2021, data not shown because face-to-face fieldwork was not possible during Covid-19 pandemic. **BBC iPlayer and ITVX added in 2023, TikTok added in 2020. ***Includes Welsh language version

Online intermediaries now play a significant role in the dissemination of news

Online news intermediaries¹⁰ play an increasingly significant role in how audiences access news, and are now used by 64% of UK adults.¹¹ The biggest source within intermediaries is social media, which nearly half of all adults (47%) use to access news; and 37% use Meta platforms (Facebook, Instagram and WhatsApp).¹² Younger age groups are much more likely to use online sources and social media to access news, with 83% of 16-24 year olds using online news sources and nearly three quarters (71%) using social media in particular. Older audiences use more TV, radio and print sources, but even their habits evolve over time.¹³

¹⁰ Online intermediaries include social media platforms, news aggregators and search engines

¹¹ [Media Plurality and Online News](#), Ofcom, November 2021

¹² [News Consumption Survey 2023](#), Ofcom, July 2023

¹³ [News Consumption Survey 2018](#), Ofcom, July 2018

Online intermediaries use algorithms to determine what content is shown, to whom, how and in what order. They host news and content from a range of providers, including regulated broadcasters and newspapers as well as unregulated sources that may not apply recognised professional editorial standards. This is important, because our latest research, which will be published in March, includes results from a study using eye tracking technology, which demonstrates that the position of an article in a social media feed has a significant impact on the likelihood that an article will be read, and the amount of user attention it receives.¹⁴

Online intermediaries are predominantly motivated to show content that maximise users' attention and engagement, encouraging users to stay on their service, which may narrow the range of content served to a particular user, and potentially amplify harmful content or create echo chambers. New evidence from our analysis of the content of news articles read online shows that while people go to a wider range of sources for their news, they are exposed to a narrower range of topics when accessing news through online intermediaries compared to going direct to news publisher websites.¹⁵ There is also evidence suggesting that like-minded, polarising, and false information is engaging for users, which means that platforms have commercial incentives to show more of that type of content on their feeds.¹⁶ Research that Ofcom has carried out also suggests that **people who most often get their news from social media tend to be more polarised, less well-informed and less trusting of democratic institutions** than those who get their news from more broadcast and press sources.¹⁷

Intermediaries are impacting the business model for news

Traditionally, news providers primarily earn revenues for their content through their direct relationship with their audiences, by selling advertising, subscriptions, data, or donations. As online intermediaries increasingly own the direct-to-consumer relationship, **the advertising market has moved from print advertising to digital advertising,** and from benefitting news providers directly to a share going to intermediaries. In the UK alone, online advertising spend in 2001 amounted to just 1% of total advertising revenue. By 2022 it was 72%, of which Google and Meta took around 68%.¹⁸

Information on the amount of revenue online intermediaries generate from news content and how much the online intermediaries pay to news creators is not publicly available. Nevertheless, **competition concerns have been raised about online intermediaries' position in the digital advertising market.** For example, in 2020 the Competition and Markets Authority found that Google holds a strong position at each stage of the intermediation chain, and that weak

¹⁴ New research report on media plurality and online news, Ofcom, to be published March 2024

¹⁵ Ibid.

¹⁶ Ibid.

¹⁷ [Media plurality and online news](#), Ofcom, November 2022

¹⁸ [Rebalancing terms for news with platforms; UK regime by 2025](#), Enders Analysis, August 2023

competition in digital advertising undermines the ability of newspapers and others to produce valuable content.¹⁹

Different jurisdictions have begun to address this issue in different ways.

Ofcom's review of the relationship between publishers and online platforms, conducted jointly with the CMA, found that while platforms and publishers jointly create value for audiences through producing content and making it easy to find and consume, there is also an imbalance in their bargaining power.²⁰ The forthcoming Digital Markets, Consumer and Competition Bill will give the CMA powers to address this issue.²¹ Australia and Canada have addressed this through the implementation of bargaining codes; and the EU has introduced the Digital Markets Act, which require advertising transparency and access to data generated through news providers' activity.

Broadcast and the press continue to invest in news despite rising costs and increasingly fragmented audiences

PSBs consistently meet or exceed news quotas set by Ofcom. The BBC has requirements on all networks and services, including its radio stations, with some services having daily quotas and quotas specifically for peak hours. All the other PSBs also have peak hours quotas for news and international news: ITV and Channel 5 have daily quotas, and the BBC and ITV's regional and local services all have news quotas. Further detail on each is set out in the Annex.

The volume of news programming on PSB channels has been relatively stable in recent years. However, ITV increased its hours in 2022 due to the extension of its evening news programme. The PSBs' output is supported by close to 30 non-PSB channels that provide news – including Sky News, CNN, Al Jazeera, and GB News – which all contribute to a varied and dynamic sector and increasingly deliver news via online services as well as broadcast TV.

¹⁹ [Online platforms and digital advertising: Market study final report](#), CMA, July 2020

²⁰ [Ofcom/CMA advice to government on relationship between platforms and publishers](#), Ofcom and CMA, May 2022

²¹ [Digital Markets, Competition and Consumers Bill](#)

Figure 2: PSBs’ news programming output across UK network and nations and regions, 2017-2022 (hours)

| | 2017 | 2018 | 2019 | 2020 | 2021 | 2022 |
|----------------------------------|---------------|---------------|---------------|---------------|---------------|---------------|
| BBC | 20,711 | 20,480 | 20,811 | 21,048 | 20,394 | 20,278 |
| ITV | 1,093 | 1,063 | 1,135 | 1,200 | 1,185 | 1,401 |
| Channel 4 | 248 | 249 | 254 | 261 | 249 | 269 |
| Channel 5 | 313 | 316 | 313 | 308 | 300 | 327 |
| PSB Network | 22,365 | 22,108 | 22,513 | 22,817 | 22,128 | 22,275 |
| PSB Nations & Regions | 8,768 | 8,902 | 9,145 | 8,704 | 8,925 | 8,572 |
| PSB Total | 31,133 | 31,010 | 31,658 | 31,522 | 31,053 | 30,847 |

Source: Ofcom/broadcasters. Figures include programmes made specifically for the UK, Northern Ireland, Scotland, Wales or the English regions but not BBC Alba.

Commercial radio services continue to feature news prominently. News forms a small percentage of overall broadcast output, often with 2-3 minute news bulletins at the top of the hour. However, certain stations such as LBC News, LBC, Talk Radio, Times Radio and GB News Radio feature news, current affairs and discussions as their primary content. The Media Bill will also create new requirements on commercial radio to provide ‘locally gathered’ news.

In addition to the radio services’ own news gathering and production operations, Independent Radio News (IRN) provides national and international news bulletins (produced by Sky News) to subscribing commercial radio stations via the Newslink service. Newslink is monetised via adverts placed around the news bulletins. IRN Limited’s latest accounts show that Newslink revenues grew by 1% to £6.6m the year to 31 March 2023 while news and sales costs increased by 9% to £4.3m.

Despite financial pressures, news providers’ spend has increased. The commercial PSBs collectively generated £97m less in 2022 than in 2021, while the BBC posted an operating deficit of £220m in its financial year 2022/23. However, spending on news and current affairs programmes by TV broadcasters reached £778m in 2022, a new high in nominal terms but in line with 2018 once adjusted for inflation. While this trend was mainly driven by the arrival of new market entrants in the multichannel sector, PSBs still accounted for over three-quarters of total spend.

Figure 3: Broadcasters’ spend on news and current affairs programming across UK network and nations and regions, 2017-2022 (£m)

| | 2017 | 2018 | 2019 | 2020 | 2021 | 2022 |
|---------------------------|------------|------------|------------|------------|------------|------------|
| PSB Network | 318 | 336 | 354 | 342 | 344 | 377 |
| PSB Nations & Regions | 218 | 219 | 232 | 192 | 189 | 212 |
| Multichannels | 115 | 124 | 131 | 121 | 134 | 189 |
| Total | 652 | 679 | 717 | 656 | 666 | 778 |
| Total (real terms) | 767 | 781 | 809 | 734 | 727 | 778 |

Source: Ofcom/broadcasters. Figures are presented in nominal terms except where stated as real (CPI-adjusted for inflation). Figures include spend on programmes made specifically for the UK, Northern Ireland, Scotland, Wales or the English regions but not BBC Alba.

There has been innovation as UK news creators have experimented with different commercial models online. Some titles have adopted a ‘free to reader’ strategy with revenues based on digital advertising. Others have subscriptions or other reader payments, with recent studies indicating that news creators have had some success at growing user payment revenues. In addition, several titles have sought to grow their presence in other countries. For example, the MailOnline has a well-established readership in the USA, and the Guardian has established readerships in the USA, Australia and Canada.²²

Generative AI is further disrupting how news is created, verified, distributed and consumed

More advanced and readily available forms of AI, including large language models and deepfakes,²³ have the potential to offer substantial benefits for the media sector including news, for example for content generation and visual effects. However, this technology also poses risks, including for audiences. Malicious actors can use this technology to create false and deceptive content relating to current affairs and political figures, which can make it harder for people to recognise what is real from what might be a sophisticated fake. We discuss trends in people’s trust in news and confidence in their own media and digital literacy skills later in this submission.

Ofcom is already working to understand how AI is being used in the media sector and the risks that AI could present. We regularly engage with broadcasters on their use of AI and we published a ‘Note to Broadcasters’ that provided information for our licensees on how the use of synthetic media generated by GenAI is subject to the existing rules set out in the Broadcasting Code.²⁴ We also

²² See Enders Analysis: [UK National News Industry: Green Shoots of Recovery](#), January 2024 for a recent summary.

²³ Deepfakes can be defined as content that has been manipulated or created outright using AI or related digital techniques, with the explicit purpose of deceiving audiences.

advised licensees to carefully consider whether their compliance processes need to be adapted or developed to account for the potential risks involved in the use of synthetic media to create broadcast content. We have recently stepped up our engagement with broadcasters in the context of the forthcoming UK General Election.

We know that news organisations and online platforms are looking at solutions to verify content and we are carrying out our own work on this.

For example, we are researching methods to identify deepfakes and engaging with organisations to understand how global standards are being developed on issues such as watermarking and provenance. This will inform our regulation of Online Safety, including our Codes of Practice regarding exemptions for news publisher content and protections for journalistic content and content of democratic importance. We have also started working with broadcasters to understand how they are addressing mis and disinformation, particularly in the context of reporting during the election period.

Audiences' attitudes to news and the role of media literacy

UK audiences generally trust broadcast news. Over half (56%) of all television news users rate the BBC highly for providing trustworthy news. One-in-three television news viewers (30%) rate ITV highly on the same trust attribute.

Trust ratings are much lower for smaller channels such as Al Jazeera (4%) and GB News (4%).²⁵ However, when looking at each channel's regular user base, the smaller channels are considered as trustworthy as the PSBs among their own viewers. For example, 69% of *regular* 'GB News' viewers consider 'GB News' to be trustworthy. This compares to 71% of regular BBC TV viewers who consider BBC television news to be trustworthy. A similar picture is seen for perceptions around accuracy of news reporting.

Brand trust research from the Reuters Institute highlights similar findings.²⁶ BBC News (61%), Channel 4 News (59%) and ITV News (58%) received the top 3 trust scores in a list of television and print news sources. The lowest rated news brands were 'The Sun' (13%) and 'TalkTV' (20%). However, when the UK news market is looked at 'in the round' to include tabloid outlets and social media, the UK has one of the lowest levels of trust in news in the world, on par with the US with only one-third (33%) of UK news consumers saying '*they trust news most of the time*' down from 51% in 2015.

While television news performs well on impartiality for a majority, television news sources collectively rate less highly for impartiality (63%) than trust (69%). This lower overall rating is in part due to perceptions of BBC television news, where less

²⁴ [Note to broadcasters on synthetic media](#), Ofcom, April 2023

²⁵ [News Consumption Survey](#), Ofcom, July 2023

²⁶ [Reuters Institute Digital News Report 2023](#), Reuters Institute, 2023

than half (47%) of TV news viewers rate BBC television news highly in impartiality. One-in-seven (14%) rate it poorly.²⁷ Higher perceptions of impartiality among regular viewers to each channel also applies. Around six-in-ten regular users consider news on BBC TV (60%), ITV (61%), GB News (63%) and TalkTV (60%) to be impartial.

News sourced via social media is rated lower for trust (40%), accuracy (40%) and impartiality (40%) than broadcast and press sources of news. The lowest ranked news sources are social media sites (Facebook, Instagram, Snapchat, YouTube, TikTok and Twitter). Although younger users, aged 16-24, are more likely to rate social media higher on these attributes.

Drivers in audience perceptions of trust and impartiality in BBC news

Trusted and accurate news is central to the BBC's remit. It is vital for ensuring that the BBC fulfils its Mission to inform audiences and contributes to the functioning of a healthy, democratic society. Three-quarters (75%) of UK adults are positive about the importance to society of the BBC's provision of 'news and information to help people understand what is going on in the UK and the world'. The BBC is still the place audiences turn to when big stories break and they consider it a trusted and accurate news source.²⁸

However, **some audiences continue to have concerns about the BBC's impartiality.** The BBC has a good record of complying with broadcasting rules which require that its programmes appropriately reflect alternative viewpoints, taking account of the subject and nature of the programme.²⁹ However, although they rate it highly for trust and accuracy, they consistently rate the BBC less favourably on impartiality.

Research we undertook in 2022 showed that **audience attitudes on due impartiality were driven by multiple factors, many of which do not directly relate to the BBC's news and current affairs content.** These include: the sense of ownership audiences have with the BBC; the overall BBC brand; how it responds to audience concerns; the way people see themselves being reflected on screen; the stories it chooses to cover; and how the BBC's impartiality is challenged in the wider media.³⁰

In our [review of BBC regulation](#) we noted the importance of the BBC addressing the apparent **disparity between audience attitudes to its impartiality and its good record of compliance** with the due impartiality broadcasting rules. We challenged the BBC to find creative ways of demonstrating its approach and commitment to due impartiality. We continue to monitor perceptions of the BBC's impartiality and report the findings in our Annual Report on the BBC.

²⁷ [News Consumption Survey](#), Ofcom, July 2023

²⁸ P.3 [Annual Report on the BBC 2022/23](#), Ofcom, November 2023

²⁹ [Review of BBC regulation](#), Ofcom, June 2022

³⁰ [Drivers of perceptions of due impartiality: The BBC and the wider news landscape](#), Ofcom, June 2022

The BBC is perceived differently by different demographics. Our research has consistently shown that satisfaction levels are lower amongst audiences in what are traditionally called socio-economic groups D and E compared to others. Last year, we conducted an in-depth review, including new research to understand what underlying factors may be driving these lower satisfaction levels. Our work showed that audiences from lower income households do still retain a connection with the BBC. Many participants rate the BBC's news offering, while others still consider it the home for coverage of big, milestone events that bring the nation together. When people were shown the BBC's Public Purposes, they said that Public Purpose 1 was one they thought the BBC did well at delivering.^{31 32}

The role of media literacy in mitigating harms

Media literacy is an important tool in supporting audiences to maximise the opportunities of a changing media landscape, while guarding against the risks. Media literacy can help equip audiences with skills to better determine the quality and reliability of the information they come across, as well as take advantage of technological developments in the sector. Ofcom has had longstanding duties under the Communications Act 2003 to promote media literacy. Improving media literacy and finding scalable solutions is complex, so our work with other expert partners and stakeholders is key.

There are signs that internet users' critical understanding is improving, however people may not always use critical skills when determining the legitimacy of news online and often look for short-cuts to help them make snap-judgments.³³ We found that 61% of social media users were confident and able to identify a fake social media profile when presented with an example in 2023, up from 55% in 2021; and in 2023, three quarters of audiences (77%) say they think about whether the information they find online is truthful; and nearly all (96%) of social media news users claimed to consider whether a news story or article they had seen on these types of apps or sites was truthful or accurate. The most common forms of verification cited by respondents included checking who had posted the information to see if it was from a trustworthy source (51%), looking at the comments to see what people had said about it (46%), and checking to see if the same information appeared elsewhere (45%).³⁴ While at the same time, judgments about whether an article was genuine or not were not always based on reliable information and evidence suggests that people tend to overstate their ability to recognise false content.³⁵

³¹ p.17, [BBC Audiences Review](#), Ofcom, November 2023

³² p.23 [Exploring D and E socioeconomic groups' relationship with the BBC](#), Ofcom, November 2023

³³ p. 39 [Media Plurality Quantitative Report](#), Ofcom October 2022

³⁴ Ofcom Adults' Media Literacy Tracker 2023: Online Knowledge & Understanding Survey

³⁵ As showed by our 2022 Media Plurality Quantitative Study, when research participants were showed a real Sky News article about a tornado in Wales, they were more likely to consider the article to be not genuine, rather than genuine, with the most likely indicators for people to determine it was not genuine being the headline (67%), the comments underneath (19%) and the article's image (17%). Only 26% of those who thought the article was genuine said the verification tick influenced their decision. (p. 39 [Media](#)

Over the past year **we commissioned initiatives with five external partners focused on news literacy including Guardian Foundation and Shout Out UK.** For example, Shout Out UK focuses on mis and disinformation in the news, both through their work training 500 teachers this academic year and the planned project around the general election. This project will develop a campaign targeted at new “of-age voters” (18-24) to strengthen their ability to identify mis-disinformation tactics, better combat misinformation and use improved critical thinking.³⁶

As part of our focus on the potential impact of AI on media literacy and news, we are producing a series of discussion papers to help keep media literacy practitioners up to date about emerging trends. We published one on the implications of generative AI on media literacy this month,³⁷ and two more will be published next month.³⁸ These papers will help inform our understanding of effective interventions to improve media literacy, which will support our work directly and our future engagement with partners across the media sector.

Ofcom’s upcoming work in the news sector

Implementing the Media Bill

The Media Bill proposes essential updates to the PSB regulatory framework and prominence rules.

Through Parts 1 and 2 of the Bill, the Government will implement the key recommendations from our 2021 review of public service broadcasting, [Small Screen: Big Debate](#). The Bill will give PSBs more flexibility to deliver the content obligations across relevant platforms and to better meet audience expectations; it will also expand standards requirements to cover more services; and create new local news obligations on licensed radio.

Part 4 of the Bill will require Ofcom to consult and put in place a VoD Code, to secure many of the same objectives that underpin the Broadcasting Code, including due accuracy and due impartiality requirements for news content on so-called Tier 1 VoD services.

Ofcom stands ready to implement the provisions as soon as practicable, and has published [a roadmap](#) to set out indicative timelines for implementation, so stakeholders can begin to prepare and engage with us on our planned next steps following Royal Assent.

Putting new Online Safety rules in place

[Plurality Quantitative Report](#), Ofcom October 2022).

³⁶ We hope to publish evaluation reports on this intervention in summer 2024.

³⁷ [Future Technology and Media Literacy: understanding Generative AI](#), Ofcom February 2023

³⁸ [Media literacy discussion papers](#), Ofcom February 2024

The new Online Safety regime touches on the provision of news in the UK in the following ways:

Foreign interference and malicious communications as illegal harms: As a priority offence under the Online Safety Act, all services will be required to assess the risk of this occurring on their services and take measures to prevent users from encountering content amounting to a 'foreign interference offence' on their service. It aims to tackle malign state-linked interference, such as state-sponsored disinformation, targeting UK political processes. We have set out our analysis of the causes and impacts of foreign interference, and assessed the factors that can cause a risk of harm to individuals on a service in our consultation on protecting users from illegal harms. We have also set out specific and cross-cutting measures in our draft Code of Practice that services can take to tackle the risk of foreign interference.³⁹ We are currently considering responses to our draft Code and – subject to parliamentary approval – we expect the Code to come into force by the end of 2024.

Online Safety Codes of Practice and guidance on protecting news publisher and journalistic content, and content of democratic importance: We will produce Codes of Practice and guidance setting out how online services can comply with these duties to protect news publisher content, journalistic content, and content of democratic importance. These duties apply to categorised services so in line with our published roadmap,⁴⁰ we will publish the draft guidance under our third phase of implementation in 2025.

We will launch an initial call for evidence in the coming weeks to inform our approach to implementing these duties. Within the first two years of this part of the online safety regime coming into force, we will publish a report on how the regime has affected how news publisher content and journalistic content is treated and made available by Category 1 services.

Advisory committee on misinformation and disinformation: Ofcom will establish an advisory committee to advise on certain aspects of our remit relating to misinformation and disinformation, including how we use our powers around services' transparency reporting and how we undertake our media literacy duties. We expect to appoint members who are experts in handling and preventing online misinformation and disinformation, as well as those who can represent the views of online services and the interests of UK users of these services.

Protecting the continued supply of high-quality and diverse news

³⁹ Ofcom's Codes of Practice set out measures we will recommend for services to comply with their safety duties under the Online Safety Act. Services do not have to implement what is in Codes, but if they choose to do so, then they will be deemed compliant with their safety duties.

⁴⁰ [Ofcom's Approach to Implementing the Online Safety Act](#), Ofcom October 2023

We have a number of upcoming projects that focus on ensuring that a range of trusted and high-quality news remains available to UK audiences. These include:

Our next PSM review: We will launch our next review of Public Service Media (PSM) later this year. The review will consider the role PSB providers have played in delivering trusted news over the period of 2018 to 2023 and explore the challenges and potential solutions to securing the long-term sustainability of high-quality public service news output.

Research on the impact of online intermediaries on media plurality and news consumption: Following our 2021 Media Ownership Rules Review, Ofcom committed to get a better understanding of the impact OIs have on the news ecosystem. Since publishing our [Discussion Document on Media Plurality and Online News in 2022](#), we have engaged with stakeholders from across the supply chain, updated our review of the evidence from the academic literature and commissioned independent research. This includes a quantitative attention study, using eye tracking technology, to measure how platforms can influence the news their users read through their control of the ranking of the content feed. We have undertaken a quantitative analysis of news content using Natural Language Processing (NLP) to understand how the use of OIs affects the diversity of news topics users are exposed to. We also commissioned qualitative experiment exploring four different changes to people's social media service to understand how these changes impact online users' experiences and news consumption habits. This research, referenced on page 11, will be published in March 2024.

Our 2024 Media Ownership Rules Review: Every three years, Ofcom has a duty to conduct a review of the Media Ownership Rules that underpin the parameters by which we secure a sufficient plurality of providers of different TV and radio services in the UK, to make sure they remain relevant and appropriate as the media landscape evolves. Our next review is due by the end of 2024.

Researching local news: We are currently undertaking a review of local media in the UK looking at how local media is evolving and what audiences need and value from local services, including carrying out research among consumers across the UK and engaging with industry and other organisations. We plan to publish our findings in November 2024, with an initial report in May 2024 setting out our preliminary findings from our consumer research and stakeholder engagement.

New BBC online material code: The Government announced in its [BBC mid-term review](#) that it was extending our standards enforcement regulation of the BBC to its online material. Following publication of the updated Framework Agreement, we will consult on a new BBC online material code.

Working in partnership to better empower audiences

Media Literacy Strategy: The Online Safety Act clarifies and adds specificity to our existing media literacy duty, particularly around online safety. Taking this into account, we will produce a strategy, setting set out Ofcom's media literacy objectives and priorities for the next three years. We will publicly consult in this strategy this spring, with the final strategy to be later published in the autumn.

Young people engaging with elections: We are exploring initiatives with partners to develop campaigns targeted at new "of-age voters" (18-24) to strengthen their ability to identify and better combat mis-disinformation tactics, and use improved critical thinking.

Identify and respond to emergent risks

Our plan for AI work: As AI technologies continue to develop at pace, Ofcom will continue to invest in understanding how AI may impact Ofcom's sectors, and how best to secure the regulatory outcomes we want to see. We look forward to setting out more about our strategic approach to AI by 30 April 2024.

Playing a convening role: We are developing a series of roundtables bringing together key stakeholders across the News and Information ecosystem to identify issues and opportunities for addressing mis-disinformation in news, with a particular focus (but not limited to) AI and the 2024 UK election.

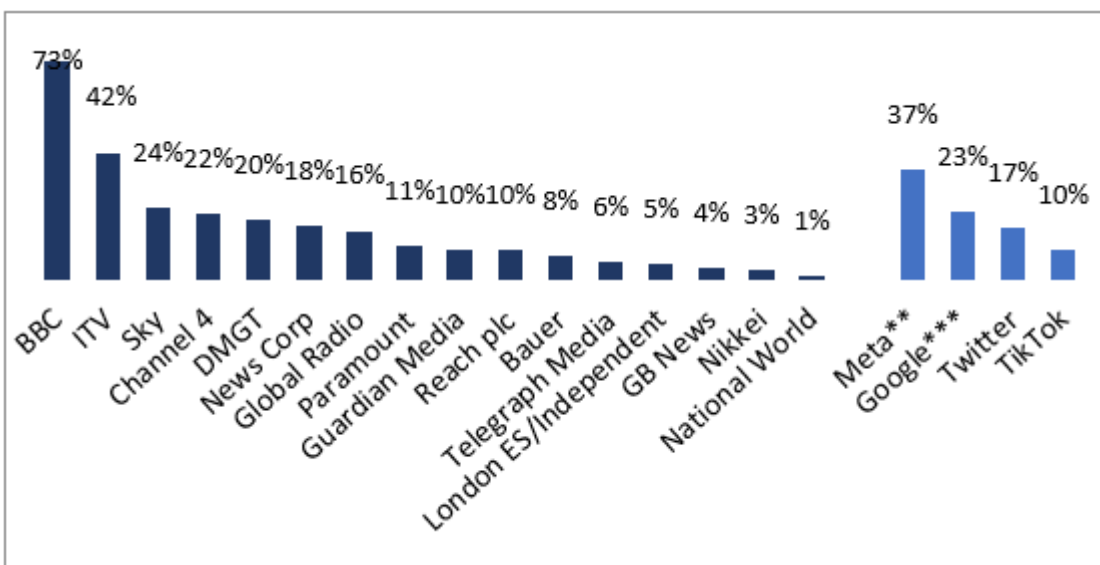
Annex A

1. News obligations in Public Service Media

PSB is an intervention designed by Parliament to ensure that UK audiences can enjoy a wide range of high-quality programmes. PSB services must collectively fulfil certain purposes and individually meet specific requirements, including to produce news and current affairs programming.⁴¹ Taken together, PSB (the BBC, the providers of the Channel 3 services, Channel 4 Corporation, Channel 5, and S4C) provide public service television which educates, entertains and informs; reflects cultural activity in the UK and its diversity; and facilitate civic understanding and fair and well-informed debate on news and current affairs, a comprehensive and authoritative coverage of news and current affairs in, and in different parts of, the UK and from around the world.⁴²

Provision of high-quality trusted and duly accurate news has always been a core part of our PSB system. Evidence from our News Consumption Survey suggests it continues to be highly valued by UK audiences (see above). Services offered by PSB account for 11 of the top 20 sources of news in the UK, as shown in figure 3.⁴³

Figure 4: Cross-platform retail providers used for news nowadays 2023



Source: Ofcom News Consumption Survey 2023 – COMBINED F2F & ONLINE sample

⁴¹ See (i) s.279 of the Act; (ii) para. 9, sch. 12 of the Act; and (iii) para. 4, sch. 2 of the BBC Agreement.

⁴² s.264 of the Communications Act 2003. The BBC's Mission and Public Purposes is set out in its Charter.

⁴³ [News Consumption Survey 2023](#), Ofcom, July 2023

Question: D2a-D8a. Thinking specifically about <platform>, which of the following do you use for news nowadays?

Base: All adults 16+ 2023=4556

*Meta*** = Facebook + Instagram + WhatsApp. *Google**** = Google News + Google + YouTube

Ofcom publishes a report on how well the PSBs have delivered their overall remit at least once every five years.⁴⁴ Our last review of Public Service Broadcasting and Media, *Small Screen: Big Debate*, published in July 2021 explored what audiences value about public service content. At the time we noted that the increasing risk of misinformation had only served to underpin the value of news from long-standing and reliable sources. The audiences we spoke to identified “trusted and accurate” news as the most important feature of PSB. We concluded that trusted and accurate UK news should remain a central part of a future PSB system as it continues to play an important role in helping people contribute to an informed democratic society. We will launch our next review later this year.

BBC News obligations

Ofcom’s role, on behalf of UK audiences, is to set and enforce the BBC’s Operating Licence⁴⁵ which contains the regulatory conditions that we consider appropriate to ensure the BBC fulfils its Mission and promotes the Public Purposes. Providing high-quality, trusted news and current affairs is central to the BBC’s remit. Following public consultation we [updated the Operating Licence in March last year](#)⁴⁶ to reflect changes in the media landscape and audience behaviour. For the first time, this updated licence sets broad requirements on the BBC’s online services – BBC iPlayer, BBC Sounds and the BBC website and requires the BBC to comprehensively report on its plans and performance.

⁴⁴ Ofcom’s most recent PSM Review was [Small Screen: Big Debate](#) published in February 2020, and covering 2014-2018

⁴⁵ [BBC Operating Licence](#), Ofcom, March 2023

⁴⁶ [Modernising the BBC’s Operating Licence](#), Ofcom, 23 March 2023

Public Purpose 1 (PP1) of the BBC's remit is to 'provide impartial news and information to help people understand and engage with the world around them'.

The BBC should provide duly accurate and impartial news, current affairs and factual programming to build people's understanding of all parts of the United Kingdom and of the wider world. Its content should be provided to the highest editorial standards. It should offer a range and depth of analysis and content not widely available from other United Kingdom news providers, using the highest calibre presenters and journalists, and championing freedom of expression, so that all audiences can engage fully with major local, regional, national, United Kingdom and global issues and participate in the democratic process, at all levels, as active and informed citizens. - Article 6(1), BBC Charter

Under the BBC Operating Licence, in promoting PP1, we set the following requirements;

- Objective 1: The BBC should ensure that news and current affairs programming is high quality, in-depth and covers local, regional, national, UK and international stories. The content should be relevant to audiences and enable them to develop a broad understanding of what is happening locally, regionally, nationally and in the wider world;
- Objective 2: In providing news and current affairs programming and content, the BBC should take steps to reach, serve and engage with all audiences and make its news and current affairs content easily discoverable.

These objectives are supported by specific regulatory conditions across the BBC's public services, including several quotas to safeguard the delivery of news and current affairs content on the BBC's main broadcast TV and radio services which are set out in the BBC's Operating Licence. For example, these include that BBC One must ensure that network news programmes are shown at regular intervals throughout the day and that at least 1,520 hours are allocated to network news in each calendar year, at least 280 hours of which must be in peak viewing time. In respect of online, the BBC must ensure there is daily news and information for all audiences, which covers a broad range of subjects and must include in-depth news and analysis. Separate conditions also require news and information for each of the UK nations and news of national or regional interest. In respect of the BBC News channel, the BBC must ensure that it provides high quality local, regional, national, UK and international news. We report on the BBC's performance and compliance with the Operating Licence on an annual basis and examine more recent changes to BBC services.

Commercial PSB national and regional news licence requirements/ Obligations

Channel 4, S4C and the Channel 3 and Channel 5 licensees (ITV, STV and Channel 5) are required to produce high quality news and current affairs programmes that deal with both national and international matters. The PSBs all have specific obligations to offer peak time news programmes on their main channels, and some PSBs have obligations to provide regional news.

Channel 4

Ofcom sets the licence conditions which C4C has to fulfil, including quotas on news and current affairs programming as well, and we set the length of each licence. We monitor their performance through our annual Channel 4 Statement of Media Content Policy.⁴⁷

The current Channel 4 licence includes obligations to provide, in each year of the licence period:

- 208 hours of news programming in peak time, including one programme at lunchtime each weekday and one in the early evening each weekday; and a programme in the early evening at weekends on both Saturday and Sunday.
- 208 hours of current affairs programming, of which 80 hours are allocated to peak time.

We are currently in the process of renewing Channel 4's licence for the next licence period, which will start on 1 January 2025. As part of this process we are reviewing the requirements on C4C, which has included a public consultation which closed on 14th February 2024.⁴⁸ In our consultation, we proposed the following changes for the next ten-year period:

- To retain the licence condition requiring no less than 208 hours of news in peak viewing time, each calendar year over the licence period.
- To remove the condition requiring one news programme at lunchtime every weekday.
- To retain the condition requiring one programme a day in the early evening on Saturdays and Sundays.
- To reduce the number of hours of current affairs that must be broadcast in each calendar year from no less than 208 to no less than 178 hours; and retain the condition requiring no less than 80 hours of current affairs in peak viewing time.

⁴⁷ [Channel 4 Statements of Media Content Policy](#), Channel 4, regularly updated

⁴⁸ [Consultation on Channel 4 licence renewal](#), Ofcom December 2023

Channel 3 and Channel 5

The Channel 3 and Channel 5 licensees' public service remit is to provide a range of high quality and diverse programming. They each have specific programming obligations to provide news and current affairs. Ofcom is responsible for setting the quotas each operator must fulfil, including its national and regional news provision, and monitoring their performance against these quotas.

There are 15 national and regional Channel 3 licences and one UK-wide breakfast licence. These licences are held by subsidiaries of ITV and STV. STV provides the Channel 3 service in Central and Northern Scotland while ITV provides the services in England, Wales, Northern Ireland and the Scottish Borders, alongside the UK-wide breakfast service, GMTV. Channel 3 provides competition and an alternative voice to the BBC in providing regional news in England. The Channel 3 licences require 365 hours of high-quality national and international news programmes per year, 125 hours of which must be in peak viewing times, and the breakfast licence requires 60 mins of news per weekday.

The UK-wide Channel 5 licence is held by a subsidiary of Paramount Global and requires it to provide 280 hours of high-quality news programmes per year, 20 hours of which need to be in peak viewing times (6pm to 10:30pm). These must include both national and international matters and be provided at certain times of the day and week set out in the licence.

Channels 3 and 5 both exceed the minimum requirements set in their network news and current affairs quotas. The Channel 3 and Channel 5 licensees must also comply with the rules that apply to all broadcasters, such as the requirement to observe content standards.

Ofcom imposes news-related licence requirements on local radio services.

Ofcom has a duty to set conditions in licences requiring such output where the broadcaster proposed to provide news in its application for the licence. All analogue commercial radio services, and many community radio services, have such requirements.

Ofcom also publishes specific guidance for analogue commercial radio stations regarding the provision of a high-quality local news service. If a broadcaster fails to comply with the conditions in their licence, we can take enforcement action against them.

2. Ensuring plurality in the ownership of the media

Ofcom is responsible for upholding the regime of media ownership rules. The rules contain a series of restrictions and other mechanisms designed in combination to secure a sufficient plurality of ownership across broadcast and print media. They include:

- **Disqualified persons restrictions:** a list of persons disqualified from holding any or certain kinds of broadcasting licences, including advertising agencies, religious bodies, and political bodies;
- **The National Cross-Media Ownership rule and the Channel 3 Appointed News Provider Rule:** a prohibition on a newspaper operating with 20% or more of the national market share for print newspaper from holding a Channel 3 licence or a stake in a Channel 3 licensee that is greater than 20%. The holder of a Channel 3 licence is also prohibited from holding an interest of 20% or more in a large national newspaper operator. The regional Channel 3 licensees must appoint a single news provider among them.
- **Media Public Interest Test:** the Secretary of State can intervene in any merger involving a broadcaster and or print newspaper enterprise if certain conditions are met and a public interest consideration is identified by initiating a Public Interest Test (PIT) in which Ofcom has a first instance advisory role.

Overall, this regime seeks to offer a series of checks and balances that collectively aim to secure a news environment in which people can access a wide range of information and viewpoints and high quality and accurate news reporting, and which is free of the undue influence of any one person.

Ofcom has a statutory duty to report on and review these rules every three years and recommend changes where necessary to the Government. The [last Media Ownership Rules Review \(MORR\) was conducted in 2021](#), where we made a series of recommendations, including to broaden the scope of the existing Media Public Interest Test framework beyond print newspapers and broadcasters to capture a broader range of “news creators”. This is to better reflect the way in which people access and consume news today, which is increasingly online, and through AI-driven intermediaries. The next review will take place later this year.

3. Providing for a safer life online

Ofcom became the UK’s regulator for online safety following the passage of the Online Safety Act in October 2023. The Online Safety Act represents a major step towards creating a safer life online for UK users, holding online services to account for their measures to protect both children and adults from online harms.

The Online Safety Act builds upon both Ofcom’s existing powers to ensure that video sharing platforms (VSPs) established in the UK protect their users, and upon our longstanding work to improve media literacy through Ofcom’s ‘Making Sense of Media Programme’.

Ofcom has regulated VSPs since November 2020 – the regime places duties on a number of UK-based VSP providers to protect users from videos containing harmful

content – has been an effective test bed for how online safety regulation works in practice and is helping us implement the new online safety regime.

Compared to the VSP regime, the new online safety regulatory regime provides a comprehensive framework to hold a much wider range of online services responsible for keeping people safe online. It places duties on these online service providers to assess and manage safety risks arising from content and conduct on their sites and apps, including in relation to illegal content and other content which is harmful to children.

As the regulator for new online safety regime, we are currently in the process of implementing these new rules through our Codes of Practice and guidance which will explain how services can comply with their duties. We have already launched two consultations setting out our blueprints for how services can comply with their duties regarding illegal harms, and how service providers displaying pornographic content can ensure that children are not normally able to encounter such content.

As set out in our October 2023 roadmap⁴⁹ for implementing the Online Safety Act, our implementation of the regime will take place in three main phases:

- **Phase One: Illegal Content (Consultation published in November 2023)** – This includes proposed Codes of Practice and guidance related to the Online Safety Act’s illegal content duties, addressing the most significant dangers online such as terrorism and fraud and includes measures to protect children from child sexual exploitation and abuse.
- **Phase Two: Child safety, pornography, and protecting women and girls (Consultation to be published in Spring 2024)** – This implementation phase has several components, and is focused on protecting children from legal content that may be harmful to them, including pornography, content relating to suicide, self-harm and eating disorders, content that is abusive and is targeted at, or incites hatred against, people on the basis of protected characteristics, bullying, and content depicting serious violence.
 - As part of this work, we published in December 2023 our consultation on draft guidance for services that publish or display provider pornographic content online, including how they can comply with their duties to implement age assurance.
- **Phase Three: Additional duties for categorised services (consultation to be published in early 2025)** – This will include implementing duties relating to transparency reporting, user empowerment, fraudulent advertising, and the protection of news publisher and journalistic content and content of democratic importance.

⁴⁹ [Ofcom's approach to implementing the Online Safety Act](#), Ofcom, October 2023

How mis/disinformation is addressed under the online safety regime

The Online Safety Act does not explicitly identify disinformation or misinformation as harms that need to be addressed by online services. However, it does name several offences and provisions that are relevant to disinformation. These are outlined below.

Foreign Interference: As a priority offence under the Online Safety Act, all services will be required to assess the risk of this occurring on their services and take measures to prevent users from encountering content amounting to a 'foreign interference offence' on their service. This is a new criminal offence introduced through the National Security Act 2023, which commenced in December 2023. It aims to tackle malign state-linked interference, such as state-sponsored disinformation, targeting UK political processes. We have set out our analysis of the causes and impacts of foreign interference, and assessed the factors that can cause a risk of harm to individuals on a service in our consultation. We have also set out specific and cross-cutting measures in our draft Code of Practice that services can take to tackle the risk of foreign interference.⁵⁰ We are currently consulting on these measures and – subject to parliamentary approval – we expect the Code to come into force by the end of 2024. These measures include proposals that:

- User-to-user services' content moderation teams are resourced to meet performance targets and can ordinarily meet increases in demand for content moderation caused by external events.
- When undertaking on-platform tests, U2U services collect safety metrics, which will allow them to assess whether changes are likely to increase user exposure to illegal content.
- Services should have clear internal policies for operating notable user verification and paid-for user verification schemes and improved public transparency for users about what verified status means in practice.

Harmful false communications: This new offence, introduced through the Online Safety Act, makes it an offence for a person to send a message which conveys information that they know to be false if the person intended the message, or the information in it, to cause non-trivial psychological or physical harm to a likely audience. The user must also have no reasonable excuse for sending the message. As it focuses on knowingly false information, misinformation is not captured by this offence. We are currently consulting on our draft analysis, proposals and guidance relating to this offence as a part of our consultation on protecting users from illegal harms.

Terms of Service duty: Category 1 services⁵¹ have a duty to only take action against content and users which violate their Terms of Service, and to apply these

⁵⁰ Ofcom's Codes of Practice set out measures we will recommend for services to comply with their safety duties under the Online Safety Act. Services do not have to implement what is in Codes, but if they choose to do so, then they will be deemed compliant with their safety duties.

rules consistently. This includes where they have provisions which are relevant to misinformation and disinformation. We will be publishing a call for evidence which includes these Terms of Service duties shortly and consulting on our proposals in early 2025.

Transparency: The Online Safety Act requires Ofcom to establish a mandatory service transparency reporting programme. Transparency reporting requirements are a key tool for driving effective and meaningful change under the online safety regime. We will issue annual transparency notices to all categorised service providers requiring them to publish the information set out in the notice in a public transparency report. Ofcom has powers to tailor transparency notices to individual services. In addition, we will publish our own annual report based on provider transparency reports: analysing industry trends, identifying good practice and summarising additional information, such as new research and other sources of data, to help contextualise this information for users. We will consult on our online safety transparency guidance in Spring 2024.

Ofcom has powers to require categorised services to make public a broad range of information as set out in Schedule 8, Statements of Matter. This includes information on measures taken or in use by a provider to comply with any duty set out in section 71 or 72 (terms of service), and any other measures taken or in use by a provider which relate to online safety matters. This could extend to service measures about mis/disinformation if it met the relevant criteria for inclusion.

Media literacy duties in relation to mis and disinformation: Through the Online Safety Act, Ofcom's media literacy duties have been further clarified. Ofcom now has a specific requirement *to heighten the public's awareness and understanding of ways in which they can protect themselves and others when using regulated services, in particular by helping them to establish the reliability, accuracy and authenticity of content and understand the nature and impact of disinformation and misinformation, and reduce their and others' exposure to it.* The Act states that we are to perform these duties by (among other ways) pursuing or commissioning activities and initiatives, encouraging others to do so, and through our research. We will produce a strategy, setting set out Ofcom's media literacy objectives and priorities for the next three years. We will publicly consult on this strategy in the second quarter of 2024 with the final strategy to be published in autumn.

Advisory Committee: We will be establishing an advisory committee to advise us on certain aspects of our remit on misinformation and disinformation, as required by the Online Safety Act. The committee will advise us on the areas set out above,

⁵¹ Categorisation is the statutory mechanism to identify which services should have duties additional to the illegal safety duties, which apply to everyone, and the child safety duties, which apply to services with child users. We will publish advice to the Secretary of State regarding categorisation in Spring 2024. The Secretary of State will then set thresholds for categorisation in secondary legislation. Once this has happened, Ofcom will decide what services meet these thresholds, and add them to a public register. We expect this register to be published by the end of 2024, subject to completion of the secondary legislation. If a service is not included on this register, they will not have to comply with these additional obligations. We expect that most of the 100,000 in-scope services will not be categorised.

including how we use our powers relating to services' transparency reporting and how we undertake our media literacy duties. We expect to appoint members who are experts in the handling and prevention of online misinformation and disinformation, as well as those who can represent the views of services and the interests of UK users of these services. The Committee will publish a report within 18 months of its establishment and periodic ones after that.

How news content will be protected under the online safety regime

Under the Online Safety Act, all regulated services are required to have particular regard to the importance of protecting users' right to freedom of expression when implementing safety measures and policies. As a public body, Ofcom must also act compatibly with the European Convention on Human Rights (ECHR), and we continue to ensure that our approach to online safety regulation upholds the importance of fundamental rights, in particular the rights to freedom of expression and privacy.

The Act places further duties on services meeting specific criteria related to their number of users or functionalities – designated as Category 1 services – to protect news publisher content, journalistic content, and content of democratic importance.

Under the Act, news publisher content is explicitly exempt from the illegal content and child safety duties that apply to regulated user-generated content. Similarly, comments on news publisher content are exempt from these duties. News publisher content under the online safety regime is defined as content generated directly onto a service by a recognised news publisher, or which is uploaded by a user in its entirety or as a link to the original content. The Act specifies a number of criteria which entities must meet to be regarded as a recognised news publisher.

- **Duties to protect news publisher content:** Category 1 services must take specific steps before taking action against news publisher content or a recognised news publisher's account. This includes notifying the news publisher of the intention to take such action and considering any appeal that the news publisher may make before a service can remove or restrict news publisher content. There are exceptions to this duty where the content constitutes a relevant offence or where the content could incur criminal or civil liability.
- **Duties to protect journalistic content:** Category 1 services need to take into account the importance of free expression when designing measures for taking decisions about journalistic content which is UK linked and must create a dedicated and expedited complaints procedure for journalistic content. The definition of journalistic content is set out within the Act and includes, but is not limited to, content generated by news publishers, freelance journalists and citizen journalists.
- **Duties to protect content of democratic importance:** Category 1 services must also take into account freedom of expression when designing their measures about content of democratic importance. These systems and

processes must be applied in the same way to a wide diversity of political opinion. While service providers are not required to have a dedicated and expedited complaints process in place for this type of content, the complaints procedures duties do apply to it. Content of democratic importance is defined as that which is intended to contribute to democratic political debate in the United Kingdom.

We are required to produce Codes of practice and guidance setting out detail on how services can comply with these duties on news publisher content, journalistic content, and content of democratic importance. We will also publish an assessment of how the online safety regime has impacted how news publisher content and journalistic content is treated and made available by Category 1 services.

February 2024