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House of Lords Select Committee on Communications and Digital inquiry into the Future of Journalism

Call for Evidence

We welcome the opportunity to respond to this important inquiry. Since 2011, the Media Reform Coalition has been at the forefront of the media reform movement, producing evidence and giving oral testimony to a broad range of public inquiries into the media. Our particular concerns relate to the sustainability of media pluralism and as such, the future of journalism is central to much of our research and analysis.

How should journalism be defined and what is its value to society?

A *healthy* news media is often claimed to be the life-blood of democracy. This is because news provides, or should provide, the vital resources for processes of information gathering, deliberation and analysis that enable citizens to participate in political life and democracy to function better. For this to happen we need the news to represent a wide range of issues from a variety of perspectives and with a diversity of voices. It requires a journalism that operates freely and without interference from state institutions, corporate pressures or fear of intimidation and persecution. In an ideal world this would mean that news media would survey the socio-political environment, hold the powerful to account, provide a platform for intelligible and illuminating debate, and encourage dialogue across a range of views. However, this is an ideal relationship hinged on a conception of *independent journalism in the public interest* – journalism as a ‘fourth estate’ linked to notions of public knowledge, political participation and democratic renewal. The reality, however, is often quite different. Identifying the gap between the admirable aspiration of a fully functioning public sphere and the conditions of practice and production of news media, and then understanding why this gap exists, is critical to discussing how journalism should be defined and what its value to society is.

The relationship between media and democracy is not a straightforward one and depends not only on the *existing* state of the media but also on political culture and media policy; the nature of the economy and the market; media and communication technologies and formats as well as globalisation and social and cultural issues such as literacy, poverty, religious differences and daily rituals (Curran, Fenton and Freedman, 2012). Hence, it is key when considering the future of journalism to begin from the position of what currently *is* – what is the existing state of the news media in the UK; how are its various elements funded and regulated; how is the practice of journalism supported and protected?

Media institutions in the UK are facing multiple crises: of funding, trust, representation, accountability and legitimacy. Newspaper and magazine readership is in serious decline as large digital intermediaries gobble up the majority of advertising revenue. Local news is increasingly under threat. [Research for the Media Reform Coalition](#) in 2017 showed that the majority of the UK population (57.9%) is not served by a local daily newspaper. The number of Local Authority Districts (LADs) in the UK with no daily local newspaper coverage is 273 out of 406 (45%) across the whole UK. Local daily papers are overwhelmingly located in major urban areas. Only 80 LADS are directly served by a daily

newspaper with another 53 covered by local dailies in adjacent or nearby LADs. Between November 2015 and March 2017, five LADs suffered a loss of plurality through closures and were reduced to single-publisher monopolies, increasing the number of local monopolies to 170 out of 380 in England, Wales and Scotland. In combination with previous research, this identifies 1,103 local newspaper titles in the UK as of March 2017.

In addition to the net loss of titles, there were 30 separate instances of announced job cuts over the 17-month period involving the loss of 418 jobs. Newsquest, with 12 announcements affecting 139 jobs led the way, followed by Trinity Mirror (at least 102 jobs) and Johnston Press (100 jobs). As well as job cuts, reorganisations affected a further 83 jobs, and six newspaper office closures were recorded, with journalists in some instances being moved long distances away from the communities they serve. This research also points to deeper problems in the local newspaper industry with some local papers no longer providing content of relevance to the local communities or providing sufficient coverage of court and council proceedings along with an over-reliance on clickbait to attract audiences.

There are two principle causes of cuts: firstly, profit-maximisation by local newspaper publishers seeking to deliver 'shareholder value' – this is evident in the coexistence of huge job losses at local titles with high corporate margins; secondly, the collapse of newspaper profitability from the mid 2000s with the migration of advertising online. The loss of classified advertising was clearly the pivotal development for local newspapers, and there is no reason to think they will ever get this revenue source back. Classified advertisers have in effect gone from subsidising journalism to making Google and Facebook profitable.

These two causes need to be distinguished: the first shows that simply boosting the profitability of publicly traded commercial newspaper publishers may not lead to increased investment in journalism. The second, and in particular the story about the migration of advertising, underlines the rationality of a levy on these companies to fund journalism.

Just as it is clear that there is a relationship between journalism and democracy, so it is equally clear that certain types of news publishing and journalism are also capable of undermining public debate, misinforming citizens, and failing to hold power to account. The webs of institutional corruption exposed by the Leveson Inquiry in 2012 extended far beyond the newspaper at the centre of the phone hacking scandal, and serve as a compelling reminder that systems of self-regulation – especially when they do not adhere to essential criteria of independence and effectiveness as set out in the Leveson recommendations – offer no guarantee of an independent journalism of integrity. Independent journalism of integrity can be undermined both by state interference and commercial imperatives.

Why has trust in journalists declined? How could it be improved?

We are currently seeing a decline in journalism's authority and legitimacy. This decline of trust in journalism is one of the biggest challenges facing journalism today.

The [Edelman Trust Barometer](#) surveys over 33,000 people in 28 countries across the globe. In 2018, when asked to indicate which institution they trusted to do what is right, 'the media in general' came out as the least trusted institution in 22 of the 28 countries. In the UK, taking all of the many surveys on trust together, Cathcart (2017) has shown how the general trend is that trust in national

newspaper journalism in the UK is low in comparison to other media, to other countries and to other institutions. In 2018, in the wake of 'fake news', the UK media was quick to point out that trust in traditional media had risen and that traditional journalism was more trusted than social media platforms. But a closer look at this [data](#) shows that while the likes of the BBC are indeed more trusted, the red-top journalism of the UK tabloid press still languishes at the bottom. What is more, 63% of people globally said that the average person does not know how to tell rumour from falsehoods. The same survey also revealed that 33% of people are reading or listening to the news less and 19% are avoiding the news altogether because its too depressing (40%), too one-side or biased (33%) or controlled by hidden agendas (27%). 66% of people said that news organisations were more concerned with attracting a big audience than reporting.

The 2019 [European Broadcasting Union](#) survey – widely recognised to be authoritative both for the media industry and university sector – found that only 28% of Britons 'tended to trust' their press, compared with 64% who said the opposite. The credibility of the British press is lower even than in Serbia. In terms of trustworthiness, the British press comes 26th out of 28 European countries. This low ranking is consistent with surveys going back to 2002. Trust in British broadcasting remains higher than for the press. Even so, we have less trust in our broadcasting system than do people in the majority of European countries – and greatly less than other northern European countries like Sweden, Denmark, Netherlands and Germany.

In 2020 [the Edelman Trust Barometer](#) said that trust in the media in the UK had fallen to 35% amongst the general population (from 37% in 2019) and plummeted to an all time low of 31% after the general election. When a General Election campaign is underway we see the relationship between media and democracy operating in very close quarters. Yet in the General Election 2019 research undertaken by Loughborough University noted a [lack of balance in media coverage](#) between political parties that far exceeded levels even in 2017. The BBC came under particular criticism with Ofcom receiving [2,124 complaints](#) in relation to total broadcast coverage of the GE2019 compared to only 427 in 2015 and 635 in 2017.

In the Edelman 2020 Trust Barometer, only 22% thought that the media were objective; 27% that the media differentiated opinion from fact; 28% that they prioritised importance over sensationalised reporting and 28% that the media provided quality information.

These surveys give us some insight as to why trust in journalists has declined. They tell us that news audiences recognise that, despite the claims of journalism to be an institution that supports and strengthens democracy, too often it is found guilty of precisely the opposite: forms of journalism that prey on the vulnerable and are discriminatory; a journalism whose noble crusade for truth and justice has been too frequently replaced by gossip and spectacle; forms of journalism wholly committed to market practices driven by the desire to ensure profit rather than the difficult practices involved in free expression, political participation and democratic renewal.

One of the reasons that public service broadcast journalism such as the BBC generally fairs better than newspaper journalism is that it is not subject to the same commercial pressures. Independent journalism of integrity doesn't sit well with commercial practice especially when profits are falling. There is a host of academic research that illustrates how the production of journalism has changed in the digital age. With the loss of advertising to online platforms like eBay, news publishers found themselves having to produce more content across several

platforms at greater speed with ever fewer journalists. This has led to a faster and shallower journalism commonly referred to as 'cut and paste churnalism'. As online advertising has become the norm news publishers also chase eyeballs through click bait to maintain healthy profit margins.

Alternative perspectives point to the rapid growth of digital media as offering a diverse abundance of news and journalism (including citizen journalism) and a means of plugging the growing democratic deficits. There is no doubt that while print circulation of local news content has decreased dramatically, [digital circulation](#) has risen. But the growth of digital audiences has, so far, failed to compensate for the losses of print revenue. And interventions such as the Local Democracy Reporter scheme, where the BBC supports journalists in the local newspaper industry providing 150 local news reporters, has done little to offset the more than 400 jobs that have been lost. Others (Williams et al, 2014; Fenton, Witschge and Freedman, 2010) point to the steady growth of hyperlocal news outlets that have often sprung up to serve communities where the local newspaper has closed down. However, they are often very small, run on a shoe-string budget and reliant on volunteer labour and cannot provide the independent, daily, critical local journalism that so many communities have lost

Concentration of media ownership is also likely to be related to the decrease in legitimacy that goes hand in hand with the general decrease in trust of elites (and particularly political elites). The UK has a supposedly competitive national newspaper market but just [four companies control 90% of daily circulation](#) (with only three companies controlling 83%) and help to set the agenda for the rest of the news media. Legacy press may have lost the trust of the nation but they have not lost the ability to influence the public conversation and conduct of the rest of the media. Research on the agenda setting influence of right-wing newspapers on broadcast news coverage of the 2015 General Election in the UK (Moore and Ramsey, 2016) and the coverage of the European Union Referendum points to the continuing ability of those voices to distort conversations about contemporary politics (Centre for Research in Communication and Culture, 2016).

This is complicated yet further with the likes of Google and Facebook. Yet while Ofcom show high levels of news consumption through third-party platforms, we should be aware that the 2017 *Digital News Report* from the Reuters Institute also states that "the vast majority of news people consume still comes from mainstream media and that most of the reasons for distrust also relate to mainstream media" (p. 19).

What can we do about it? Rebuilding trust requires transparency and accountability with visible fairness. Practices that have brought the profession into disrepute need to be defined as professionally and socially unacceptable and the press needs to recognise the need for independent regulation so that its practices can be open to challenge and subject to scrutiny. Independence means independence from government control but also securing the independence of news from commercial interests. While the majority of the news industry is regulated by IPSO, an organisation that is not independent of the industry and does not comply with the Leveson recommendations, it is unlikely to regain public legitimacy. Accountability also requires the identification of principles of good journalistic practice – principles that are themselves subject to regular external review. According to [IPSO's own data](#), it received 8,148 complaints in a single year relating to discrimination but only *one* of those was upheld. This is due to the nature of Clause 12 of the Editors Code that only allows complaints of discrimination to be upheld when they are made against individuals and not a group of people such as Muslims, LGBTQ+, migrants, refugees, women etc. In

other words it “gives license to general discrimination by explicitly excluding it from its definition” (Moore and Ramsey, 2017).

Until journalists are willing to recognise that freedom of the press must be balanced by freedom of the public to assess and challenge the nature of that communication, trust in journalism is unlikely to be rebuilt. Until journalism is able to hold its own institutions of power to account; to expose its own malpractices, and is willing to challenge some of the most obvious abuses of media power, *distrust* in news journalism is likely to grow. Where concentration of media ownership makes politicians too willing to garner favour with news organisations we must legislate for more and better media plurality and oppose further media concentration – exactly how media concentration and its impact on plurality should be evaluated in a digital age should be under constant review by Ofcom (see below).

In sum, repairing the democratic deficits caused by an inadequate media environment, we would argue, requires not just rebuilding trust but also the creation of a healthy communications environment – one that is not just economically robust but innovative, diverse and independent of vested interests.

Are there any ways in which public policy could better support journalists and news organisations, now and in the future?

The MRC has consistently argued that there are multiple ways in which public policy can better support journalists and news organisations. First, we set out a series of recommendations aimed at forging a new ‘future proof’ framework for media plurality. Second, we summarise key proposals for a more democratic, diverse and devolved public service broadcasting. Third, we elaborate the urgent steps any government must take in order to restore faith in a free, accountable and sustainable press. Finally, we map out reform measures in the broader arena of digital media policy and the need for developing innovative tools and solutions to emergent problems.

A framework for media plurality

As noted above, in the UK, the latest evidence shows that just three companies dominate 83 per cent of the national newspaper market (up from 71 per cent in 2015). Even when online readers are included, just five companies account for more than 80 per cent of the combined markets.^[1] The print circulation of newspapers may be shrinking, but the prevailing evidence suggests that the audience reach of the largest titles – including the *Sun*, *Daily Mail* and the *Guardian* – is increasing. What’s more, recent studies have shown the enduring influence that national newspapers have over the wider news agenda, including television news and the BBC (Cushion et al 2016).

Mergers and acquisitions of media companies (such as by Reach PLC in recent times) as well as new ventures by existing media companies (e.g. Times Radio) continue to condense media power with little control or intervention. As these forms of media concentration increase, it becomes ever harder for new and innovative initiatives to emerge and survive and particularly for non-profit or cooperative forms of journalism operating in the public interest to flourish. Concentration of ownership limits plurality in the public sphere and it also prevents non-commercial forms of journalism from emerging. As a minimum, the MRC believes we should:

- Establish a plurality measurement framework that can address cross-market audience share in radio, TV and print and online news markets, drawing on a mix of methodologies and taking into account not just

quantitative measures of reach and consumption, but also qualitative data on impact, especially in respect of the wider media agenda.

- From the above determine a set of thresholds based on cross-market audience share that will ensure plurality of ownership and, where necessary, redress existing concentrations. These thresholds should be subject to regular periodic assessment by an independent regulator. Where thresholds are exceeded this should trigger intervention and remedies aimed at promoting not just plurality in terms of numbers, but a rich ecology of media at both the local and national level, including commercial, public service and independent not-for-profit vehicles.
- Digital intermediaries should be subject to bespoke monitoring for plurality. Both the metrics and performance of the news algorithms of intermediaries should be scrutinised and monitored by an independent regulator to ensure that they do not unduly favour particular types of news providers and voices over others, at both the individual and aggregate levels. Except, in the case of print and online news, where those outlets who are members of a recognised press regulator are given due prominence over those who are not.
- Digital giants should contribute financially to maintaining a public interest news ecology through hypothecated taxation. One way of doing this would be through a levy imposed on the country-specific revenues of companies with more than a 20% share of online search or social networking markets.¹ The money could be redirected to an independent public funding body and targeted at those vehicles and forms of public interest journalism that have become increasingly squeezed in the digital news environment. To ensure that new money does not simply rescue failing legacy providers or reinforce concentration of ownership but rather extends plurality, this money would need to be directed towards new models of not-for-profit, public interest journalism.
- Alternative models of media ownership – such as cooperatives and employee buyouts – that promote equality and financial security over shareholder returns should be encouraged. These ownership models are a response to the need to broaden the range of voices involved in decision-making, which in turn aims to ensure that our media meet a wider range of needs and serve a more diverse set of interests.² This can only be

¹ A 1% levy on the UK digital advertising revenues of Google and Facebook alone would raise in excess of £70 million. Some countries have attempted to address digital disruption to news publishing businesses by enforcing so-called 'ancillary' copyrights. In 2013, the German Government passed legislation requiring digital intermediaries to obtain a license from publishers to include cached content from their articles in search listings or news feeds. But a law intended to make Google pay for the use of such 'snippets', quickly became a law that forced publishers to agree *not* to be paid. Other European countries have pursued divergent paths in dealing with this issue. In France, for instance, publishers agreed to lay their claims to rest after Google promised a fund for supporting digital innovation in journalism. In Spain on the other hand, legislators passed a much tougher version of Germany's ancillary copyright law in 2014, making it illegal for publishers to 'opt in' and extending copyright restrictions to cover *any* amount of copyrighted text or hyperlinks. Google's response in that case was to simply shut down its Spanish news service altogether. Given the demonstrable capacity for these monopolies to avoid corporation tax by redirecting profits away from the jurisdictions in which they are generated, there is both a moral and economic rationale for a small levy on their digital advertising revenues.

² In the UK, the Bristol Cable set up as a Media Co-operative and runs via a local monthly membership fee, crowd funding and grant awards. The Ferret, also a co-

realised through ownership models that embody genuine agency and collectivism. This could be achieved through improving access to finance, support for charitable status and measures like tax relief or direct subsidies (as above) that are designed to sustain a plurality of outlets without compromising independence.³

- When news organisations close down due to perceived lack of profitability, they should first be offered to the journalists themselves to run under alternative models of media ownership that will remove the emphasis on maintaining large profit margins.

A more democratic diverse and devolved public service broadcasting

Research (for example, Curan et al, 2009) shows that where independent and viable public service broadcasting (PSB) exists, citizens are better informed about public issues. But the independence and viability of PSB needs to be constantly renewed if it is to positively shape a broader media ecology in the digital age. The BBC is often held up as the model of public service broadcasting yet over the last three decades its independence has been steadily eroded and its programme making increasingly commercialised. In recent years in particular, its funding has been severely cut and its editorial culture has become increasingly conservative. Public service content needs to be delivered through modern, democratised public platforms and networks and to operate autonomously of government and the market. In particular:

- Governing bodies of all public service providers (i.e. both existing PSBs and any future public models) should be elected by citizens and include staff representation.

operative run by its members and funded by subscriptions, donations, paid for stories or material and grants gains its following from being democratic and having a clear public purpose. Far more organisations could attract grant funding if journalism in the public interest was recognised as a charitable purpose in the UK. Unless such possibilities are legislated for the danger is that news organisations turn to branded-content and native advertising that threatens to damage trust in news still further. Or, they continue to rely on unpaid labour that ultimately will reduce the sustainability and quality over time.

³ Research by Schweizer et al. (2014) on 14 European media systems, the US, Canada, New Zealand and Australia, noted that policymakers can support private media organisations with tax relief or direct subsidies to specific media companies (including online media) without compromising media independence if safeguards such as statutory eligibility criteria are in place. They point out that some countries including those who consistently score highly on the Press Freedom Indices have long and successful traditions of supporting the press. General measures (such as some form of tax relief, or reduced tariffs of telecommunications, electricity, paper or transport; or subsidies for news agencies, journalism schools etc.) do not prevent media ownership concentration while selective measures can help weaker media organisations. Direct press subsidies are used in several countries either to maintain struggling news organisations to preserve media diversity and pluralism (e.g. Canada, France, Denmark Netherlands) through a distribution aid, export aid, support for the internal training of journalists, or the formation and re-organisation of newspapers; or to support newspapers in minority languages (Finland). The authors conclude that their comparison of 18 media systems indicates that where there is political will to support news organisations and journalism policy makers can choose from an array of options with established methods for ensuring editorial independence and that "direct production support to selected economically struggling media based on clear criteria is most suitable to help maintaining plurality and editorial competition." (p.14)

- An independent non-market regulator should oversee the constitution of the organisations involved, standards of democratic governance and programme making, the sustainability of the funding and ensure it is acting solely in the public interest.
- Programme making and editorial functions should be decentralised and devolved to regions with a system of localised, democratic management and commissioning established to better respond to more local needs, create better relationships between producers and citizens with more sensitivity to local social concerns and community wealth building. Regional boards should be elected by staff and citizens in the same manner as the national board and run democratically.
- Staff should be representative of the population. Ensuring adequate diversity will require complete transparency about the makeup of the workforce. This will mean publishing rigorously collected equality monitoring data at the programme and production level for all producers of content, whether in-house or external. This should include data on social class, as well as age, gender, sexuality, ethnicity, religion, disabilities, and other characteristics. Delivering on diversity will also mean addressing the casualisation of the workforce as precarious working conditions narrow the range of people able to produce programmes, disproportionately impacting on those from lower income families, women, minority groups, and those with disabilities.

A free accountable and sustainable press

There are serious threats to press freedom around the world stemming from the security state and inadequate legal protections for journalists. Protecting press freedom, however, does not mean that journalists themselves are above the law or beyond accountability. Freedom of the press must go hand in hand with freedom of the public to assess and challenge the nature of that communication: freedom shared not power abused. Until journalism is able to hold its own institutions of power to account, to expose its own malpractices and to challenge some of the most obvious abuses of media power, distrust in news journalism is likely to grow. Often press abuse becomes more prolific when financial imperatives loom large. So creating a sustainable system of funding for news in the public interest is vital. Such funding should be directed at those organisations that will also extend plurality, be not-for-profit, democratically organised and function solely in the public interest.

- All news publishers must be subject to effective regulatory mechanisms that are entirely independent of the industry and of government influence and able to uphold standards, process complaints, investigate gross misconduct and promote journalism of integrity. We do not believe that IPSO currently fulfils these requirements.
- News publishers should be unionised, operate a whistleblowing policy and a journalists' conscience clause that enables journalists to speak out against unethical behaviour without fear of losing their jobs.
- Independent non-profit news providers – especially at the local level – can make a unique and important contribution to democratic citizenship yet often struggle to survive in a hyper competitive digital news environment. Public funding is needed to support the growth of a wider range of civic-minded news publishers. This could be provided from a levy on the largest tech companies (suggested above) and delivered via a range of

mechanisms to preserve independence of the recipient of funds from awarding authorities.

- A statutory right of reply can also help retain press standards and should be applied to all news publishers.
- Privacy protections for journalists should be in place. Journalists should be informed if and when they are placed under surveillance since this could compromise their ability to protect sources, and to investigate and report on sensitive topics in the public interest.

Digital Media Policy

The preceding recommendations have focused on news provision but they are intimately connected to other areas of regulation in the digital media environment. The dominance of platform monopolies, the weakening of 'net neutrality', and the relative opacity of online political advertising all have a direct bearing on the media's capacity to support freedom of expression and inclusive public debate. We need innovative solutions to these problems with a view to safeguarding both media freedom and access to diverse and credible sources of information online.

- Giant global technology firms dominate our digital lives, extracting our data for profit and controlling what we see online with minimal regulation. We need to create new publicly owned organisations that will provide a public alternative to privately owned digital platforms, be democratically organised and run, generate pioneering digital content, develop innovative technological solutions to advance democracy and harness data for the public good. This would be the best way of safeguarding the future creative and informational needs of publics in the face of constant market encroachment into public services.
- Net neutrality legislation should be in place and enhanced and expanded to address the myriad ways in which network operators can promote or demote particular content or services based on their ability to pay.
- Legislation should develop and implement a new system of labelling for sources of content. The rules could be applied to both major content providers and/or intermediaries. They should be designed to maximise the transparency of branded, sponsored or 'advertorial' content in news and information. They should also be designed with a view to promoting sources of content that are subject either to public service regulation or independent press regulation.

These requirements are the minimal benchmarks for ensuring and protecting a plural, sustainable and diverse media and communications ecology that can enable an independent journalism of integrity to flourish and thereby contribute to a healthy democracy. Without the above reforms, our news media will become ever more concentrated in ever fewer hands, yet more susceptible to market pressures and distorted by commercial priorities and be increasingly less diverse and less trusted in every way.

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