

**Broadcasters' Liaison Group (BLG) Meeting - 2 September 2010**  
**Note of conclusions and action points**

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**Present:** Ric Bailey (BBC), Nadia Banno (BBC), Jimmy Buckland (Talksport), Andrew Colman (BBC Northern Ireland), Joan Darroch (STV), Louise Duffy (BBC Northern Ireland), Dominic Harrison (Channel 4), Tabby Karamat (BBC), Peter Lowe (BSKYB), Alasdair Macleod (BBC Scotland), Rob Morrison (UTV), Nick Powell (ITV Wales), Ian Pratt (BBC Wales), Alex Robertson (Electoral Commission), Stephen Rooney (Electoral Commission), Rob Shepherd (BBC), Martin Stott (Five), Chris Wissun (ITV)

**Apologies:** Michael Cairns (BBC Northern Ireland), Rhodri Talfan Davies (BBC Wales), Tim Hartley (S4C), Darren Henley (Classic FM), Sarah Jones (BBC), Chris Loweth (Five), Gordon Macmillan (STV), Rosalind McInnes (BBC Scotland), Paul Sylvester (Absoute Radio),

**Venue:** 66 Portland Place, London, W1

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**1 NOTES OF LAST MEETING**

These were circulated at the meeting and were approved for publication. They do not purport to be a full record but merely a note of the conclusions and action points.

**2 MATTERS ARISING**

No matters were raised.

**3 GENERAL ELECTION 2010 RETROSPECTIVE**

BLG members discussed the following in relation to the General Election and the types of issues that arose with respect to the PEBs.

- (a) Delivery of PEBs – on the whole, most parties delivered in advance or on time. Those that delivered late were accommodated as much as possible and were aware that if they delivered late, there was no guarantee that their PEB would be broadcast.
- (b) Advance notice of duration of PEBs – if parties don't inform the broadcasters in advance of the duration of their PEBs it creates significant scheduling problems.

Though the broadcasters request two weeks' advance notice, in practice, they are not given it. The BLG members considered whether, as part of Ofcom's review of PEBs, only one duration should be offered in the future.

- (c) Parties now uploading their PEBs on their websites (some before the broadcasters have broadcast their PEBs) – even if parties put up their PEBs on their websites before they have been broadcast, the broadcasters still have the right to not broadcast them if they are problematic and do not meet the rules/law on compliance.
- (d) Wording around phone numbers advertised on a PEB must be correct
- (e) Fictionalised sequences – some parties are using fictionalised sequences. Broadcasters need to consider whether to use Astons to make it clear when sequences are fictionalised. If it's very obvious that the sequence is fictionalised, then Astons are not used.
- (f) Clearances, permissions and other content issues – those parties which had content issues in their PEBs (eg. specific individuals being identifiable, intellectual property issues or harm and offence issues) were asked to make edits to their PEBs and then re-submit them. The parties are aware that if they do not re-submit their PEBs in time, they will not be broadcast. The broadcasters do not make edits to the PEBs as they are the responsibility of the political parties. In relation to release forms, on the whole, the parties are relatively good, though they sometimes need to be reminded. One member raised that he requests from the parties in writing confirmation that they have obtained all necessary clearances.
- (g) Trademarks and logos – the broadcasters discussed the need to be alert to trademarks and logos used in PEBs.
- (h) Guidance on producing PEBs – the members agreed that the BLG website which contains the PEB criteria and allocation together with the production guidelines is helpful for the parties. Members discussed whether it would also be helpful to put a copy of the indemnity on the website which all the parties are asked to sign and return in advance of submitting their PEB.

#### **4 WRITTEN REPRESENTATIONS FROM POLITICAL PARTIES ON PEB CRITERIA FOR THE 2011 ELECTIONS**

The BLG had invited written representations from political parties in the UK on the PEB allocation criteria for the elections due to take place in 2011 (Scottish Parliamentary Elections, Welsh Assembly Elections, Northern Ireland Assembly and Council Elections, and the English Local Elections). The purpose of seeking the parties' representations was to canvas their views of the previous allocation criteria for the same elections in 2007 and whether they agreed with a similar approach being taken for the 2011 elections.

In the letters to the political parties, the Chair of the BLG:

- invited each party to submit any considered views they may have had about the criteria for allocation of PEBs in the 2011 elections so that they could be circulated and discussed at the next BLG meeting;
- enclosed the PEB arrangements for the previous occasions on which the same elections were contested; and
- emphasised that each broadcaster takes its own decision about the PEB criteria and allocation, following discussion at the BLG, and that each broadcaster writes to the parties separately about their own plans;
- welcomed any views on other issues relevant to the next BLG including referendum broadcasts.

Written representations were received from the following parties:

- (i) Liberal Democrats
- (ii) Labour Party
- (iii) Scottish Green Party

The BLG discussed each of the parties' submissions. The main issues that were raised by the parties in relation to PEBs were as follows:

- (a) Allocation of PEBs – Two of the parties expressed their support for the continuation of the criteria which were used in the 2007 elections. The other party

expressed their view of the political landscape and argued for parity of treatment with other main parties.

- (b) Party Political Broadcasts – One of the parties requested clarification on the likely number of party political broadcasts that the coalition government would receive as well as the BBC's editorial position on the coalition and how this may affect political broadcasts.

The broadcasters discussed that the coalition currently had no impact on the allocation of PEBs or PPBs as there was no request for a joint broadcast and therefore they were still being allocated separately. Ric Bailey mentioned that the BBC would be providing further clarity on PPBs in due course, in particular that PPBs are likely to be broadcast at particular times in the calendar year as opposed to being tied to particular political events (eg. the Budget or Queen's Speech).

- (c) Referendum – One of the parties expressed the view that the fairest and most straightforward way to approach referendum coverage was to give even levels of coverage to each side of the referendum and ensure the range of views on each side be given balance.

Stephen Rooney from the Electoral Commission (EC) summarised for the members the process that the EC runs for referendums. One of the members queried what the broadcasters would do if a party wanted to use their PPB or PEB to voice their position on the referendum. The broadcasters agreed there would need to be clear guidelines on this which take into account the provisions of the Political Parties, Elections and Referendums Act 2000. There is also likely to be a referendum version of the Production Guidelines which would be published on the BLG website. Stephen Rooney confirmed that the Electoral Commission could assist in flagging such Guidelines / Guidance to any designated organisations.

## **5 LOOKING FORWARD**

In addition to the BLG discussing the effect of the coalition on political broadcasts and the forthcoming referendums in 2011 (as outlined above), it also discussed:

- (a) Production Guidelines – in the context of the coalition government, the broadcasters now needed to consider allowing political broadcasts which show the two party leaders working together. It was agreed this would be allowed where both individuals featured and it was confirmed that the other party agreed to its use. It was also raised that political broadcasts often identify individuals in general view shots or other types of shots and there may be legal issues that arise from that.
- (b) 2011 Elections – the political landscape in Scotland, Wales, Northern Ireland and England was discussed. In addition, the 2007 election criteria for each nation/region were circulated and discussed, along with the current and past electoral performance of various parties in those areas. The BLG members confirmed they would consult their own decision making bodies separately in order to agree their own provisional criteria and allocation of PEBs in the 2011 elections.
- (c) Timing of referendum broadcasts with other election broadcasts – Ric Bailey mentioned that this was yet to be decided by the BBC. All of the broadcasters agreed that if any referendum organisations were designated and that happened late in the process, there may be timing issues with the broadcasts. The EC asked to be kept in the loop on this.

## **6 ANY OTHER BUSINESS**

Stephen Rooney from the Electoral Commission announced that he was leaving his post and Alex Robertson (who was present) would be taking over from him.