

Broadcasters' Liaison Group (BLG) Meeting – 15 November 2016

Note of conclusions and action points

Present: Ric Bailey (BBC), Alasdair MacLeod (BBC Scotland), Lisa Morgan (S4C), Chris Wissun (ITV), Emily Barber (Channel 4), Joan Darroch (STV), Chris Hagan (UTV), Peter Lowe (Sky), Jacqueline McIntyre (BBC NI), Alice Hickey (BBC), Martin Forward (BBC Wales) Nick Powell (ITV Wales), Warren Seddon (Electoral Commission), Martin Stott (Channel Five), Janet Maclay (Channel Five)

Apologies: Tabby Karamat (BBC), Rob Shepherd (BBC), Angharad Evans (S4C), Jimmy Buckland (TalkSport), Kathleen Carragher (BBC NI),

The Group was joined by Craig Westwood from the Electoral Commission and Adam Baxter from Ofcom.

1 NOTES OF THE LAST MEETING

The meeting notes of the last BLG annual meeting of 16 September 2015 and the BLG's conference call of 22 March 2016 were reviewed having been circulated and approved for publication in advance of the meeting. These meeting notes do not purport to be a full record but merely a note of the conclusions and action points.

2 PEBS AND PPBS IN 2016

- Members noted that some parties chose to repeat broadcasts rather than submit new ones. To avoid the risk of repeating the wrong broadcast, it was discussed that in future the parties would be asked to re-submit new copies of the intended broadcast along with updated paper work.
- It was noted that the relevant personnel within the parties sometimes changed and it was discussed among the members whether updated contact information could be circulated and whether the Electoral Commission could assist should it receive updated information from the parties.
- It was also discussed whether the Electoral Commission could consider informing any new parties of the BLG and directing them to the BLG's website.
- Members agreed on better communication in respect of the scheduling of broadcasts and whether there should be a fixed point in the year to discuss allocation of PPBs.

3 REFERENDUM CAMPAIGN BROADCASTS

- It was noted that after the March teleconference call, the Electoral Commission made their designation of the campaign groups and the broadcasters had finalised their RCB criteria.
- Members considered whether the Production Guidelines needed to be updated to reflect some of the issues that arose during the referendum and whether the Guidelines required explicit reference to certain sections of the Broadcast Code.

- Clarification had been obtained on the use of footage from Westminster in political broadcasts and that wide shots of the Chambers were not permitted.

4 ELECTORAL COMMISSION - GENERAL UPDATE

- Members were advised that following some of the concerns raised about campaign statements made during the referendum, the Electoral Commission was in discussion with other bodies such as the Advertising Standards Authority and the Committee on Standards in Public Life on how to address such matters for future campaigns and elections. The Commission clarified that the broadcasters' own editorial coverage was not within the scope of these discussions. Following an invitation from the Commission, the BLG agreed to send a representative to future meetings to ensure the broadcasters' views and experience of these matters were taken into account.
- Members also agreed to send a response in respect of the Scottish Government's consultation on the new draft referendum bill. The deadline for any submissions was 12 January 2017. The BLG's concern was in respect of the possible scenario where the Electoral Commission designated on one side only and the implications this could have in respect of the broadcasters' due impartiality obligations with only one side of the argument being allocated a RCB. As such the BLG would write in response to the consultation to highlight these concerns to the Scottish Government.

5 REPRESENTATIONS FROM POLITICAL PARTIES ON PEB AND PPB CRITERIA 2017

The BLG had invited written representations from political parties in the UK on the PPB and PEB allocation criteria.

Written representations were received from the following parties:

- (i) English Democrats;
- (ii) Christian People Alliance;
- (iii) Women's Equality Party;
- (iv) Green Party; and,
- (v) Mebyon Kernow.

The BLG noted and discussed the parties' submissions. Some of the parties provided information about past and current electoral support which they wanted the BLG to take into account when applying the allocation criteria for broadcasts.

Two parties made submissions that the threshold criterion for allocation of PEBs, which required them to contest at least one sixth of the seats being contested, was unfair to regional and/or national parties and the relevant criteria should be amended to reflect these concerns so that such parties would have an increased chance of being granted a political broadcast.

6 OFCOM

The BLG was advised that Ofcom had launched its consultation in respect of its proposed amendments to its PPRB Rules and Sections 5 & 6 of the Broadcasting Code. The deadline for responses to the consultation was 16 January 2017. Members discussed the proposals which in summary were to amend the Code and PPRB rules to reflect Ofcom's pending new regulatory role in respect of the BBC and to remove the concept of a list of "larger parties". The BLG agreed that the digest of electoral statistical information produced by Ofcom was helpful and it was discussed whether in the future Ofcom would provide any additional guidance for broadcasters to assist with the assessment of current and past electoral support.

7 PEB LOCAL ELECTIONS 2017

On 4 May 2017 the following elections are due to take place:

- English Local Elections;
- Mayoral Elections;
- Scottish Local Elections; and
- Welsh Local Elections.

The members discussed possible PEB criteria for the upcoming local elections in May 2017 in addition to current and past electoral performances of various parties in the relevant areas.

8. CLEARANCE OF RIGHTS, PERMISSIONS ETC

Members agreed that the parties should be reminded that it was their responsibility to ensure compliance and that any production companies used by the parties should be familiar with such requirements and the Production Guidelines.

9. PRODUCTION GUIDELINES

It was agreed that the guidelines would be updated. An amended version would be circulated to all members and once agreed would be uploaded on the BLG website.

10. BLG WEBSITE

All members were asked to submit the schedules for broadcasts so these could be included on the BLG website.

11. ANY OTHER BUSINESS

It was agreed that following the Ofcom consultation the BLG may meet again to discuss threshold criteria. Further, if a General Election was called a meeting/conference call would be arranged.