[GB] ITC Moves Towards Partial Self-regulation and Lighter Regulation of Content

IRIS 2001-3:1/16

Tony Prosser
University of Bristol Law School

The major White Paper on the regulation of communications, including broadcasting, in the UK, (see IRIS 2001-1: 8) proposed the future simplification of content regulation and a much greater reliance on partial self-regulation by the broadcasters themselves. The Independent Television Commission, the UK regulator of private broadcasters, has announced a number of moves in this direction even before the proposals have been finalised and put into legislation. The future approach was indicated in a speech by the new Chief Executive of the Commission, who summarised her approach as "we should be reluctant to regulate, preferring competition and as much certainty for business as possible".

In the past, the Commission has undertaken a detailed performance review of each licensee every year. It now plans instead to use a system of "statements of programming commitment". This will require licensees to volunteer a rolling annual statement of how they plan to deliver their remits. At the end of the year, they will report on their own performance. This will form the basis of a report by the Commission putting the broadcaster's report in the context of audience judgements and "an objective, fact-based assessment of what the industry as a whole has to offer." Where possible, public service requirements will be quantified; for example, costs per hour, diversity across channels, production for and from the regions, and the proportion of output in public service genres.

The Commission has also issued a revised version of its Programme Code, effective from 2 April 2001. It is significantly shorter and has been written to provide greater clarity of intent and ease of use for licensees. The substantive changes are minor, but include:

- requirements of greater sensitivity to the content of daytime programmes during school holidays and clearer rules on the participation of children in programmes;

- new rules on the recording of telephone calls by programme makers and journalists to ensure informed consent;

- and the requirement that no undue prominence is given to commercial Internet sites of the licensee or of a third party.

Consultation on the White Paper proposals is continuing and the central issue of the extent to which the new regulatory arrangements in it will apply to the BBC

© European Audiovisual Observatory (Council of Europe) 2026

remains unresolved.

Independent Television Commission, "ITC Chief Executive Calls for More Clarity on OFCOM's Priorities and Powers", news release 10/01, 12 February 2001; "ITC Publishes Response to White Paper on Regulating Communications", news release 11/01, 13 February 2001

http://www.itc.org.uk/

"ITC Publishes Revised Programme Code", news release 13/01, 21 February 2001

http://www.itc.org.uk/

© European Audiovisual Observatory (Council of Europe) 2026

© European Audiovisual Observatory (Council of Europe) 2026