

Ref. A087/1241

PRIME MINISTER

Broadcasting: Independent Oversight of Programme Standards
(C(87) 8)

CONCLUSIONS

You will wish the Cabinet to come to a conclusion whether a commitment should be made in principle to replace or strengthen the Broadcasting Complaints Commission (BCC) so as to carry out wider responsibilities in relation to programme standards on radio and television.

BACKGROUND

2. As the annex to the Home Secretary's paper shows, this is a fairly familiar issue on which opinions have swung to and fro over the last decade. The BCC was originally conceived by the Annan Committee as a body that would consider complaints of unjust or unfair treatment or of invasion of privacy, but not matters of taste, content or standards of programmes. The Labour Government then took the idea up but expanded it to embrace matters of programme standards and the broadcasting authorities' response to complaints about them. The present Government took the view in 1980 that only the narrow role was appropriate and legislated accordingly in 1980. The Government line since then has been that a wider remit would confuse the responsibilities of the broadcasting authorities.

MAIN ISSUES

3. The general thrust of the Government's broadcasting policies is to sharpen competition, reduce waste and strengthen



the voice of the consumer. These are primarily economic objectives. The main current proposal that is relevant to matters of taste and decency is the proposition in Mr Howarth's private Member's Bill to end the broadcasting authorities' immunity from prosecution under the Obscene Publication Acts. If the judgment is that a way must be found to express and channel public concern about taste and decency in broadcasting, then strengthening the role of the BCC is one of the few pieces of machinery that come to hand.

4. There are, however, some cogent arguments in the other direction, which the Cabinet will wish to weigh carefully before coming down firmly in favour of an early commitment.

5. First, there is a genuine point about blurring, and perhaps undermining, the responsibilities of the broadcasting authorities. A great deal would depend on the scope and powers that are contemplated. Nevertheless, it might not be easy to strike the right balance that, on the one hand, commands public confidence while, on the other hand, avoiding unreasonable management conflict with the broadcasting authorities. If the new style body has no "teeth" it risks looking foolish and there will doubtless be pressure to extend its powers. But a body with "teeth" could get very close to imposing its own judgment over the broadcasting authorities on prime matters for which they are answerable.

6. Second, the paper is written in terms of matters of taste and decency, but there must be some risk that taking this initiative would stimulate demands for a further extension into the area of political impartiality and fair reporting. You may wish to pause for a moment to consider which side of that argument the Government might wish to favour.



7. Third, a more heavyweight BCC would need a calibre of membership that could take on the broadcasting authorities on their own terms, and it might not be too easy to find such people in practice.

8. While none of these points is decisive, they do indicate the kind of pitfall that the Home Secretary mentions in his paper as requiring a good deal of further thought and attention. If the Cabinet agree the proposal in principle, you may think that it would be prudent to couch any commitment in very general terms that leave as much room for manoeuvre as possible about the way in which an enhanced monitoring role might be delivered in practice.

HANDLING

9. You will wish to invite the Home Secretary to introduce his paper. There are no other departmental interests, but the Chancellor of the Duchy of Lancaster and other Ministers will doubtless have general political comments.

RA

ROBERT ARMSTRONG

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