

From: THE PRIVATE SECRETARY

CONFIDENTIAL



HOME OFFICE
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Prime Minister 2.
→
Ann

30 August 1989

Dear Paul

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BROADCASTING STANDARDS COUNCIL

with Appts.

Thank you for your letter of 11 August about the BSC and its code of practice.

The Home Secretary was grateful to receive the Prime Minister's suggestion that the regulators must "take action to implement" the code. He is happy to accept this formula and thinks it attaches the necessary weight to the BSC's work without heavily fettering the broadcasting regulatory bodies in their work.

Mr Renton proposes to issue tomorrow the attached press notice on the Government's proposals for the statutory duties of the Broadcasting Standards Council, after ^{having} explained in confidence the reasons behind the proposals to the Chairmen of the BBC, IBA, BSC and BCC.

Copies of this letter go to the Private Secretaries to MISC 128 members and to Sir Robin Butler.

Yours
Althea

MISS C J BANNISTER

Paul Gray, Esq
Private Secretary
10 Downing Street

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31 August 1989

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HOME SECRETARY ANNOUNCES FUTURE OF
BROADCASTING STANDARDS COUNCIL

The Home Secretary, the Rt Hon Douglas Hurd CBE MP, today announced the Government's proposals for the statutory powers and duties of the Broadcasting Standards Council.

The main proposals are that:

- o the Council will be empowered to draw up a code of practice on the portrayal of violence, of sex and of taste and decency, which the broadcasting regulatory bodies will have to take action to implement;
- o broadcasters will be required to publish the BSC's findings on complaints in whatever form the Council thinks appropriate;
- o the Council will not have a power to preview programmes itself;
- o the BSC will monitor programmes broadcast into the UK from abroad, and will participate in the British delegation to the Standing Committee of the Council of Europe Convention on Transfrontier Television.

The Council will continue to act as a focus for public concern about the portrayal of violence and sex, and standards of taste and decency, on all forms of broadcasting. The proposed powers should enable the Council to continue assisting broadcasters in this sensitive area, without taking responsibility for this subject away from the regulatory bodies.

The Government has also decided that the Council should not merge with the Broadcasting Complaints Commission. Since the two bodies have separate roles and the nature of their tasks is different, the Government believes that a merger could create confusion over their different responsibilities.

Tim Renton, Minister of State at the Home Office with responsibility for Broadcasting, said:

"The question of acceptable standards for taste and decency, in an increasingly international broadcasting world, is both important and difficult.

"The statutory powers we plan to give the Council will enable them to continue their carefully planned work of assisting the broadcasting regulatory authorities in this sensitive area without taking over the responsibilities of those bodies.

"I look forward to seeing the Council develop hand in hand with the regulatory bodies."

The proposed statutory powers and duties for the Broadcasting Standards Council are as follows:

CODE OF PRACTICE: The Council will have a duty to draw up, in consultation with others, a code of practice on the portrayal of sex and violence and on standards of taste and decency in programmes and advertisements. It will be required to publish the code and to keep it under review. The broadcasting regulatory bodies (the BBC, ITC, Radio Authority) will be required to take action to implement the code, although it will not be a substitute for their own advice to broadcasters.

PUBLIC COMPLAINTS: The Council will both monitor programmes and receive complaints from the public. It will have the power to obtain information from the broadcaster about complaints, which it would seek via the regulatory authority.

PUBLICATION OF FINDINGS: The Council will be able to require broadcasters to publish the Council's findings on complaints in such form as they consider appropriate, including a broadcast of their finding. The Council could comment publicly on whether a broadcaster's preview arrangements were satisfactory. However, the Council will not have a power to preview programmes itself.

RESEARCH: The BSC will have the power to undertake research itself, and to commission research. This will include forms of research into public attitudes towards, and the effects of, those issues relevant to its remit.

ANNUAL REPORTS: It will be the Council's duty to prepare a general report on its work each year. It will also be able to report on developments within its remit on such other occasions as it considers necessary.

FOREIGN BROADCASTING: In view of the Council's interest in taste and decency matters, it will have a leading role in monitoring the standards of programmes broadcast into the UK from abroad. Following reports from the Council, the Government could then take action under the Council of Europe Convention on Transfrontier Television, including suspension of an offending service or take remedial steps under other powers to be included in a forthcoming Broadcasting Bill. The Council will also be part of the UK's representation on the Standing Committee of the Council of Europe's Convention on Transfrontier Television.

The Council will continue to be funded by public expenditure. Its annual budget is currently just over £1 million.

NOTES TO EDITORS

1. The Government announced the establishment of the Broadcasting Standards Council on 16 May 1988.
2. The Council was assigned five major functions during its pre-statutory phase. These were to:
 - a) draw up, in consultation with the broadcasting authorities and the other responsible bodies in the broadcasting, cable and video fields, a code on the portrayal of sex and violence and standards of taste and decency;
 - b) monitor and report on the portrayal of violence and sex, and standards of taste and decency, in television and radio programmes received in the UK and in video works;
 - c) receive, consider and make findings on complaints and comments from individuals and organisations on matters within its competence and ensure that such findings are effectively publicised;
 - d) undertake research on matters such as the nature and effects on attitudes and behaviour of the portrayal of violence and sex in television and radio programmes and in video works;
 - e) prepare an annual report, which the Home Secretary will lay before Parliament and publish.
3. The Chairman of the BSC is Lord Rees-Mogg, former editor and Director of The Times, Vice-Chairman of the BBC Board of Governors and ex-Chairman of the Arts Council of Great Britain. The Deputy Chairman of the BSC is Miss Jocelyn Barrow OBE, a former BBC Governor.
4. There are six other members of the Council: Dr Jean Curtis-Raleigh, consultant in Adult Psychiatry at Queen Mary's University Hospital; Mr Richard Baker OBE, journalist and broadcaster; Mr Alf Dubs, former Labour MP and currently Director of the British Refugee Council; Dr R Brinley-Jones, a member of the Board of the British Council; the Rt Reverend William John Westwood, the Bishop of Peterborough; the Rev Charles Robertson, Parish Minister, Canongate, Edinburgh.
5. The Director of the Council is Mr Colin Shaw, and the Deputy Director is Mr David Houghton. The BSC is situated at:
5-8 The Sanctuary, London SW1P 3JS. Telephone 01-233 0544.

