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10 DOWNING STREET
LONDON SW1A 2AA

From the Private Secretary

6 October 1989

Dear Catherine,

**BROADCASTING BILL: REQUIREMENT FOR
POLITICAL MESSAGES**

The Prime Minister was grateful for the Home Secretary's further minute of 28 September. She is content with the approach now proposed, and for action to be put in hand to try to obtain a cross-Party consensus. She understands that the Lord President will shortly be holding a meeting to carry this forward.

I am copying this letter to the Private Secretaries to members of MISC 128, the Lord President, the Chancellor of the Duchy of Lancaster, the Chief Whip and to Sir Robin Butler.

Yours,
Paul

PAUL GRAY

Miss Catherine Bannister
Home Office

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Prime Minister

BROADCASTING BILL: REQUIREMENT FOR POLITICAL MESSAGES

In my minute of 28 July I set out proposals in relation to Ministerial announcements and party political broadcasts under the future broadcasting regime. I was grateful for your comments and those of Kenneth Baker, Peter Lilley and Nicholas Ridley. I have since discussed this matter with Kenneth Baker.

You suggested that we should not, as I had proposed, contemplate any statutory obligation on the commercial television companies to carry political messages, but should instead try to keep to the present non-statutory basis for Ministerial and all party political broadcasts.

We should I think recognise that the voluntary approach operated at present by the BBC, IBA and S4C works because these three broadcasting authorities are in a position as broadcasters to ensure that material of this kind is transmitted in accordance with agreed guidelines. The same will not be true in the new broadcasting regime. While the BBC and S4C will continue to be broadcasters, and therefore to determine their schedules, the ITC will act simply as a licensing body, with no power over the schedules. In the absence of any formal statutory requirement each individual licensee of the ITC will be able to decide whether to show Ministerial and party political broadcasts. I doubt, in these circumstances, whether it would be practicable to secure an agreement on a voluntary basis among the licensees to a continuance of the present arrangements. Although air time might still be made available for Ministerial broadcasts,

/which could be

which could be expected to be newsworthy in their own right, there is an obvious risk that most licensees would choose not to show party political broadcasts.

You raise the possibility of having a general requirement for balance. I agree that this ought to ensure that a licensee did not discriminate between the parties in the broadcasts he chose to show. But it could not in itself compel him to show any such broadcasts; nor could it avoid a situation where one licensee showed party political material while another licensee refused to show any.

Opinions will differ as to the value of party political broadcasts, but from the broadcasting policy point of view their existence serves to deflect the pressure which would almost certainly otherwise build up for paid political advertising on television. That I am clear would be a retrograde step. I am therefore anxious, if at all possible, to identify a way forward which will ensure that party political broadcasts continue to be shown on the commercial channels.

After discussion with Kenneth Baker I propose that we should empower the ITC to require licensees to show Ministerial and party political broadcasts (including party election broadcasts) on the basis of guidelines to be agreed with the political parties. It would then be for the ITC to produce a code of guidance which would be enforced through appropriate licence conditions, so as to ensure fair and balanced access for political parties and for Ministerial and Opposition spokesmen. A minimum statutory provision of this kind would seem necessary if we are to achieve the kind of result produced by the present non-statutory approach, as you and other colleagues would wish.

/I propose

I propose that the requirement to show political messages should be confined to Channels 3 and 5, since I do not think it could be reasonably extended to DBS or other forms of satellite or cable services which have not hitherto carried such material, and are unlikely in the foreseeable future to command a comparable audience share. It should, however, probably apply to the new independent national radio stations which we will be introducing. The BBC, Channel 4 and S4C will, under our proposals, continue as public service broadcasters and as such can be expected to continue to operate the arrangements which they have currently adopted.

If you are content with this general approach, I would propose to approach the opposition in order to try to obtain a cross-party consensus about the way forward.

I am copying this minute to MISC 128 colleagues, Geoffrey Howe, David Waddington and Kenneth Baker.

Douglas Hurd

28 September 1989



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