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FILE

EAM
CLIPS/Walters
PM

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20 June 1990

From the Principal Private Secretary

BROADCASTING BILL: IMPARTIALITY

The Prime Minister has seen the Home Secretary's minute of 14 June. She felt that the proposals in it did not go far enough, given the seriousness of the problem. While she welcomes the suggestion that the qualification 'current' should be removed from the reference to political or industrial controversy, she remains unconvinced that the proposed code is adequate for achieving balance. There are guidelines at present but, as the Home Secretary acknowledges, broadcasters are skilled at arguing that they have met its conditions.

The Prime Minister feels that the objective of ensuring balance over a series of programmes can still allow biased impressions to go uncorrected for too long. Lord Wyatt's amendment does not seek balance in individual programmes but suggests three ways of ensuring that it is achieved promptly and with certainty.

The Prime Minister remains attracted to the idea of giving responsibility for impartiality to an independent adjudicator other than the BBC and the ITC. She was also concerned that special mandate or personal view programmes create a loophole. This should be closed by bringing them within the impartiality requirement.

The Prime Minister would like to discuss these issues with the Home Secretary and the Chancellor of the Duchy of Lancaster before the House of Lords reaches the Wyatt/Cox/Orr-Ewing amendments. I will try to set up a meeting.

I should be grateful if this letter could be copied only to those who strictly need to know its contents.

I am copying this letter to Robert Canniff (Chancellor of the Duchy of Lancaster's Office).

ANDREW TURNBULL

Colin Walters Esq
Home Office

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Broadcasting Bill

AMENDMENTS TO BE MOVED IN COMMITTEE

Clause 6

BY THE LORD WYATT OF WEEFORD
THE LORD ORR-EWING
THE BARONESS ELLES

— Page 6, line 10, leave out ("person providing the service") and insert
("persons providing the service and programmes")

BY THE BARONESS COX

Page 6, line 11, leave out ("current")

BY THE LORD WYATT OF WEEFORD
THE LORD ORR-EWING

Page 6, line 19, at end insert ("subject to the following provisions,
namely—

- (a) at the end of any programme lacking due impartiality, there shall be broadcast a discussion with a duration sufficient to demonstrate adequately the main opposing views and featuring participants qualified competently to represent those views; but this provision shall not apply to programmes of less than fifteen minutes' duration;
- (b) within one calendar month of the broadcasting of any programme lacking due impartiality, there shall be broadcast another programme or programmes on the same topic, in the same series, at a comparable time and with comparable prominence, putting forward the main arguments excluded from the initial programme;
- (c) when any programme lacking due impartiality is broadcast there shall also be broadcast an announcement stating the date and time of any subsequent programme or programmes in the same series and that this subsequent programme or programmes will contain the main views opposing those put forward in the initial programme."

(2)

Clause 6—continued**BY THE BARONESS COX
THE LORD ORR-EWING**

Page 6, line 19, at end insert—

(" () Programmes which are categorised as being the 'Personal View' of particular individuals, programmes produced under the special mandate of particular television services, and programmes categorised by any other special designation, shall not be exempt from the impartiality provisions set out in section 6(1) and (2) above.")

BY THE LORD ORR-EWING

Page 6, line 33, leave out ("person providing the service") and insert ("persons providing the service and programmes")

BY THE BARONESS COX

Page 6, line 34, leave out ("current")

Clause 85**BY THE LORD WYATT OF WEEFORD
THE LORD ORR-EWING**

Page 71, line 43, leave out ("or matters of current political or industrial controversy or relating to current public policy; and")

BY THE BARONESS COX

Page 71, line 43, leave out ("current")

**BY THE LORD WYATT OF WEEFORD
THE LORD ORR-EWING**

Page 71, line 44, at end insert—

(" () that due impartiality is preserved on the part of the persons providing the service and the programmes as respects matters of political or industrial controversy or relating to current public policy; and")

Page 72, line 2, leave out ("person providing the service") and insert ("persons providing the service and the programmes")

BY THE BARONESS COX

Page 72, line 4, leave out ("current")

**BY THE LORD WYATT OF WEEFORD
THE LORD ORR-EWING**

Page 72, line 6, leave out ("the programmes included in that service shall be taken") and insert ("a series of programmes may be considered")

Page 72, line 7, at end insert ("subject to the same provisions as set out in section 6(2)(a), (b) and (c) above")

(3)

Clause 85—continued**BY THE BARONESS COX
THE LORD ORR-EWING**

Page 72, line 7, at end insert—

(" () Programmes which are categorised as being the 'Personal View' of particular individuals, programmes produced under the special mandate of particular radio services, and programmes categorised by any other special designation, shall not be exempt from the impartiality provisions set out in section 85(2) and (3) above."

**BY THE LORD WYATT OF WEEFORD
THE LORD ORR-EWING**

Page 72, line 9, leave out paragraph (a) and insert—

("(a) draw up, and from time to time review, a code giving guidance—

(i) as to the rules to be observed in determining what constitutes a series of programmes for the purposes of subsection (3), and

(ii) as to the rules to be observed in other respects in connection with the application of paragraph (a) of subsection (2) in relation to any such licensed service as is mentioned in that subsection; and")

Clause 140**BY THE LORD WYATT OF WEEFORD**

Page 108, line 44, at end insert ("; and

(d) standards to be observed and practices to be followed for the preservation of due impartiality in matters of political or industrial controversy or relating to current public policy.")

Clause 142**BY THE LORD WYATT OF WEEFORD**

Page 110, line 7, at end insert ("; or

() to alleged failures on the part of such programmes to preserve due impartiality in matters of political or industrial controversy or relating to current public policy.")