

The politics of UK television policy: the making of Ofcom

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On 29 December 2003, the Office of Communications (Ofcom) – the UK’s new single communications regulator – officially replaced five separate broadcasting and telecommunications regulators: the Independent Television Commission (ITC), the Broadcasting Standards Commission (BSC), the Radio Authority (RA), the Radiocommunications Agency and the Office of Telecommunications (Ofjel). At face value, this regulatory overhaul might be seen as a fairly straightforward response by UK policy-makers to the convergence of television, telecommunications and computing technologies facilitated by digitalization. After all, if communications is just zeros and ones, then it becomes impossible to sustain a regulatory system based on the application of different sets of rules for different forms of communication, such as broadcasting and telecommunications.

However, this line of argument should not obscure the fact that the establishment of Ofcom was also the institutional culmination of a significant shift in the focus of UK television regulation, away from the allocation of relatively scarce spectrum to achieve public service objectives and towards the control of market power to facilitate free market competition (Collins, 1997). Essentially, during the 1990s and early 2000s, the introduction of Ofcom was the focal point for a debate on the future direction of UK television regulation. On the one hand, it was argued by Ofjel, the Department of Trade and Industry (DTI) and some commercial interests that the introduction of a single communications regulator would ensure consistent economic regulation across the whole of UK communications, broadcasting as well as telecoms. On the other, the ITC, the Department of National Heritage (DNH, later renamed the Department for Culture Media and Sport [DCMS]) and the BBC focused on the need to ensure that any changes to the existing regulatory system would not prioritize narrow economic concerns over the wider public interest and that the main tenets of public service broadcasting would be preserved into the digital age. This article traces the development of this debate and in doing so argues that the establishment of Ofcom is best understood as representing a shift in the focus of UK television policy, rather than just a regulatory ‘tidy up’ prompted by technological change.

From broadcasting policy to communications policy

During the mid to late 1990s, the making of UK television policy was dominated by calls for a more unified system of communications regulation. It is worth noting, however, that this was hardly a new policy idea. Around 20 years earlier, the Annan Committee on the future of broadcasting had predicted that developments in cable and satellite broadcasting technology were likely to 'blur' traditional distinctions between broadcasting and telecommunications, and warned that 'eventually Governments will have to face the problem of communications policy' (Annan, 1977: para. 25.1–25.2, 5.31). Moreover, by the 1980s, calls for the reform of UK communications regulation had become a regular feature of academic research on UK media policy. For instance, Tunstall described UK media policy-making as 'fragmented' and 'haphazard' and stressed the need for a 'more coherent set of policies' (1983: 240, 270–1); Seymour-Ure criticized the 'unco-ordinated policy patchiness' of UK media policy (1987: 269); and Negrine lamented the lack of 'effective coordination' between the 'respective regulatory and departmental bodies' responsible for UK 'new media policy' (1988: 228).

Not until the mid 1990s, however, did the need for a single communications regulator reach the top of the UK's television policy-making agenda. Undoubtedly, this increased salience owed much to the development of digital technology. Against this background, a consensus emerged in favour of regulatory reform. Crucially, however, significant differences remained over the precise nature of the changes required. Put simply, a more unified system of UK communications regulation was supported by different policy stakeholders for different reasons.

Convergence and UK media ownership regulation

During the 1990s, the idea of a unified approach to UK communications regulation was first aired in relation to the reform of UK media ownership laws. Just a few years after the 1990 Broadcasting Act had (for the first time) detailed specific UK media ownership regulations, four of the UK's major newspaper groups, Associated Newspapers, the Guardian Media Group, Telegraph Publishing and Pearson, joined together to form the British Media Industry Group (BMIG) and campaign for the relaxation of cross-media ownership regulations (Goodwin, 1998: 120). According to the BMIG, the prospect of convergence made it necessary to relax the UK's cross-media ownership regulations, otherwise, the 1990 Broadcasting Act's restrictions on cross-media ownership would stifle the development of UK media firms (BMIG, 1994: 2). On this basis, the BMIG urged the DNH to replace the restrictions of the 1990 Act with a more holistic approach to media ownership regulation that would restrict the overall audience share or 'share of voice' owned by any one company, allowing media groups to decide on the mix that suits them best within an overall limit set by Parliament (BMIG, 1995). Using this approach, the BMIG calculated that some of the UK's largest media companies, such as News International, represented 10 percent or less of the 'share of the voice' (BMIG, 1995). In all likelihood, therefore, the adoption of a 'share of the voice' approach would mean significant relaxation of the existing media ownership restrictions (Snoddy, 1995a). Or, put another way, from the perspective of at least some commercial interests, a more unified approach to UK media ownership regulation was a convenient means to facilitate deregulation.

In May 1995, the DNH published its own proposals for the reform of UK media ownership law. The DNH began by outlining the convergence-inspired case for liberalizing the existing regulations:

Rapid technological change is taking place within the media industry. The combination of new digital and fibre optic technologies is breaking down the traditional distinctions between the various media. . . . As a result, media concerns have a unique opportunity to evolve in previously unthought-of ways. (DNH, 1995: para. 1.5)

In response, the DNH argued that new ownership rules were required to 'allow the media sector to develop' and take advantage of the 'obvious and natural synergies between companies within each sector' (1995: para. 6.1). The DNH put forward some 'immediate measures' to relax the existing media ownership restriction (1995: para. 6.22–6.27) and just as – if not more significantly – also outlined 'longer-term' proposals for the establishment of a 'new regulatory structure' required to cope with convergence based on a 'share of the voice' approach to media ownership regulation (1995: para. 6.4).

In the event, however, the DNH's 'long-term proposals' were not included in the 1996 Broadcasting Act. Faced with a lack of agreement on the establishment of a media 'exchange rate' that would allow shares in one type of media to be expressed in shares of another, towards the end of 1995, the new DNH Secretary, Virginia Bottomley, admitted that the idea had been 'effectively dropped' (Brown, 1995; Snoddy, 1995b). Partly in response, the DNH opted to make the 'immediate measures' more liberalizing by removing the limitation on broadcasters owning more than two commercial television licences and allowing any company to 'own' up to 15 percent of the total television audience. Together with a 20 percent circulation limit on newspaper owners owning ITV/C5 companies, this rule was the centrepiece of the UK's new liberalized media ownership regulations formally adopted as part of the 1996 Broadcasting Act. Admittedly, these regulations did not offer the same degree of liberalization as could have been facilitated by the adoption of a 'share of the voice' approach, but the very idea of convergence and the need to adopt a more unified approach to communications regulation had played a key part in the decision-making process. Put simply, the prospect of convergence was the main argument used by both policy-makers and commercial interests to justify liberalization of the existing rules (Doyle, 2002: 116–17).

New Labour: new regulator

During the mid 1990s, commercial media companies were not the only policy stakeholders seeking to combine the prospect of convergence with their own political interests. While in opposition, the Labour Party adopted a similar approach. Indeed, the DNH's media ownership proposals were opposed by Labour on the grounds that they were not liberalizing enough. In a reversal of the party's traditional criticism of UK media ownership rules, Labour argued that cross-media ownership restrictions for newspaper groups should be eased, or possibly removed and replaced with 'tough market regulation'. At the time, Labour's new stance was widely interpreted as an attempt to facilitate the expansion plans of the Labour-supporting Mirror Group Newspapers (Harding, 1996a, 1996b). In fact, it was symptomatic of a more fundamental shift in Labour Party thinking.

For the Labour leadership, ideas such as the 'information society' and convergence were fundamental to the ideological repositioning and marketing of the

party as New Labour. Essentially, Labour used these concepts to provide an intellectually coherent explanation for the party's adoption of free market principles and also to reinforce the 'cutting-edgeness' of the New Labour marketing message. Thus, under Tony Blair's leadership, Labour adopted the rhetoric of the 'information society'. Blair proclaimed that Britain, which led the first Industrial Revolution, was:

... in the middle of the second revolution defined in part by new information technology but also by creativity. ...[The] key to survival in the modern world is access to knowledge and information. ... information is the currency of our economics. (Driver and Martell, 1998: 44)

Moreover, Labour also argued that a free market approach was the best means to foster the development of the 'information society'. In terms of general economic policy, Labour's approach was based on the belief that the main role for government was to promote stability and incentives for capital investment, and to influence the supply and quality of labour. New Labour's media policy was framed by the same free market principles.

In July 1995, the Labour Party published the results of a comprehensive media policy review (Labour Party, 1995). The review began by heralding the arrival of an 'information revolution', 'as profound as that brought about by the invention of the printing press', and continued to claim that 'the coming of the information society provides an unparalleled economic opportunity for Britain' (1995: 1, 4). More specifically, the review advocated two key policy initiatives designed to foster free market competition and the development of the 'information age'. First, Labour would lift the Conservative government's 'broadcasting ban' on British Telecom (BT), to allow it and other telecommunications companies to compete with cable broadcasters (1995: 6). Indeed, just a couple of months after the review was published, Tony Blair used his annual party conference speech to announce that the Labour Party had negotiated a deal with BT to 'cable' every UK school in return for being allowed into the cable entertainment business (Anderson and Mann, 1997: 41). Second, Labour argued that the prospect of convergence required a fundamental restructuring of UK broadcasting and telecommunications regulation. On this basis, Labour proposed to replace the existing broadcasting and telephony regulatory structures with a new single communications regulator – 'an Ofcom' – to regulate the whole communications infrastructure and ensure fair competition (Labour Party, 1995: 8).

Keen to avoid antagonizing media interests in the run-up to the 1997 general election, the Labour leadership did not seek to develop these ideas any further before coming to power. On the contrary, when, in January 1997, Labour's shadow broadcasting minister Lewis Moonie reiterated the Ofcom proposal and sparked a controversy over the reduced role of the BBC governors, the party leadership was quick to disown the proposals (Culf, 1997a, 1997b). At the same time, however, Labour's new media policy ideas were being explored in more detail via the research of an influential centre-left political think-tank, the Institute for Public Policy Research (IPPR), which had been established during the late 1980s under the auspices of a key Labour supporter, Clive Hollick, chairman of MAI media and a close associate of the then leader Neil Kinnock (Anderson and Mann, 1997: 37). During the mid 1990s, the IPPR held numerous conferences, issued a series of pamphlets and published an influential book on the future of UK communications policy (Collins, 1996; Collins and Murrioni, 1996; Collins and Purnell, 1995). The IPPR's research was regarded as 'key to new Labour thinking' on the media and its most significant policy proposal was the replacement of the UK's existing

telecommunications and media regulators with a single competition-focused communications regulator – Ofcom (Collins and Murrioni, 1996: 158–81).¹ Paradoxically, then, in the run-up to the 1997 general election, the establishment of Ofcom had become a key tenet of New Labour thinking on the media. Yet, at the same time, the Labour leadership had become reluctant to commit to the radical institutional changes required.

Regulatory ‘turf war’: ITC versus Oftel

From around 1995, the ITC and Oftel were engaged in what amounted to a regulatory ‘turf war’. Each regulator was keen to promote a vision of UK communications regulation that would give primacy to their own specialized form of regulation, and thus preserve and enhance their own power into the digital age at the expense of their regulatory rival. Oftel was first to put its case for reform. In August 1995, Oftel published a detailed 70-page consultation document on the future of UK communications regulation: *Beyond the Telephone, the Television and the PC* (Oftel, 1995). Here, Oftel predicted that, due to convergence, ‘the traditional regulatory distinctions between broadcasting and telecommunications will be difficult to sustain’ (1995: para. 1.4.4). Implicitly, Oftel was making the case for a single communications regulator. The remainder of the document focused on exactly what kind of regulator this would need to be. According to Oftel, the new communications market was best viewed as four interrelated markets – content creation, service provision, distribution networks and consumer equipment – and future regulation would need to focus on preventing the abuse of market power in these markets (1995: para. 3.2.1, 5.1.2). Put simply, Oftel advocated extending the main tenets of telecommunications regulation – competition-maximizing market regulation – to UK broadcasting.

Over the next few years, Oftel continued to make the case for a radical overhaul of UK communications regulation (Oftel, 1997b, 1998a, 1998b). Oftel’s pronouncements were widely interpreted as a fairly blatant attempt to secure regulatory dominance in the digital age (Horsman, 1995). This impression was reinforced when, just three days after the publication of *Beyond the Telephone, the Television and the PC*, the DNH announced that Oftel, and not the ITC, would be responsible for the regulation of digital television conditional access systems (DNH, 1995, para. 4.16–4.17). The ITC was highly critical of this decision and was just as unimpressed by Oftel’s wider analysis of convergence. In December 1995, the ITC published a detailed response to Oftel’s initial consultation document. Here, the ITC claimed that the trend towards convergence was unlikely to be ‘anything like as rapid or as complete as Oftel implies’ (ITC, 1995: para. 11). Accordingly, the ITC proved far more sceptical about the benefits of a wholly integrated system of UK communications regulation. Rather than a complete regulatory overhaul, the ITC argued that the growing availability of interactive services, such as Video-On-Demand, would merely require some minor amendments to existing broadcast content regulations (1995: para. 26–7, 59). Specifically, the ITC later put the case for the introduction of a new television broadcasting regulator with legal authority over all TV services in the UK, including the BBC and S4C, and no matter whether these services were delivered by cable, satellite or telecoms systems linked to computers (House of Commons, 1997: para. 22). Perhaps most significantly, the ITC also proposed that this new regulator would need to play a key role in preserving the public service values of UK television into the digital age. With this in mind, the ITC argued that, while the main focus of

the new regulator would be on the television content itself, it would also require authority over any other:

. . . related matters which have a crucial bearing on the programmes offered to viewers, their character, availability and the terms on which they are offered, together with the need to ensure diversity in the range of programmes provided and plurality in relation to their origins. (ITC, 1995: para. 25)

In short, the ITC was seeking to 'ring fence' the future regulation of UK digital television.

However, in the months following the election of a New Labour government in May 1997, the ability of the ITC to act as an effective regulator in the new digital television market place was severely questioned. In January 1997, the ITC received two rival bids to operate the three digital terrestrial television multiplex licences (a total of about 12 channels) that the UK government had made wholly available for use by commercial broadcasters, one from a consortium made up of Carlton and Granada and BSkyB – British Digital Broadcasting (BDB) – and another from Digital Television Network (DTN), a company wholly owned by the US-based cable company International CableTel, which controlled around a dozen UK cable television franchises. Six months later, the ITC awarded all three licences to BDB, but only after 'competition concerns' had led it to force BSkyB to drop its equity stake in the winning consortium (ITC, 1997).

Oftel was far from impressed by the ITC's solution to the competition problems posed by the BDB bid. In a highly unusual step, Oftel published its private submission to the ITC and revealed that it had urged the ITC not to award the DTT licences to BDB (Oftel, 1997a). Moreover, Oftel's director-general, Don Cruickshank, also disclosed that the ITC's decision to award the licences to the reconstituted BDB with BSkyB remaining as the principal supplier of premium pay-TV programming, such as sports and movies, had been taken directly against the advice of Oftel (Culf, 1997c; Snoddy, 1997). The implication was that the ITC was 'out of its depth' and should be replaced by a new regulator with a more expert approach to competition issues.

New Labour television policy: 'competition policy plus'

Following Labour's 1997 election victory, the DNH (renamed the DCMS) and the DTI began a 'comprehensive review of the future regulation of the broadcasting and telecommunication industries' (DCMS and DTI, 1998a: para. 38). Soon after, the two departments issued a joint green paper paving the way for the lifting of the 'broadcasting ban' on BT (from 2001) (DCMS and DTI, 1998b). However, the government was more circumspect when it came to the planned introduction of Ofcom. In July 1998, the DCMS and the DTI published a joint green paper setting out the government's 'evolutionary approach' to the reform of UK broadcasting and telecommunications regulation (DCMS and DTI, 1998c). The green paper made it clear that this approach would be based on the application of free market principles. The DCMS/DTI declared that the government's main objective was to provide a regulatory structure that 'reflects market realities' and seeks to 'distort them as little as possible' (1998c: para. 1.23). On this basis, the green paper argued that the prevailing assumption that broadcasting and communications should be regulated 'should therefore in general be reversed', with regulatory intervention confined to 'the minimum necessary to achieve clearly defined policy objectives' (1998c: para. 3.26).

In the short term, the DCMS/DTI claimed that this strategy could be implemented by the UK's existing broadcasting and telecommunications regulators, with improved cooperation to overcome the 'overlaps anomalies' produced by convergence (1998c: para. 5.1). At the same time, however, the green paper warned that 'the existing distinctions between regulators will increasingly be called into question as convergence develops' (1998c: para. 5.21) and concluded that 'an integrated structure for the whole range of services and for every aspect of their regulation will at some stage be desirable' (1998c: para. 5.18). It was not long before this stage was reached.

In September 1999, in a speech at the Royal Television Society's convention in Cambridge, the DCMS Secretary, Chris Smith, officially announced the government's intention to overhaul UK broadcasting regulation (DCMS, 1999). Again, Smith made it clear that the government's approach to television regulation in the digital age would be centred on free market principles. The DCMS Secretary declared:

I can imagine a future where broadcasting regulation is based in the first instance on competition law with a reduced set of distinctive media rules added only where strictly necessary. (DCMS, 1999)

A couple of months later, in a speech at a London media seminar, he even went so far as to describe the government's approach to the reform of UK broadcasting as 'competition policy plus', the plus representing protection for the interests of viewers and consumers (Snoddy, 1999).

To begin with, the DCMS and the DTI were united in their approach to the reform of UK broadcasting and telecommunications regulation. Both departments shared the vision of 'competition plus' communications regulation and the establishment of a single regulator to oversee competition and content issues was quickly agreed (Thal Larsen, 2000). However, as the DCMS and the DTI began to formulate more detailed proposals, it became increasingly clear that they had different views on the 'plus' aspect of the 'competition plus' approach. On various issues, the DCMS favoured a substantive regulatory 'plus'. For example, the DCMS argued for extensive public service content regulations on UK terrestrial broadcasters to be included in the remit of the new regulator (Snoddy, 2000). Similarly, on the question of liberalizing media ownership rules, Smith was quick to warn that the government 'cannot simply regard [the media] as another set of goods on the supermarket shelf' (Harding, 2000a). And, finally, the DCMS also advocated the establishment of a 'Consumers Council' within the new regulator that would act as a 'popular restraint on the activities of media magnates' (Wintour, 2000). In contrast, the DTI favoured a more minimal 'plus' and was content to rely on the new regulator to apply improved general competition rules (introduced by the Competition Act 1998). In particular, the DTI argued that 'outdated' media ownership restrictions should be replaced with case-by-case analysis by the competition authorities (Harding, 2000a).

Unsurprisingly, the government's white paper, *A New Future for Communications* (DCMS and DTI, 2000), represented a compromise between the two departments. The centrepiece of the white paper was the planned replacement of the existing broadcasting and telecommunications regulators (the ITC, Ofel, the Radio Authority and the Radiocommunications Agency) by a single communications regulator (Ofcom) with 'the expertise and the vision to understand the converging communications landscape' (DCMS and DTI, 2000: Foreword). However, the different regulatory functions envisaged for Ofcom highlighted the different priorities of the DCMS and the DTI. On the one hand, as advocated most

strongly by the DTI, Ofcom would 'put competition law at the centre of media regulation' (Harding, 2000b). The white paper declared that the government planned to 're-base broadcasting regulation upon modern Competition Act principles and give the regulator [Ofcom] concurrent powers with the OFT, which the ITC currently lacks' (DCMS and DTI, 2000: para. 8.9.1).

On the other hand, however, in line with DCMS thinking, the white paper also detailed how Ofcom would be responsible for overseeing a new 'three-tier' system of public service orientated content regulation (DCMS and DTI, 2000: Section 5). Under the first tier, Ofcom would subject all broadcasters to a 'basic level' of content regulation, such as regulations on 'negative content', advertising and sponsorship and access for people with disabilities (2000: para. 5.6.1); the second would require public service broadcasters (the BBC, ITV, Channel 4 and to a lesser extent Channel 5) to deliver 'those public service obligations which are easily quantifiable and measurable', such as quotas for independent and original productions, regional programming targets and 'the availability of news and current affairs in peak time' (2000: para. 5.7); and, finally, under the third tier, the more difficult to quantify 'qualitative public service remit of broadcasters' would be regulated via statements of programme policy and other self-regulatory mechanisms, with Ofcom only intervening as a last resort with 'backstop powers' to enforce the delivery of public service objectives (2000, para. 5.8.4.–5.8.5). In addition, the white paper also confirmed DCMS's plan for an independent 'Consumer Panel' to advise Ofcom (2000: Section 7).

In the immediate aftermath of the white paper's publication it appeared that the DCMS had managed to secure a model of Ofcom based on competition policy with a 'significant plus'. Revealingly, Smith acclaimed the white paper's 'balanced' approach (Harding, 2000b), whereas DTI Secretary Stephen Byers conceded that it had not gone as far as expected and, by implication, as far as he would have liked (Wells and Teather, 2000). However, as the government finalized its plans for a new Communications Act (DCMS and DTI, 2002a, 2002b), it became apparent that the future regulation of UK broadcasting would, after all, be based on competition policy with only a 'minimal plus'.

First, while the government shied away from relying exclusively on competition policy, the changes to UK media ownership regulation set out in the draft Communications Bill and eventually the Communications Act 2003 were 'far more deregulatory than anyone had expected' (Harding and O'Connor, 2002). As well as removing the rules preventing single ownership of ITV, the Act removed the existing restrictions on joint ownership of ITV and Channel 5, on non-European companies owning ITV or Channel 5 and on newspaper proprietors with more than 20 percent of total circulation from owning Channel 5 (DCMS and DTI, 2002a). In the words of one commentator, the government's deregulatory approach prepared the ground for a 'merger and takeover frenzy' (Harding and O'Connor, 2002). Or, put another way, the main safeguard against a significant increase in the concentration of UK media ownership is now competition regulation, carried out either by Ofcom or the specialist competition authorities.

Second, at around the same time, it also became increasingly apparent that the BBC would not be excluded from the government's economic regulation of UK broadcasting. Following the publication of *A New Future for Communications*, the BBC's broadcasting rivals, including BSkyB, Carlton, Granada, Channel 4 and Channel 5, argued that regulation by Ofcom was the only effective means of preventing the BBC from encroaching onto commercially viable territory (*Broadcast*, 2001). It came as no great surprise, then, when the government included in the Communications Act regulations to bring the BBC, at least in part, under the

remit of Ofcom. In addition to the BBC governors, the BBC would now also be 'subject to new external requirements monitored and enforced by Ofcom' (DCMS and DTI, 2002b: para. 8.2.1.1). In all likelihood, Ofcom's jurisdiction over the BBC will prove most significant when it takes the guise of economic regulation, such as over the scope and scale of BBC services. Indeed, the recently published government white paper on BBC Charter renewal confirmed that any new BBC services will be subject to a 'market impact assessment' undertaken by Ofcom (DCMS, 2006: Section 6).

Finally, the Communications Act also paved the way for fundamental changes to the way in which spectrum frequency will, in future, be allocated to UK broadcasters. The impetus behind this change stemmed largely from the hugely successful auctioning of spectrum to mobile phone operators for the provision of new 3G services, such as the downloading of images and music (DTI, 2000a). In April 2000, the DTI awarded 3G licences to some of the UK's largest mobile phone companies, including Vodafone, BT and Orange. In return, the Treasury was set to receive a total of around £22.5 billion (DTI, 2000b). Against this background, the government's attention turned to how to guarantee a similarly profitable outcome from the release of spectrum following the 'switch off' of analogue television transmissions. According to an independent review of spectrum management commissioned by the DTI and the Treasury, the solution was the establishment of a free market in UK spectrum (Cave, 2002). Specifically, the Cave Report proposed a speedy transmission to the pricing of spectrum, so that 'all broadcasters' would have to pay for the spectrum they use (2002: para. 11.4). Despite some opposition from broadcasters, who feared the prospect of having to pay substantial sums to use the same spectrum that they currently used for free, or at least no financial cost (Budden, 2002; Ellery, 2002; O'Connor, 2001), the government remained committed to the introduction of a UK spectrum market. The Communications Act therefore gave 'Ofcom flexible powers to introduce and regulate spectrum trading' (DCMS and DTI, 2002b: para. 7.2.2). Arguably, Ofcom's main responsibility in the digital age will be to oversee competition in the UK spectrum market.

Conclusion

This article has traced how the introduction of Ofcom was shaped by the politics of UK television policy during the late 1990s and early 2000s. Specifically, it has described how the making of Ofcom was shaped by: (1) UK commercial media interests and their attempts to use convergence to justify deregulation; (2) New Labour's commitment to free market principles and policy innovation; (3) a regulatory 'turf war' between the ITC and Oftel; and (4) bargaining between rival departments within the Labour government. On this basis, it has been argued that Ofcom should be seen as the institutional embodiment of New Labour's 'competition policy plus' approach to UK television regulation, rather than as merely the product of a regulatory 'tidy up' prompted by technological change.

Note

1. Comment by James Curran, Professor of Communications, Goldsmiths College, University of London (Collins and Murrone, 1996: back cover).

References

- Anderson, P. and N. Mann (1997) *Safety First: The Making of New Labour*. London: Granta Books.
- Annan, Lord (Chairman) (1977) *Report of the Committee on the Future of Broadcasting*, Cmnd 6753. London: HMSO.
- BMIG (British Media Industry Group) (1994) *The Future of the British Media Industry*. London: BMIG.
- BMIG (British Media Industry Group) (1995) *A New Approach to Cross-media Ownership*. London: BMIG.
- Broadcast (2001) 'Ofcom Must Rule BBC', 16 Feb.: 6–7.
- Brown, M. (1995) 'Nice Idea, Shame About Reality', *The Guardian* 4 Sept.: 15.
- Budden, R. (2002) 'BSkyB Opposes "Satellite Dish Tax" Plan', *Financial Times* 13 May: 26.
- Cave, M. (2002) *Review of Radio Spectrum Management*, Cave Report. London: DTI/HM Treasury.
- Collins, R. (ed.) (1996) *Converging Media, Converging Regulation*. London: IPPR.
- Collins, R. (1997) 'Back to the Future: Digital Television and Convergence in the United Kingdom', *Telecommunications Policy* 22(4/5): 383–96.
- Collins, R. and C. Murrioni (1996) *New Media, New Policies: Media and Communications Strategies for the Future*. London: Polity Press.
- Collins, R. and J. Purnell (eds) (1995) *Managing the Information Society*. London: IPPR.
- Culf, A. (1997a) 'BBC Faces Upheaval in Labour Plan', *The Guardian* 22 Jan.: 1.
- Culf, A. (1997b) 'Retreat by Cunningham', *The Guardian* 23 Jan.: 2.
- Culf, A. (1997c) '“Second Rate” Group Wins TV Fight', *The Guardian* 25 June: 6.
- DCMS (Department for Culture, Media and Sport) (1999) 'Chris Smith Sets Out Timetable for Digital Revolution', press release, 17 Sept.
- DCMS (Department for Culture, Media and Sport) (2006) *A Public Service for All: The BBC in the Digital Age*, Cm 6763. London: HMSO.
- DCMS (Department for Culture, Media and Sport) and DTI (Department of Trade and Industry) (1998a) *Memorandum to Select Committee Inquiry into Audio-Visual Communications and the Regulation of Broadcasting*. London: DCMS.
- DCMS (Department for Culture, Media and Sport) and DTI (Department of Trade and Industry) (1998b) *Broadband Britain: A Fresh Look at the Entertainment Restrictions*. London: HMSO.
- DCMS (Department for Culture, Media and Sport) and DTI (Department of Trade and Industry) (1998c) *Regulating Communications: Approaching Convergence in the Information Age*, Cm 4022. London: HMSO.
- DCMS (Department for Culture, Media and Sport) and DTI (Department of Trade and Industry) (2000) *A New Future for Communications*, Cm 5010. London: Stationery Office.
- DCMS (Department for Culture, Media and Sport) and DTI (Department of Trade and Industry) (2002a) 'Draft Bill Overhauls Legal Framework for Communications Industry', press release, 7 May.
- DCMS (Department for Culture, Media and Sport) and DTI (Department of Trade and Industry) (2002b) *The Draft Communications Bill: The Policy*, Cm 5508. London: Stationery Office.
- DNH (Department of National Heritage) (1995) *Media Ownership: The Government's Proposals*, Cm 2872. London: HMSO.
- Doyle, G. (2002) *Media Ownership: The Economic and Politics of Convergence and Concentration in the UK and European Media*. London: Sage.

- Driver, S. and L. Martell (1998) *New Labour: Politics after Thatcherism*. Oxford: Polity Press.
- DTI (Department of Trade and Industry) (2000a) 'Hewitt Launches World's First 3G Mobile Auction', press release, 6 March.
- DTI (Department of Trade and Industry) (2000b) 'Byers Announces 3G Mobile Licence Winners', press release, 27 April.
- Ellery, S. (2002) 'BBC and C4 "Should Lose Their Free Spectrum"', *Broadcast* 8 (March): 1.
- Goodwin, P. (1998) *Television under the Tories: Broadcasting Policy 1979–1997*. London: British Film Institute.
- Harding, J. (1996a) 'Parties Swap Sides in the Media Debate', *Financial Times* 17 April: 9.
- Harding, J. (1996b) 'Broadcast Plan is News to Some Labour MPs', *Financial Times* 17 April: 9.
- Harding, J. (2000a) 'Blair's Law of Convergence', *Financial Times* 17 Oct.: 30.
- Harding, J. (2000b) 'An Overhaul? Yes, but . . .', *Financial Times* 12 Dec.: 2–3.
- Harding J. and A. O'Connor (2002) 'All Set for Merger and Takeover Frenzy', *Financial Times* 8 May: 3.
- Horsman, M. (1995) 'OfTel Stakes Superhighway Claim', *The Independent* 8 Aug.: 14.
- House of Commons (1997) *The BBC and the Future of Broadcasting, Volume II. Minutes of Evidence and Appendices*, National Heritage Select Committee: Fourth Report (Session 1996–7). London: HMSO.
- ITC (Independent Television Commission) (1995) *ITC Response to the OfTel Consultative Document: Beyond the Telephone, the Television and the PC*. London: ITC.
- ITC (Independent Television Commission) (1997) 'ITC Announces Its Decision to Award Multiplex Service Licences for Digital Terrestrial Television', press release, 24 June.
- Labour Party (1995) *Communicating Britain's Future*. London: Labour Party.
- Negrine, R. (1988) 'New Media in Britain: Is There a Policy?', pp. 223–50 in K. Dyson and P. Humphreys (eds) *Broadcasting and New Media Policies in Western Europe*. London: Routledge.
- O'Connor, A. (2001) 'Channel 4 May Face Spectrum Charge of £200m', *Financial Times* 27 Aug.: 3.
- OfTel (Office of Telecommunications) (1995) *Beyond the Telephone, the Television and the PC: A Consultative Document on the Regulation of Broadband Switched Mass-market Services (and their Substitutes) Delivered by Telecommunications Systems*. London: OfTel.
- OfTel (Office of Telecommunications) (1997a) *OfTel Submission to the ITC on the Competition Issues Arising from the Award of Digital Terrestrial Television Multiplex Licences*. London: OfTel.
- OfTel (Office of Telecommunications) (1997b) *Review of Utility Regulation, Submission by the Director General of Telecommunications*. London: OfTel.
- OfTel (Office of Telecommunications) (1998a) *OfTel's First Submission to the Culture Media and Sports Select Committee Inquiry into Audio-visual Communications and the Regulation of Broadcasting: Beyond the Telephone, the Television and the PC – II*. London: OfTel.
- OfTel (Office of Telecommunications) (1998b) *OfTel's Second Submission to the Culture Media and Sports Select Committee Inquiry into Audio-visual Communications and the Regulation of Broadcasting: Beyond the Telephone, the Television and the PC – III*. London: OfTel.

- Seymour-Ure, C. (1987) 'Media Policy in Britain: Now You See It, Now You Don't', *European Journal of Communication* 2(3): 269–88.
- Snoddy, R. (1995a) 'BBC "Has Top Media Share"', *Financial Times* 21 March: 11.
- Snoddy, R. (1995b) 'ITV Bidding War Likely after Government Rethink', *Financial Times* 16 Dec.: 18.
- Snoddy, R. (1997) 'ITC Faces Challenge Over Award of Digital Licences', *Financial Times* 25 June: 1.
- Snoddy, R. (1999) 'Plan to Regulate Media with One Structure', *The Times* 2 Dec.: 32.
- Snoddy, R. (2000) 'Here is the Bad News for ITV', *The Times* 28 July, section 2: 24.
- Thal Larsen, P. (2000) 'Ministers May Opt for Single Regulator of Communications', *Financial Times* 18 Feb.: 4.
- Tunstall, J. (1983) *The Media in Britain*. London: Constable.
- Wells, M. and D. Teather (2000) 'One Regulator in Broadcasting', *The Guardian* 13 Dec.: 6.
- Wintour, P. (2000) 'Consumers Win Powers at Giant Media Watchdog', *The Guardian* 12 Dec.: 10.

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