

Media Pluralism: The Enigma of Oxford

It was to be expected that the hacking scandal and the events culminating in the Leveson Inquiry would dominate this year's **Oxford Media Convention**. However, the key word that emerged from the presentations and discussion was not ethics, or self-regulation, but media pluralism – much desired but as yet rather undefined.

In the midst of the panel on the media after “Hackgate” and proposals for replacing the PCC, Professor Ian Hargreaves pointed out that “it was insufficient plurality that led to the erosion of public trust in the press” and that any regulatory system would fail without diversity of ownership. But none of the four senior politicians present set out any practical proposals for how the next Communications Act should remedy this.

There seemed to be a general agreement among speakers that current cross ownership rules and the public interest test activated in cases of mergers or acquisitions are neither adequate nor fit for purpose. Ofcom CEO Ed Richards defended plans to revise the rules on cross ownership between print and broadcast media at the local level because the economic challenge local media face means that if not allowed to merge they may cease to exist. However he pointed out that the national level is a very different situation.

At the national level, as Damian Tambini and others pointed out, the current level of plurality is not sufficient, so measures should not be aimed at preserving existing levels, but actually increasing pluralism in the media market. The **Coordinating Committee for Media Reform** used the conference to launch a **proposal** for protecting pluralism based on the idea that the kind of public interest tests now used in merger cases be instigated also when concentrations emerge or are found to exist in the market. Many present, including Labour shadow broadcasting minister Helen Goodman MP, supported the idea that pluralism protection measures must also be able to deal with “organic” concentrations that emerge, particularly in light of cross-platform convergence. However she too pointed out that rules should be different for local media.

This is where things got messy. How does one define pluralism and how does one define the market that needs to be plural and how is that pluralism measured? The CCMR attempted to answer some of those questions, proposing that if any company has a 15 per cent market share, this should trigger a public interest test. As Jonathan Hardy explained, this would not necessarily mean that companies will not be permitted to control more than 15 per cent of a media market, simply that it would be the threshold for initiating the test. Some people contested the use of a percentage, but the more challenging issue was that of which market. There was general agreement that it can't be all about the market for news to audiences. Steve Barnett mentioned all the other kinds of things media provides and asked, how broad do we go? It was pointed out that one of the biggest concentrations is in the commissioning of drama and entertainment, which is overwhelmingly in the hands of PSB. As I have argued **elsewhere**, I again raised the question of concentration in subscription services and the market for rights to premium content and what that means for consumer access.

So one problem with defining media pluralism seems to be deciding “pluralism of what?” Another lies in the question of measurement. Cross-ownership rules are straightforward, and it is relatively easy to determine how much of a company is owned by any given individual or company. But when companies own both content and networks, but not print or broadcast it may be complicated and, as David Elstein of Open Democracy argued, diversity of ownership doesn't necessarily mean diversity of views. Though supporting Tambini's suggestion that

audience consumption is a better indicator than audience reach, Elstein pointed out that what really needed to be measured is “influence” whether over audiences, content, or even networks.

No media convention would be complete without some slick video, and the one presented by Sarah Pearson of ACB LLP showed what kind of measuring is now being done by audience researchers. With 24 hour recordings of people’s behaviour in their own homes combined with tracking on all their devices (TVs, tablets, games consoles, phones) Pearson’s team gathered massive amounts of data on people’s consumption and use. One take home message was that consumers tend to hugely over-report the extent to which they use time shifting and on demand services: which casts doubt on some claims about the end of linear TV.

Perhaps audience measurement can deal with the complications of convergence and the digital era in assessing consumption, but that is still not measuring influence, is it? Whilst the enigma of measuring pluralism will continue to perplex regulators and legislators, it seems clear that UK media markets feature insufficient pluralism at the moment and that mechanisms to protect it need to be improved.

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