

Using the Media Pluralism Monitor (MPM) to Assess Media Pluralism in the UK in the Year 2022

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Research Project Report
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1. About the project

1.1. Overview of the Project

The Media Pluralism Monitor (MPM) is a research tool co-funded by the European Union that is designed to identify potential risks to media pluralism in countries across Europe. A regular implementation of the MPM is conducted every year in 27 EU Member States, as well as in Albania, Montenegro, The Republic of North Macedonia, Serbia, and Turkey. The research is based on a standardised questionnaire developed by the CMPF and updated every year. Risks to media pluralism are examined in four main thematic areas: Fundamental Protection, Market Plurality, Political Independence, and Social Inclusiveness. The results are based on the assessment of a number of indicators for each thematic area (see Table 1). The CMPF partners with experienced, independent national researchers to carry out the data collection and to author the narrative reports, except in the case of Italy where data collection is carried out centrally by the CMPF team. Moreover, to ensure accurate and reliable findings, a group of national experts in each country reviewed the answers to particularly evaluative questions. For a list of selected countries, the final country report is peer-reviewed by an independent country expert.

Fundamental Protection	Market Plurality	Political Independence	Social Inclusiveness
Protection of freedom of expression	Transparency of media ownership	Political independence of the media	Representation of minorities
Protection of right to information	Plurality of media providers	Editorial autonomy	Local/regional and community media
Journalistic profession, standards and protection	Plurality in digital markets	Audiovisual media, online platforms and elections	Gender equality in the media
Independence and effectiveness of the media authority	Media viability	State regulation of resources and support to the media sector	Media Literacy
Universal reach of traditional media and access to the Internet	Editorial independence from commercial and owners' influence	Independence of PSM	Protection against disinformation and hate speech

Table 1: Areas and Indicators of the Media Pluralism Monitor

1.2. Methodological notes

Authorship and Review

The CMPF has been commissioned by the UK Office of Communications (Ofcom) to examine the state of play of media pluralism in the United Kingdom for the year 2022 using the methodology of the MPM. The results of this unique study are to be presented in a bespoke one-off report. In addition, a supplementary report is to be published comparing the UK's MPM risk scores with those of the four largest EU member states: Germany, France, Italy, and Spain. The comparative report will also offer insights on best practices as well as highlighting any shortcomings in the UK's approach to media pluralism.

The CMPF partnered with the national researchers, Dr. Damian Tambini (LSE), Julia Madrazo, who conducted the data collection, scored and commented on the variables in the questionnaire and interviewed experts. The report was reviewed by the CMPF staff. To ensure accurate and reliable findings, a group of national experts reviewed the answers to a selected number of questions (see Annex II for the list of experts).

The Digital Dimension

The Monitor does not consider the digital dimension to be an isolated area but, rather, as being intertwined with the traditional media and the existing principles of media pluralism and freedom of expression. Nevertheless, the Monitor also extracts digitally specific risk scores, and the report contains a specific analysis of the risks that related to the digital news environment.

The Calculation of Risk

The results for each thematic area and Indicator are presented on a scale from 0 to 100%.

Scores between 0% and 33%: low risk

Scores between 34% and 66%: medium risk

Scores between 67% and 100%: high risk

With regard to the Indicators, scores of 0 are rated as 3%, while scores of 100 are rated as 97%, by default, in order to avoid an assessment that offers a total absence, or certainty, of risk.

Disclaimer:

The content of the report does not necessarily reflect the views of the CMPF, nor the position of the members composing the Group of Experts. It represents the views of the national country team who carried out the data collection and authored the report.

Please note that this publication reflects the views only of the author(s) and Ofcom cannot be held responsible for any use which may be made of the information contained therein.

2. Introduction

- **Country overview:** The United Kingdom is a country in Western Europe, off the north-western coast of the continental mainland and separated by the English Channel. It has a surface area of 241, 930 square kilometres^[1] which comprises England, Scotland, Wales, and Northern Ireland. The UK has a population of 67 million and 326 thousand residents^[2] with annual population growth kept constant since 2020 at 0.4%. In 2022, the birth rate was 11.32 births per 1,000 people^[3], and the death rate was 9.44^[4] with the fertility rate at 1.6^[5]. Net migration to the UK in 2022 was 165,790 residents, a sharp decrease from 202,027 in 2021. However, the decreasing trend in net migration started in 2009.^[6]
- **Language spoken:** English is the most spoken language. In 2021, 91.1% of usual residents of the UK aged three years and over had English (English or Welsh in Wales) as a main language. In the same year, an estimated 538,000 usual residents in Wales (17.8%) reported being able to speak Welsh.^[7] The most common main languages, other than English and Welsh are Polish (1.1%), Romanian (0.8%), Panjabi (0.5%), and Urdu (0.5%). UK's indigenous minority languages include Scots, Scottish Gaelic, Irish, Welsh, Ulster Scots and Cornish.^[8]
- **Minorities in the country:** Per the 2021 Census of England and Wales, 81.7% of the usual residents (48.7 million people) identified as part of the "White" ethnic group. Of these, 74.4% identified as "English, Welsh, Scottish, Northern Irish or British." The most common ethnic group was "Asian, Asian British or Asian Welsh" (9.3% of the population), followed by "Black, Black British, Black Welsh, Caribbean or African" with 4.0% of the population. Finally "Mixed or Multiple ethnic groups" accounted for 2.9% of the population.^[9]
- **Economic situation:** In 2022, the United Kingdom's Gross Domestic Product amounted to 2,491 billion pounds^[10], which reflected a 4.1% annual growth. The UK had the largest decline in GDP among the G7 economies in 2020, and had a "relatively strong performance in 2021 (+7.6%)."^[11] The past year was characterised by a sharp increase in the cost of living. The annual rate of inflation reached 11.1% in October 2022, marking a 41-year high.^[12] One of the main drivers of inflation was the increase in energy prices. "Gas prices increased to record levels after Russia launched its full-scale invasion of Ukraine and continued to rise during much of 2022 due to cuts in Russian supply. Electricity prices are linked to gas prices and have followed a similar trend."^[13] This resulted in a fall in real household disposable income per person of 3.1% in 2022.^[14] Unemployment reached its lowest point since the 1970s in December 2022, at a rate of 3.7%.^[15] In September 2022, the then Chancellor of the Exchequer, Kwasi Kwarteng, announced a mini-budget that heavily impacted the UK's financial position. The package included £45 billion of unfunded tax cuts and resulted in a sharp increase in the UK government's cost of long-term borrowing. Additionally, the pound fell to record lows against the dollar.^[16] This led "mortgage providers to further increase interest rates on the mortgages they offered."^[17] Shortly thereafter, the UK reversed almost all the measures announced.
- **Political situation:** In terms of politics, 2022 was a turbulent year for the UK, having three prime ministers in a span of four months. Boris Johnson was forced to announce his resignation as prime minister in the summer of 2022 after a series of scandals during the COVID-19 pandemic came to light. Members of the Conservative Party then chose Foreign Secretary, Liz Truss to succeed Johnson, and took office as prime minister on September 6, 2022. Just 44 days later, she announced her resignation after the financial turmoil caused by the mini-budget detailed above, becoming the shortest-serving PM

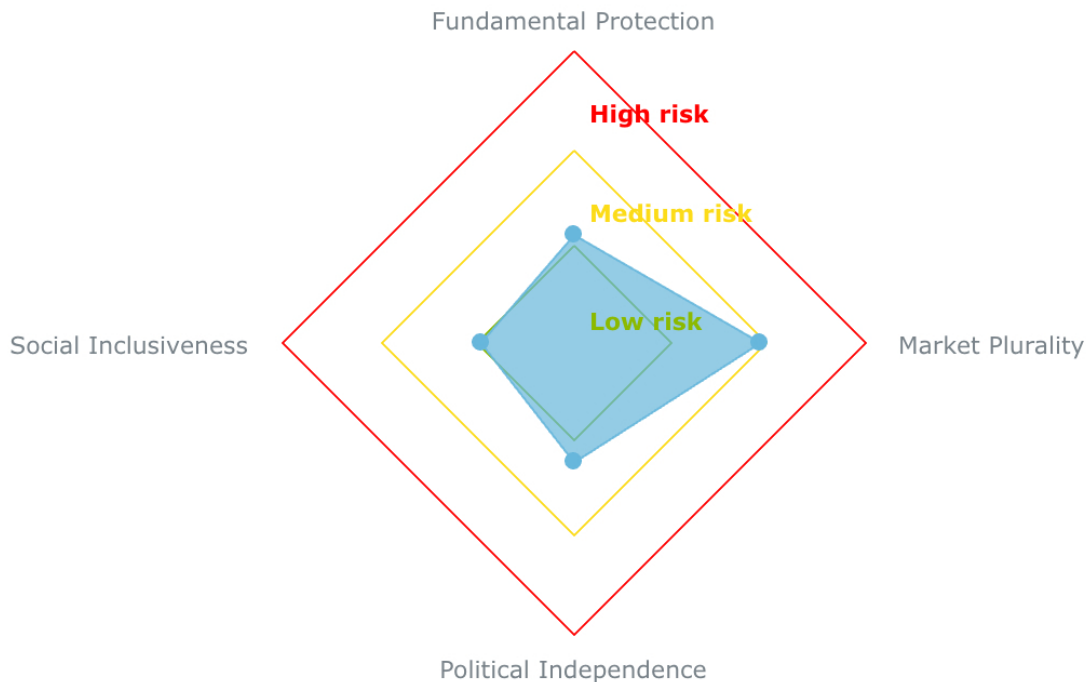
in British history.^[18] Conservative lawmakers then rallied around Rishi Sunak, who became prime minister in October. Throughout this turmoil, support for the Conservative party dropped “to levels not seen since the 1990s”.^[19]

- **Media market:** The UK media market continues its transition from print and online newspapers to consuming news through social media. This difference is especially stark across age groups, with “younger age groups much more likely to use internet and social media for news, whereas their older counterparts favour print, radio and TV.”^[20] Overall, the BBC remains the news organisation with the highest cross-platform audience reach (76%).^[21] In terms of consumption, Ofcom’s Media Nations 2022^[22] reports that overall viewing of TV and video has fallen from its pandemic peak. During 2021, “time spent watching TV from broadcasters - across linear channels, recordings and on-demand - fell by 9% compared to 2020 and 4% compared to 2019.”^[23] Meanwhile, “subscription video-on-demand services like Netflix and Disney+ were used by 67% of UK households.”^[24] In terms of radio consumption, nine in ten adults reported listening to radio each week. However, “the proportion of audio listening time accounted for by live radio has fallen from 75% in 2017 to 63% in 2022.”^[25] Of those listening to radio, 71% reported listening to any BBC radio, while 56% reported listening to commercial radio.^[26] Finally, print newspaper reach has continued its downward trend, while “online newspaper reach remains steady but does not make up for print losses.”^[27] In terms of market shares, in audiovisual media, the BBC holds 30.7% of the market, ITV, 22.7%, Channel 4, 11%, and Sky 7.9%.^[28] In the video streaming sector, the top three services - Netflix, Amazon Prime Video and Disney+ - accounted for 89% of the market.^[29] The top three newspaper publishers are News Corp UK & Ireland Ltd (24%), DMG Media Ltd (23%) and Reach Plc (23%).^[30] Within commercial radio, the top four radio owners hold 84% of the market, Bauer Radio (38%) Global Radio (29.7%), Independent (11.5%), and Nation Broadcasting (5%).
- **Regulatory environment:** The UK has a devolved system of government with separate legislatures and executives in Scotland, Wales, and Northern Ireland. They can make their own laws in relation to several policy areas, such as arts and culture, but notably not broadcasting as that is a matter reserved to the UK Government. In April 2022, the UK government published a whitepaper^[31] outlining a new vision for the British broadcasting sector, laying out its intention to further support public service broadcasting across the UK. The subsequent Media bill, as published in March 2023, sets out to reform the legal framework for the regulation of public service broadcast and radio in the UK. It contains provisions that give Ofcom new regulatory powers to draft and enforce a Video-on-Demand Code and remove regulations for radio services.^[32] If implemented, it will place obligations on streaming providers to ensure the prominence of public service media on those platforms and interfaces. Additionally, the Online Safety Act has recently been enacted (26th October, 2023). The Act sets out a series of laws to protect users online and keep social media companies accountable for compliance. Ofcom will be responsible for its enforcement.^{[33][34]} The Digital Markets, Competition and Consumers Bill, was at the time of writing being debated in the UK Parliament. This legislation, if passed will have an impact on media markets as it could potentially redress the balance of power with platforms through the designation of strategic market status.^[35]
- **War in Ukraine:** Russia’s invasion of Ukraine had significant effects on the UK economy. As the UK is a net importer of energy, the cuts in Russian energy supply increased gas and electricity prices to record levels. The notable increase in commodity prices drove inflation to a four-decade high to reach 11.1% in October 2022, squeezing real household incomes. In the media environment, in March 2022, Ofcom announced it had revoked the Russian state TV channel RT’s broadcasting licence.^[36] This

decision was taken because Ofcom could no longer be satisfied that the licence holder was fit and proper to hold an Ofcom licence, on the basis of a number of factors, and whilst Ofcom was pursuing 29 investigations “into the due impartiality of RT’s news and current affairs coverage of Russia’s invasion of Ukraine.”^[37] The UK, in coordination with Western allies, imposed significant sanctions targeting Russia’s financial sector, its economy and commerce, as well as individuals close to the Putin regime.^[38]

3. Results of the data collection: Assessment of the risks to media pluralism

United Kingdom: Media Pluralism Risk Areas



JS chart by amCharts

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MEDIA FREEDOM
MPPM 2023

The media plurality risk profile in the United Kingdom reflects both ongoing technological and market changes and the specific economic challenges of recent years. Quality news and journalism face ongoing sustainability challenges and related market concentration, which have only been partially addressed by policymakers.

In the **Fundamental Protection** area, the United Kingdom scores as medium risk, at 37%, meaning that the basic legal requisites for media freedom and media pluralism are partially met. The score reflects alarming trends in the journalistic profession, standards, and protection indicators. Journalists, and freelancers, in particular, experience an insecure working environment, with attacks and threats against them being a common practice. No legislative action has been taken with regard to an anti-SLAPP law, even though the National Union of Journalists and the Ministry of Justice have called for the introduction of such legislation. Meanwhile, the independence and effectiveness of the media authority are guaranteed by the law and in practice; and the universal reach of traditional media and access to the Internet are also protected.

Media markets in the United Kingdom are concentrated, without mitigating legislative frameworks to ensure that media users are aware of who owns the news, and further concentration of media ownership is likely. The area of **Market Plurality** presents a medium risk, scoring at 64%. The indicators of transparency of media ownership, plurality of media providers, and media viability all score at high risk. The UK lacks effective and transparent rules on ownership disclosure for both traditional and digital media; there's a high level of concentration in the production of media content across different sectors; and there's a lack of sufficient economic resources to finance journalism, with salary cuts and layoffs being common in 2022. Plurality in the digital markets scored a lower risk level at medium in part given the fact that enforcement and competition rules take into account the specificities and the digital evolution of the media sector through the work of the Digital Markets Unit. Editorial independence also scored a medium risk since there have

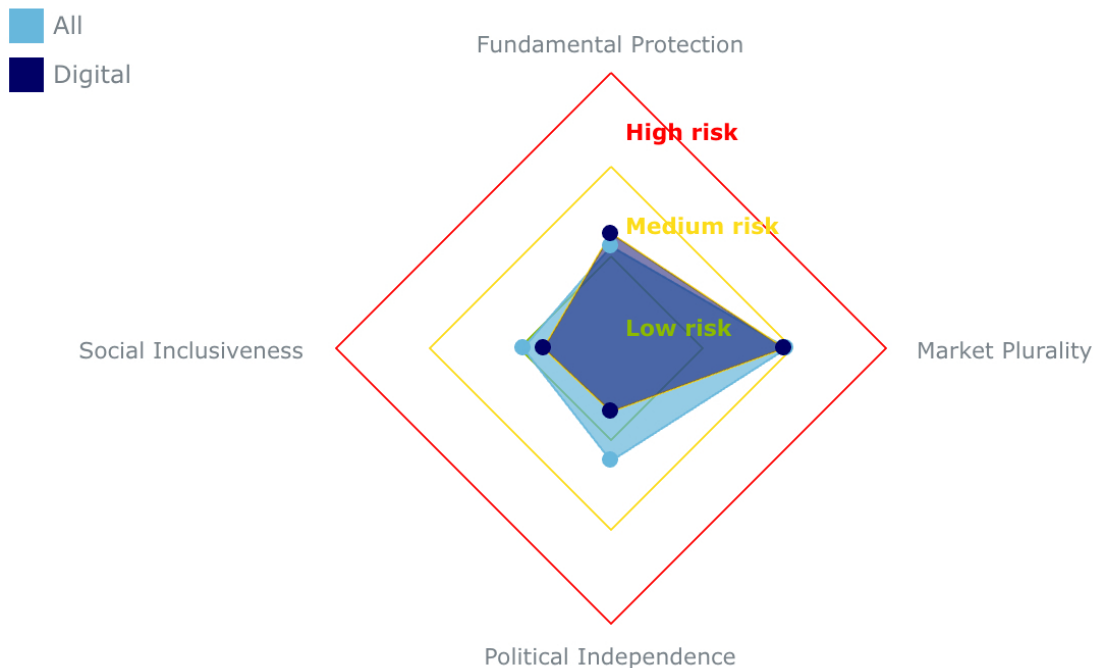
been some recent editorial appointments that suggest increased risk of political and or commercial influence.

The research also found concerns regarding the area of **Political Independence**, scoring 41% (medium risk). The indicator of Editorial autonomy (63%), is 4 percentage points below the high risk threshold. This is because the UK lacks common regulatory safeguards to guarantee the autonomy of editorial appointments and dismissals, while self-regulatory measures are not always implemented effectively. The concerns detected in the indicator Independence of public service media (48%), also significantly contribute to the risk score of this area. While the indicators of Political independence of the media and State regulation of resources and support to the media sector amount to low risk, it has to be highlighted that both of them score 33%, just below the medium risk band. In the first case, there are no signs of political control over radio and digital media in the UK; however, some occasional cases of indirect political control occur in the audiovisual and newspaper sectors. In the second case, the government provides legislation on spectrum allocation and indirect subsidies to media outlets but lacks legislation on the distribution of state advertising. The lowest scoring indicator is Audiovisual media, online platforms and elections, at 28%, reflecting no particular concerns when it comes to bias in PSM and commercial media in the context analyzed by this indicator, as well as rules on political advertising in the audiovisual sector.

In terms of **Social Inclusiveness**, our research indicates that the media in the UK are at a low risk, with a score of 32%. Within this area of focus, protection against disinformation and hate speech scored the highest at 46%. This is due to the fact that there's a low level of trust in the UK media, initiatives to monitor disinformation could be improved, and the Online Safety Bill has yet to become law. Gender equality in the media also reflects a medium risk level, with just above a third of editor-in-chief positions in leading news media held by women, and the relative scarcity of female experts in media. On the other hand, there are existing media literacy policies in the UK with some occasional training for teachers and the intention to target vulnerable groups; minorities have guaranteed access by law to airtime on public service media, and support is available for people with audiovisual impairments; finally, local and regional community media amounted to the lowest risk level found in this research, given that the law grants them effective access to TV and Radio infrastructures and the government supports local media through subsidies.

Focus on the digital environment

United Kingdom: Media Pluralism Risk Areas



JS chart by amCharts

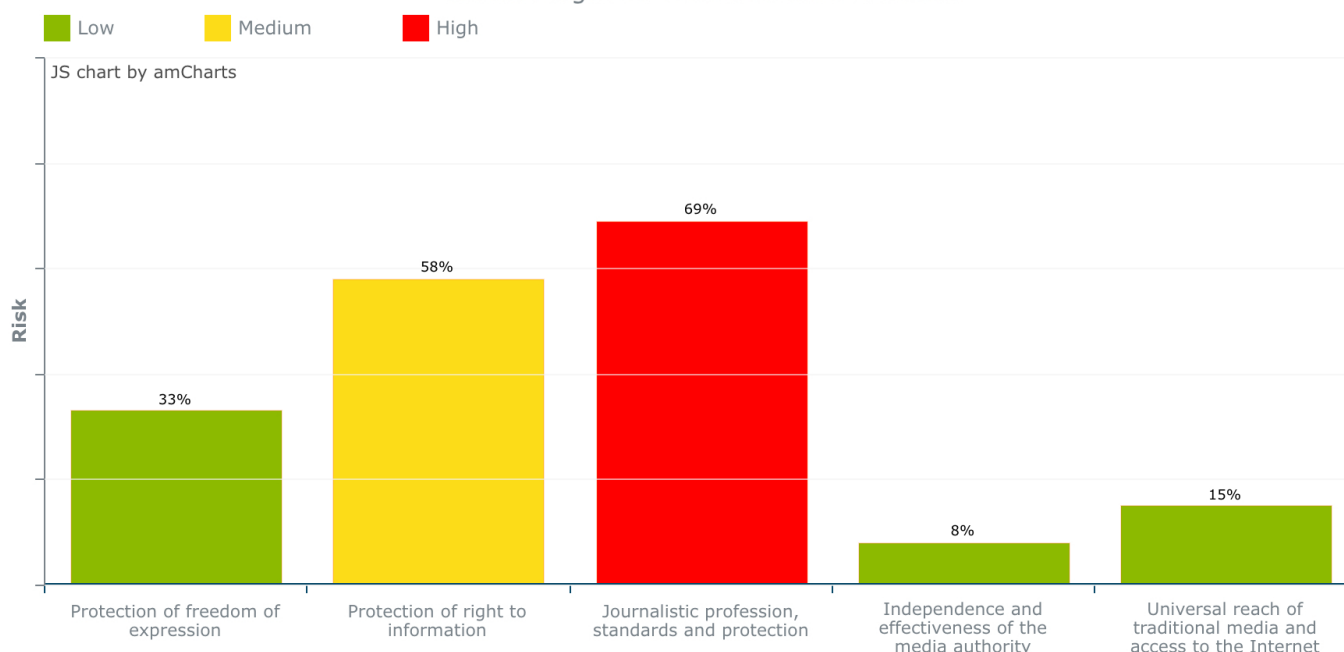
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The digital dimension of media pluralism in the United Kingdom is at medium risk in Fundamental Protection (42%), and Market Plurality (63%), and at low risk in Political Independence (23%), and in Social Inclusiveness (25%). The difference in the comparison with the overall score is most striking in the Political Independence area, with a difference of 18 percentage points. These results arise from the fact that digital native media are in general not politically controlled, in contrast to cases or political influence in more traditional media; and that the law provides adequate funding to cover online public service media while allowing private competition. On the other hand, the threats to Fundamental Protection in the digital environment are higher, due in part to the high frequency of online attacks and threats to journalists online, the lack of effective legal remedies to address violations of rights, and the somewhat opaque ways in which platforms filter and remove content. The seven-point difference in the Social Inclusiveness area is due to the high level of digital media literacy skills in the UK. Finally, it is noteworthy that the Market Plurality score is similar in both the overall result and the digital result, due to a higher risk for transparency and a lower risk for media viability.

3.1. Fundamental Protection (37% - medium risk)

The Fundamental Protection indicators represent the regulatory backbone of the media sector in every contemporary democracy. They measure a number of potential areas of risk, including the existence and effectiveness of the implementation of regulatory safeguards for freedom of expression and the right to information; the status of journalists in each country, including their protection and ability to work; the independence and effectiveness of the national regulatory bodies that have the competence to regulate the media sector, and the reach of traditional media and access to the Internet.

United Kingdom: Fundamental Protection



In the **Fundamental Protection** area, the United Kingdom scores as medium risk, at 37%, meaning that the basic legal requisites for media freedom and media pluralism are only met to a certain extent. The indicator on **Protection of freedom of expression** scored low risk (33%), given the UK's ratification of international standards, including the European Convention on Human Rights and the International Covenant on Civil and Political Rights. Even though the United Kingdom does not have a formal written constitution, the Human Rights Act of 1998 offers statutory protection of freedom of expression. There is room for improvement within the UK's legal framework to clearly define in law, restrictions upon freedom of expression that are proportionate to the aim pursued. The UK government has been reluctant to accept European Court of Human Rights (ECtHR) rulings, arguing for a wide margin of appreciation. In particular, in *Big Brother and Other v. UK (2021)*^[39], the ECtHR held that there was inadequate protection of journalists in relation to their sources in the context of bulk collection of data under the Regulation of Investigatory Powers Act 2014, in that there were no specific constraints on analysts searching for confidential journalists' data once bulk data had been collected, repeal and replacement of the 2014 Act with the Investigatory Powers Act 2016 did not resolve the issue. However, the fact that between 2017 and 2023 the Chamber or the Grand Chamber of the ECHR, the Court found 19 violations of freedom of expression, indicates that the ECHR is offering effective legal remedies. The UK ranks satisfactory on the Reporters Without Borders Free Press Index, improving between 2021 and 2022. Concerns are raised surrounding the National Security Act which risks criminalising investigative journalism.^{[40] [41]} On the other hand, the law, under the Coroners and Justice Act of 2009^[42] abolished common law libel offences for England, Wales, and Northern Ireland, while in Scotland defamation is a civil wrong. In addition, the Defamation Act of 2013^[43] provides sufficient legal defences. Nonetheless, court decisions regarding defamation cases are not always proportionate to the offense. For example, in the *Banks v. Cadwalladr case (2023)*^[44], damages and costs awards have been criticised as facilitating Strategic Lawsuits Against Public Participation (SLAPPs).

The indicator, **Protection of right to information**, scores 58%, at a medium risk level score. Even though restrictions to freedom of information are clearly defined in accordance with international standards, under the Freedom of Information Act 2000,^[45] the appeal mechanisms in place for denials to access information are not always effective and there are backlogs in dealing with complaints.^[46] The UK's legal framework, under the Public Interest Disclosure Act 1998 and the Contempt of Court Act 1981 protects whistleblowers,

nonetheless, “only in a very small number of cases (7.6%) the wrongdoing or malpractice is acted upon, while the majority of cases (55.3%) no action is taken.”^[47] The 2019 All Party Parliamentary Group report on whistleblowing concluded that “as a result of the excessive complexity and fragmentation of the regulatory framework, there is little public knowledge or understanding of the existing legal protections for whistleblowers” and “that policy and procedure, while looking good on paper, bears no resemblance to actual practice.”^[48] This resulted in the vast majority of whistleblowers reporting that they have faced retaliation.

The indicator **Journalistic profession, standards and protection** scores the highest within the Fundamental Protection area at a high risk score of 69%. To begin with, the system of journalism self-regulation remains split and discredited following the stalling of the process of reform initiated by the Leveson Inquiry 2010-12. Most privately owned, right-leaning national newspapers tend to belong to the Independent Press Standards Organisation (IPSO) which has been widely criticised for a lack of independence from proprietors whilst many local, community and nonprofit media regulated by the Independent Monitor for the Press (IMPRESS) which has been criticised for being too close to some celebrities who fund it. Other significant newspapers such as the Financial Times (FT) and the Guardian now exist outside the press council system entirely. In terms of work security, there are some irregularities in payments with the National Union of Journalists (NUJ) launching a pay campaign in 2023 calling for fair pay across journalism citing the rise of the cost of living.^[49] Freelancers face a tougher work environment with a lack of social security protections. In addition, attacks and threats against journalists are common. A 2021 report by the Home Office and the Department for Digital, Culture, Media & Sport found that over 4 in 5 journalists experienced threats of violence, violence death threats, bullying, sexism and homophobia, with women experiencing a larger proportion of these attacks. Of these cases, just over a quarter of respondents indicated that they had reported the incidents to the police.^[50] In 2022, the UK had some cases of arbitrary arrest of journalists covering the Just Stop Oil protests. The NUJ called the arrests a “threat to press freedom in the UK.”^[51] SLAPP cases are common in the UK, too. However, no legislative action has been taken with regard to an anti-SLAPP law, even though the National Union of Journalists and the Ministry of Justice have called for the introduction of such legislation.^{[52][53]}

With regards to the **Independence and effectiveness of the media authority**, the UK scores a low score of 8%. Media authorities have appointment procedures that guarantee their political and economic independence, with responsibilities clearly defined in the law, transparency with regard to their activities, and effective sanctioning powers. In addition, their authorities generally act in a manner that is independent of political and economic influences, even in terms of budget allocation. There’s room for improvement in the appeal mechanisms, for example, the Digital Economy Act 2017 amended this provision following long-lasting concerns over the inefficiency of the system, with the average length of an appeal being 11 months.

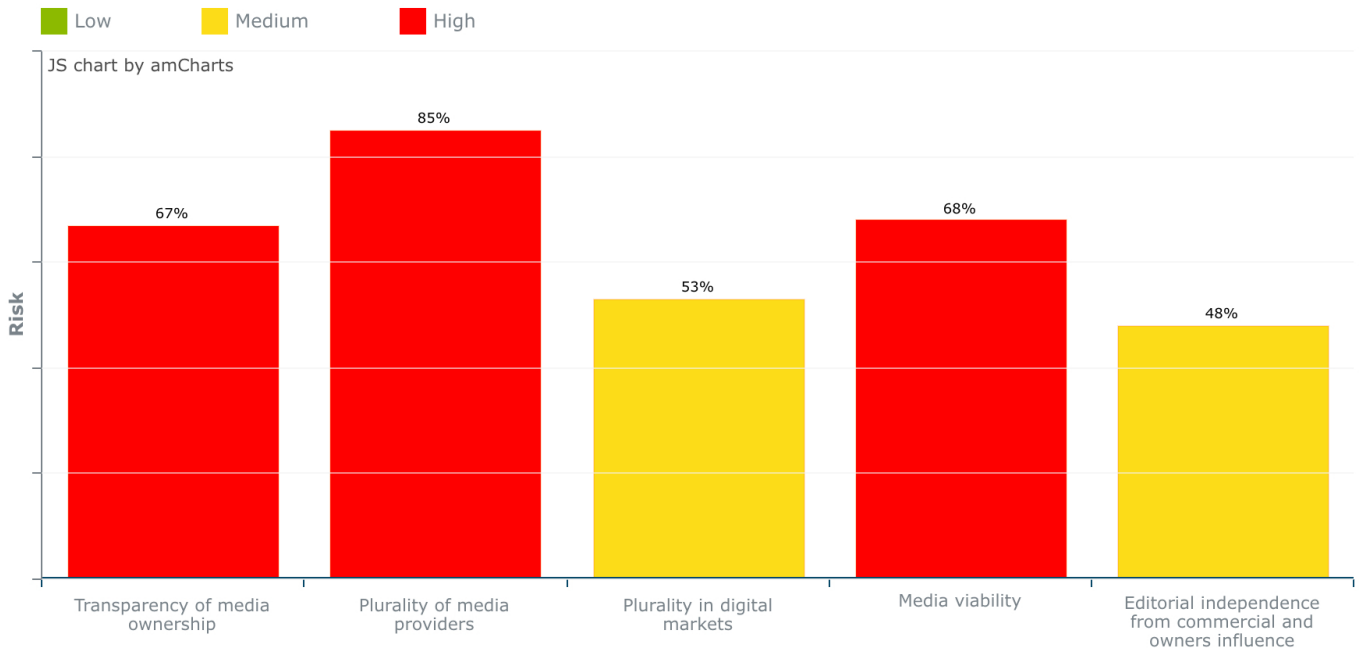
The **Universal reach of traditional media and access to the Internet** is also categorised as a low risk, at 15%. Current broadcasting legislation guarantees the first five channels the public find when they switch on their TVs are Public Service Broadcasting (PSBs), by reserving these slots in electronic programme guides on TV sets, which reflects in 99% of the population covered by signal of all public TV and radio channels.^[54]

Focus on the digital environment

In the **Fundamental Protection** area, the risks related to the digital environment are higher, at a score of 42%, due in part to the high frequency of online attacks and threats to journalists online, the lack of effective legal remedies to address violations of rights, and to the somewhat opaque ways in which platforms filter and remove content. Freedom of expression online is clearly defined in law, however, a number of broad criminal offences in place could be used to stifle online expression. Notably, section 1 of the Malicious Communications Act 1988^[55], and section 127 (1) of the Communications Act 2003.^[56] The extensiveness of these provisions could deter legitimate expression, and thus the Law Commission has proposed that they be “reformed to ensure that they are clear and understandable and provide certainty to online users and law enforcement agencies.”^[57] Even though the UK government refrains from filtering, monitoring and blocking content online in an arbitrary way, there is no data on how platforms generally filter, monitor, or remove online content because the UK lacks a common reporting standard. Incoming legislation under the Online Safety Bill^[58] is likely to strengthen the formal obligations of large internet intermediaries to publish transparency and risk assessment reports. In the same vein, users have no clear route to legal remedies for violation of freedom of expression by platforms. In terms of Digital safety, journalists, especially women journalists, experience frequent attacks. Per the 2021 Home Office and the Department for Digital, Culture, Media & Sport’s Call for Evidence on Journalist Safety, almost three-quarters of respondents who experienced threats and/or abuse had been subjected to threats and/or abuse via a social media platform. Twitter was the most common platform for experiencing threats and/or abuse, followed by Facebook.^[59] The Investigatory Powers Act 2016, removed an exemption in the bill for the security and intelligence agencies when seeking to identify journalists’ sources and it incorporates statutory protections for lawyers. Liberty Human Rights has called it the “most intrusive mass surveillance regime of any democratic country.”^[60] Access to the internet is widespread, with over 97% of the population with access to broadband. Internet access is safeguarded by net neutrality regulatory safeguards, and Internet service providers manage network traffic in a way that is transparent and impartial.^[61]

3.2. Market Plurality (64% - medium risk)

The Market Plurality area considers the economic dimension of media pluralism, assessing the risks deriving from insufficient transparency in media ownership, the concentration of the market in terms of both production and distribution, the sustainability of media content production, and the influence of commercial interests and ownership on editorial content. The actors included in the assessment are media content providers, with indicators including Transparency of media ownership, Plurality of media providers, Media viability, Editorial independence from commercial and ownership influence, and digital intermediaries (with the indicator on Plurality in digital markets).



The area of **Market Plurality** marked the highest score within the MPM for the United Kingdom, at 64%. The UK lacks effective and transparent rules on disclosure of media ownership; there’s a high level of concentration in the production of media content across different sectors; and there’s a lack of sufficient economic resources to finance journalism, with salary cuts and layoffs being common in 2022. In terms of **Transparency of media ownership** (67%), the UK has no specific provisions under the Companies Act 2006 to require the media sector to provide the names of their owners. However, Ofcom has the duty, under the Communications Act 2003, section 391, to carry out regular reviews of media ownership of Channel 3 and Channel 5. Section 235 and 250 also require applicants for TV and radio licences respectively, to provide information about themselves.^[62] Any sanctions for violations of transparency requirements are not stipulated in law but are the responsibility of Ofcom, which can impose sanctions on a licensee for serious, deliberate, repeated and/or reckless breaches of the licence conditions. Ownership information provided to Ofcom as part of its licensing responsibilities is not made routinely available to the public (save the company name and contact details) and organisations applying for a broadcasting licence can indicate whether they consider any information provided to Ofcom to be confidential. Ofcom does not, however, guarantee that it will keep all such information confidential, in that there may be legal contexts in which it could be required to hand over information on the licences, for example, in the context of a freedom of information request. Similarly, the UK legal framework does not contain specific provisions requiring financial reporting obligations for the media sector. Under the Communications Act 2003, sections 235 and 250, applicants for TV and radio licences respectively, must provide information about themselves, their business, and the services they propose to provide as Ofcom determines. Thus, the current requirements, both ownership disclosure and financial reporting, are a side effect of the licences over which Ofcom has jurisdiction.

Plurality of media providers recorded the highest indicator score in the MPM at 85%, meaning that the risk to media pluralism stemming from concentration in the production of media content is significantly detrimental to the UK media environment. In competition law, the Enterprise Act 2002 (section 58)^[63] provides that the Minister may intervene in media mergers if they engage in a matter of public interest. In addition, the National Cross-Media Ownership Rule (Schedule 14 of the Communications Act 2003) prohibits a large newspaper operator with 20% or more of the national market share for print newspapers from holding a Channel 3 licence or a stake in a Channel 3 licensee that is greater than 20%. The holder of a Channel 3 licence is also prohibited from holding an interest of 20% or more in a large national newspaper

operator (i.e. an operator with a national market share of 20% or more).^[64] Ofcom and the Competition and Markets Authority (CMA) can be called by the Secretary of State (SoS) to consider media plurality issues in horizontal media mergers (broadcast and newspapers only) falling within the EA 2002 thresholds - but act in an advisory capacity only in this respect and thus have no power to sanction. Ofcom has concurrent competition powers in the audiovisual sector with the CMA, in relation to certain provisions in the Competition Act 1998 and Enterprise Act 2002. Ofcom can thus enforce the prohibitions on anti-competitive agreements and on abuse of a dominant position in relation to the broadcast and on-demand sectors, where, because of its expertise, it is thought best able to address the questions raised. All three authorities, SoS, Ofcom, and the CMA have been granted, by law, sanctioning and enforcement powers in order to impose proportionate remedies. In practice, however, media concentration is high, with the top four audiovisual media owners having 92% of the market (BT £22.82 bn (40.35%), Sky £14.7 bn (25.99%), Channel 5 £9.82 bn (17.36%), BBC £4.94 bn (8.73%))^[65], the top four radio owners holding 84% of the market (Bauer Radio (38%), Global Radio (29.7%), Independent (11.5%), Nation Broadcasting (5.0%))^[66], and the top four newspaper owners controlling 82% (News Corp UK & Ireland £634m (24%), DMG Media Ltd £604m (23%), Reach Plc £600m (23%), The Financial Times Ltd £320m (12%)).^[67]

In terms of **Plurality in the digital market**, this indicator presented a lower risk of 53%. This can be understood due to the recent creation of the Digital Market Unit by the Competition Authority. There is, however, room for improvement in terms of regulating the digital advertising market and online platforms. The top four players in online advertising control 80% of the market^[68]. In addition, the UK does not have any formal agreement in place between platforms and publishers to compensate publishers for the use of their content, even though this has been recommended by regulators. Finally, on a positive note, in 2020, the UK introduced a Digital Services Tax of 2% on the revenue of search engines, social media platforms, and online marketplaces.

Media viability has scored at a high risk of 68%. Revenue trends in 2022 for the audiovisual and the ratio sector have remained stationary, barely catching up to pre-pandemic levels. Revenues in the print newspapers and magazine market continue to report annual declines of 10-20%.^[69] According to the Ofcom Communications Market Report for 2022, advertising revenue increased slightly from £729m in 2021, to £736m in 2021, but that reflected a cyclical increase due to the Covid pandemic, against a consistent long-term trend of decline over the previous decade.^[70] In contrast, digital publishers revenue in the UK increased from 613.2 million GBP in 2021 to 636.8 million GBP in 2022.^[71] Even with this not-so-healthy media market, newsrooms are not innovating at rapid speed. Only a limited number of innovation initiatives exist. Two notable examples are Bublrr and Axante. The former matches newsreaders with small and medium-sized local businesses that want to fund local news, disrupting how users, publishers, and businesses exchange value and currency digitally. The latter is a system that facilitates digital payments for casual news readers. For publishers, it is a way to improve the payment funnel and reader reach. Over the past year, there have been several cases of media organisations in the UK carrying out layoffs as part of cost-cutting initiatives. This is the case for traditional private media companies such as the publisher Reach,^[72] public service providers such as the BBC^[73], and online news services.^[74] It is no surprise then that the economic conditions of freelance journalists in the UK have worsened, as the revenue squeeze on news providers coincides with inflation, a cost of living crisis, and no mitigating policy initiatives. According to the National Union of Journalists in 2023, freelance rates have continued to decline in real terms. One publication paid 10p per word in 1990. This rose to 12p in 2000 and has remained at that level.^[75] The number of journalists in the UK has decreased over the past year. Per the National Council for the Training of Journalists (NCTJ), 101,500 people worked as journalists in 2022. This is a decline of 6,500 since 2021 when the same organisation reported that 108,000 people were working as journalists in the UK.^[76] It is important to note that these

figures are estimates and may fall within the margin for error, and the previous year's estimate had reported a similar level increase. However, given other data on layoffs and revenue squeeze, it is likely that there is an ongoing trend of decrease in the number of professional journalists in the UK. There are several initiatives in place to support the news media sector. For example, the UK provides support for radio. The Community Radio Fund supports the core costs of running Ofcom-licensed community radio stations. In 2022, the Department for Digital, Culture, Media and Sport (DCMS) provided a total of £251,421 for applicants. The BBC supports local reporters through the Local Democracy Reporting Service. As of today, 165 journalists across organisations in England, Scotland, Wales, and Northern Ireland are funded by the BBC.^[77] These organisations range from television and radio stations to online media companies and established regional newspaper groups.^[78]

The **Editorial independence from commercial and owners influence** is the lowest risk within this area at a medium risk of 48%. There are no media-specific provisions granting protection to journalists in case of changes of ownership or editorial line. However, the general employment law^[79] rules that protect employees (including part-time and fixed-term employees but not freelancers) from unfair or constructive dismissal are relevant in this field, though their practical effectiveness is questionable in this context. Employees who have completed two years of service have the right to ask for a written statement from their employer giving the reasons why they have been dismissed. The employer would have to show that the journalist was redundant, unable to perform their job because of a lack of capability, or some other 'substantial reason' to justify the dismissal, which could present a challenge for the media organisation, depending on the contractual terms, if the journalist remained willing to work under the new direction. Self-regulatory authorities in the media sector, including IPSO, and Impress, as well as Ofcom, and the BBC have measures stipulating the obligation of journalists and media outlets not to be influenced by commercial interests. However, no such measure exists stipulating that the exercise of the journalistic profession is incompatible with activities in the field of advertising. With regard to disclosure of actual or potential conflicts of interest, the Impress Standards Code has a Clause stating that "publishers must take all reasonable steps to identify a significant conflict of interest."^[80] The IPSO code to which most national newspapers belong in terms of circulation, has no such rule. Advertorials in the UK are prohibited by The Consumer Protection from Unfair Trading Regulations 2008,^[81] Part 5, Schedule 1, which implements the Unfair Commercial Practices Directive in the UK. There are cases in which media owners attempt to influence editorial content. The print press is especially vulnerable to such influence. In February 2022, the then culture secretary, Nadine Dorries, removed restrictions interfering in the editorial independence of the Times and the Sunday Times, both publishers owned by Rupert Murdoch.^[82] Ofcom submitted advice to the Secretary of State in which it warned that doing so would "create greater proprietary influence over the titles, which could affect the free expression of opinion and accuracy of news."^[83]

Focus on the digital environment

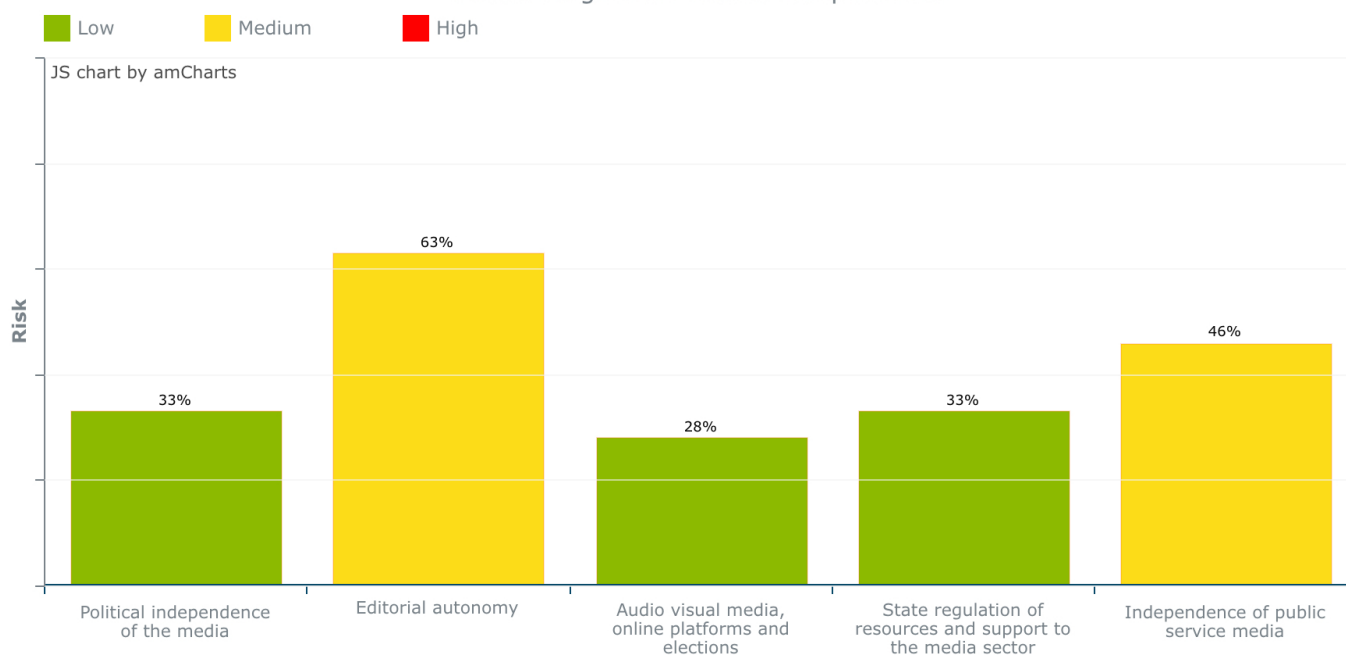
In the **Market Plurality** area, the risks related to the digital media sector are almost equal, at a score of 63%. However, these results come from opposite trends than the overall score, meaning a lower risk for digital media viability, and a higher risk in transparency. Digital media companies do not have any specific ownership transparency or financial reporting obligations. Information on public limited companies may be accessed through the Companies House. There are no regulatory safeguards in place to guarantee a plurality of media providers in the digital environment. The cross-ownership rules do not prevent concentration in digital media or platform markets, nor do they apply to concentrations

resulting from endogenous growth rather than mergers. This results in the top four online media in the UK holding 86% of the market (BBC News Online (43%), Guardian Online (18%), Sky News Online (13%), MailOnline (12%)).^[84] The specific indicator to assess plurality in digital markets scored a lower risk level at 53% (medium). The Competition and Markets Authority has created a Digital Markets Unit that works closely with Ofcom on issues relating to competition rules and the digital evolution of the media sector. However, the Digital Markets, Competition and Consumers Bill is currently being debated in Parliament, and thus whilst the UK government has acknowledged that new legislation is necessary, it has yet to be implemented. In terms of the advertising market, the Competition and Markets Authority is in charge of overseeing the sector. However, in its 2020 "Online platforms and digital advertising market study", the CMA concluded that "the concerns we have identified in these markets are so wide-ranging and self-reinforcing that our existing powers are not sufficient to address them". This has resulted in a high concentration of the online advertising sector, with the top four players controlling 80% of the market.^[85] Therefore, the CMA recommended that "the government establish a pro-competition regulatory regime for online platforms. A Digital Markets Unit (DMU) would be empowered to enforce a code of conduct to govern the behaviour of platforms with market power, ensuring concerns can be dealt with swiftly, before irrevocable harm to competition can occur. The DMU should also have powers to tackle sources of market power and increase competition, including powers to increase interoperability and provide access to data, to increase consumer choice, and to order the breakup of platforms where necessary."^[86] Even though the Directive (EU) 2019/790 of the European Parliament and of the Council of 17 April 2019 on copyright and related rights in the Digital Single Market has been adopted in the UK, there is no agreement between platforms and publishers to compensate publishers for the use of content. In fact, in 2021, Ofcom and the CMA published a report with recommendations for an "enforceable code of conduct" where the Digital Markets Unit would set requirements for securing fair compensation for content.^[87] Finally, in April 2020 HM Revenue & Customs (HMRC) introduced the Digital Services Tax, a 2% tax on the revenues of search engines, social media platforms, and online marketplaces that derive value from UK users. Groups are liable to pay DST if their worldwide revenues from in-scope activities are more than £500 million and more than £25 million are derived from UK users. A group's first £25 million of UK revenues are exempt from DST.^[88] Digital media viability seems to be on the right track if we look at revenues. Between 2021 and 2022, digital publishers' revenue in the UK increased from 613.2 million GBP to 636.8 million GBP.^[89] However, there are a limited number of initiatives within traditional news media organisations aiming at developing alternative sources of revenue, and only a limited number of public support schemes for the media sector cover online news.

3.3. Political Independence (41% - medium risk)

The Political Independence indicators assess the existence and effectiveness of regulatory and self-regulatory safeguards against political bias and political influences over news production, distribution and access. More specifically, the area seeks to evaluate the influence of the State and, more generally, of political power over the functioning of the media market and the independence of the public service media. Furthermore, the area is concerned with the existence and effectiveness of (self)regulation in ensuring editorial independence and the availability of plural political information and viewpoints, in particular during electoral periods.

United Kingdom: Political Independence



In the **Political Independence** area, the United Kingdom is at medium risk, with a score of 41%. The **Political independence of the media** indicator falls just below the threshold for a medium risk, at 33%, meaning a low risk. The UK has some regulatory safeguards to prevent conflict of interest between owners of media and ruling parties, partisan groups or politicians. For instance, Schedule 2, Part II, Article 1(c)-(h) of the Broadcasting Act 1990^[90] prohibits local authorities and bodies whose objects are wholly or mainly of a political nature, together with individuals who are officers of such a body or an affiliated body, from holding a broadcasting licence. However, these safeguards do not extend to print media. There is no general conflict of interest law in the UK. However, under the terms of the Ministerial Code, Chapter 7, Ministers must ensure that no conflict arises, or could reasonably be perceived to arise, between their Ministerial position and their private interests, financial or otherwise. Transparency requirements extend more generally to Members of Parliament (Commons and Lords).^[91] There are some occasional cases of indirect political control over the audiovisual media. In 2021, two new broadcast news channels were introduced: News UK TV, owned by Rupert Murdoch and GB News, owned by a Dubai-based investment group, among other private investors. Per the Who Owns the Media Report, “the launch of both channels threatens the already perilous balance of political opinion in UK media.”^[92] There are concerns that Murdoch will try to push a partisan lens on news coverage, a successful model in the USA through Fox News, for example. “GB News and News UK TV will push against the boundaries of Ofcom's impartiality code, and adopt a more opinionated brand of journalism than television news channels have typically pursued in the UK.”^[93] Even with very low audiences, there have been a large number of complaints relating to the opinionated positioning and lack of balance of GB News. Despite UK broadcasting law that requires broadcasters to be impartial “in matters of political and industrial controversy” the broadcaster, which employs leading conservative parliamentarians such as Jacob Rees-Mogg as hosts, is generally referred to as a ‘right-wing TV channel’. The Ofcom response has been cautious, and at the time of writing no impartiality complaint had been upheld against GB News. At the time of writing, Ofcom was considering several impartiality investigations into GB News, and had found that GB News had breached impartiality rules.^[94] On the other hand, radio stations are not politically controlled. The prohibition on political ownership of broadcasting licences under the 1990 Broadcasting Act also applies to radio. These rules do not apply, however, to online-only radio services so, here too, there is scope for the development of politically owned or controlled radio stations in the future. Lastly, in the case of newspapers, the most significant concern relates to national titles under powerful media ownership, such as Rupert Murdoch, who has used their papers to support specific

political leaders or policies. There are no formal prohibitions on politicians owning interests in press agencies but the commercial interests of such organisations, as providers of content to a wide range of politically diverse outlets, should temper more extreme forms of political bias. Both of the two main UK press agencies, PA Media and Reuters, emphasise their reliability and lack of bias and Reuters has a set of distinct Trust Principles^[95] built into its corporate structure that are intended to underpin such a commitment. Additionally, none of them are dependent on political grouping in terms of ownership, affiliation of key personnel or editorial policy.

Editorial autonomy, on the other hand, is at a higher risk at 63% (medium risk). Newspapers do not have any regulatory safeguards to guarantee autonomy in appointing and dismissing editors-in-chief. Each news agency decides its own appointment process and thus not all are able to guarantee autonomy in the appointment and dismissal process. As such, there are cases of interference, such as the case of Tony Gallagher, appointed editor-in-chief of the Times in September 2022. Gallagher was in charge of the paper "when it removed an embarrassing story about the prime minister and his wife"^[96]. This is concerning given his proximity with the then prime minister, they were former colleagues at the Telegraph and Gallagher had "previously been spotted out jogging with Boris Johnson."^[97] Additionally, in 2022, the then Culture Secretary, Nadine Dorries "removed all legal barriers on Rupert Murdoch interfering in the editorial independence of the Times and the Sunday Times" by removing restrictions that had been in place since 1981.^[98] The undertakings meant the Times papers had to appoint six independent directors [to the board] under whose supervision they were required to remain editorially separate and independent."^[99] Moreover, the restrictions required both publications to have separate editorial teams, however, the decision cleared the path forward for the merger of the newspapers and led to the resignations of 17 company directors. These developments clearly indicate an increased level of risk as the independent directors, whose role was to monitor independence have now been discontinued. Self-regulatory measures that stipulate editorial independence from political interference are not present across the news media sector. In the context of the printed press - neither the IPSO nor IMPRESS code of conduct provides for editorial independence. For radio and television, the Ofcom broadcasting code, established with statutory authority, which applies to television and radio broadcasters, includes rule 5.1, requiring that "News, in whatever form, must be reported with due accuracy and presented with due impartiality."^[100] Rule 5.3 states that "No politician may be used as a newsreader, interviewer or reporter in any news programmes unless, exceptionally, it is editorially justified. In that case, the political allegiance of that person must be made clear to the audience." Finally, 5.4 also restricts the expression by the provider of the service of their own opinions on matters of political and industrial controversy or relating to current public policy.

The indicator **Audiovisual media, online platforms, and elections** scored a low risk of 28%. This is due in part to the fact that the Broadcasting Code, under Section 5, provides accuracy and impartial requirements for all broadcasters, including public service media. Pursuant to the Communications Act 2003, Ofcom has the power to impose sanctions on broadcasters liable for seriously, deliberately, repeatedly or recklessly breaching such provisions. In addition, there is comprehensive and effective implementation of regulation pertaining to access to airtime on public service media channels and services, as well as private channels, for political actors during election campaigns, under Section 333 of the Communications Act 2003.^[101] The representation of political actors and political viewpoints in public service media is not consistently fair and impartial. A 2020-2021 Ofcom report in non-election years found that "although more than half of viewers of BBC TV news rate it highly for impartiality, the proportion rating it highly is lower than for other channels. For example, 63% of viewers of ITV news scored it highly for delivering impartial news compared to 55% of viewers of BBC TV news."^[102] In the 2019 general election campaign, the BBC came under scrutiny for having "chastised a sitting prime minister for not making himself available for a pre-election interview." In

doing so, the “broadcaster opened itself up to accusations of partiality.”^[103] The UK prohibits paid political advertising on broadcast media (Communications Act 2003, section 321(2))^[104] and this ban was upheld by the European Court of Human Rights in the Animal Defenders International v UK case.^[105]

The indicator **State regulation of resources and support to the media sector** also scored low risk, with 33%. The legislation provides fair and transparent rules on spectrum allocation under the Communications Act 2003^[106] and the Wireless Telegraphy Act 2006.^[107] Ofcom is responsible for the implementation of such regulation and is generally scrupulous in terms of transparency and fairness in sensitive matters of allocation for broadcasting and applies rigorous and independent economic and technical analysis to telecommunications access. In terms of distribution of direct and indirect subsidies to media outlets, the government does not provide any subsidies to media outlets that operate on a national level, only funding to local television and community radio stations. Indirect subsidies in the form of VAT exemptions for newspapers and online news media are applied according to HM Revenue and Customs VAT notices.^{[108][109]} With regards to state advertising, the current guidelines^[110] are concerned with prioritisation and value for money but the guidance is not fully transparent and prioritisation and approval is conducted by the Cabinet Office Minister. As a result, the potential for opaque discrimination among the media is evident. The government is reasonably transparent on overall spending but not on breakdown by beneficiary outlet. Public debate tends to focus on the misuse of government funds to promote policies or parties rather than on the potential for manipulation of news through subsidies for media outlets.^[111]

The indicator **Independence of public service media** is at a medium risk of 46%. Some of the concerns are that the laws governing PSM do not guarantee full independence of the BBC from the government because they do not set out sufficient safeguards in terms of senior appointments and funding negotiations. As such, there have been cases of political interference in the appointments and dismissals. For example, in 2021, the government blocked the appointment of Channel 4 board members that had been approved by the independent regulator.^[112] In 2021, news surfaced that a “BBC board member with close ties to Downing Street stalled a senior editorial appointment on political grounds.”^[113] And in 2023, the Chairman of the BBC, Richard Sharp was forced to resign following criticism of his closeness to the then prime minister Boris Johnson. Funding for PSM has been adequate and transparent in the Secretary of State’s funding settlement. However, there are no regulatory safeguards to ensure that funds do not exceed what is necessary to provide the public service. When determining a funding settlement, the Secretary of State must: (a) assess the level of funding required for effective fulfilment of the Mission and promotion of the Public Purposes; (b) consider an assessment of the BBC’s commercial income and activities; and, (c) consult the BBC.

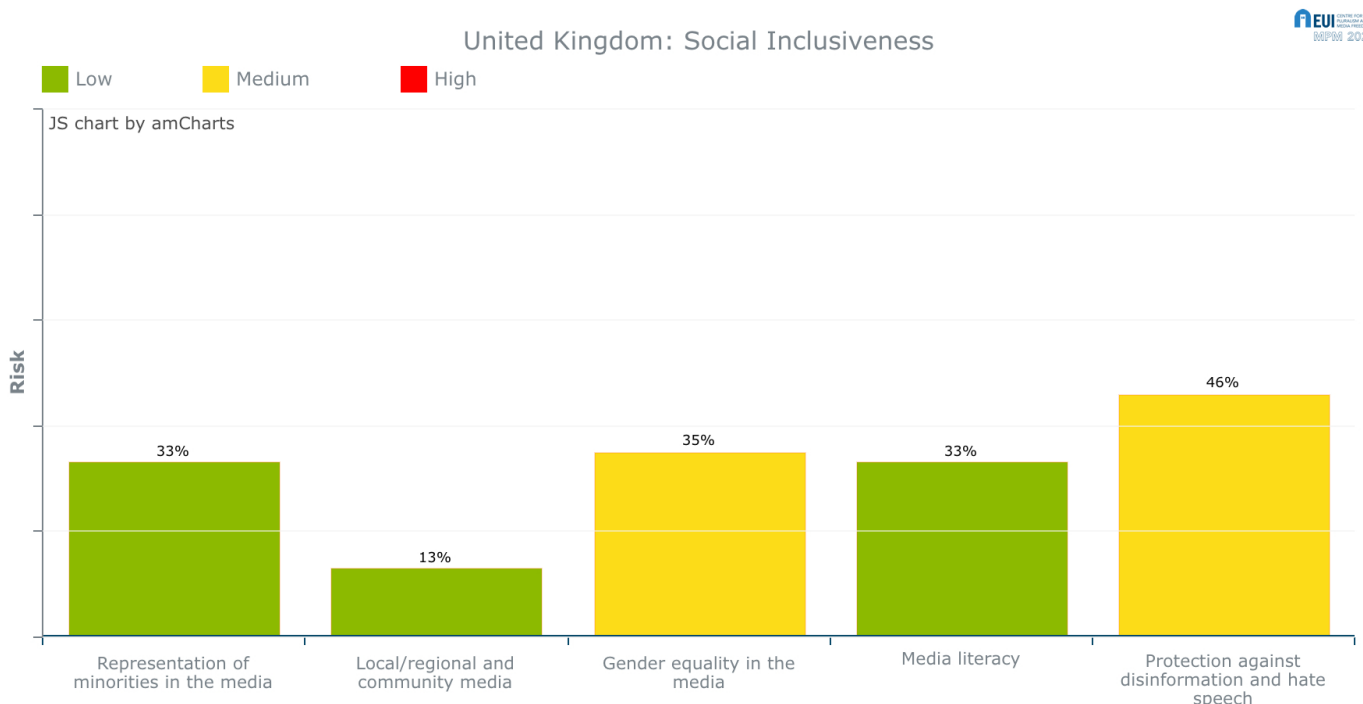
Focus on the digital environment

In terms of **Political Independence** in the digital environment, the lack of media ownership transparency requirements make it difficult to assess if digital media outlets are owned by political parties or organisations. Nor are there any laws that cover electoral campaign advertising online. The Electoral Commission published a series of recommendations to the UK government and social media companies to increase transparency of digital campaigns.^[114] Currently, the Electoral Commission is working with the UK, Scottish and Welsh governments to regulate digital campaigning. On the other hand, reporting requirements apply to advertising of any kind, including websites or YouTube videos. Relevant rules are set out in the Political Parties, Elections and

Referendums Act 2000 (PPERA) Schedule 8.1(2)^[115] and the Electoral Commission is responsible for monitoring their applications. However, there is a lack of transparency on spending and on techniques used in political advertising. A report conducted by the International Institute for Democracy and Electoral Assistance (IDEA) in 2022 "identified several categories that contained very few suppliers. This was occasionally true even when the levels of spending were significant; for example, GBP 1.86 million was spent on online advertising between only eight suppliers. The research team also found that many services they had expected to see were either not reported in invoices, or featured only sparingly, specifically in relation to digital and data services."^[116] In regards to the use of personal data on individuals by political parties for electoral campaign purposes, the Information Commissioner Office (ICO) published a Guidance for the use of personal data in political campaigning that "provides clarity and practical advice to help those processing personal data in political campaigning to comply with the UK General Data Protection Regulation (UK GDPR), the Data Protection Act 2018 (DPA) and the Privacy and Electronic Communications Regulations 2003 (PECR)."^[117] Finally, the UK legal framework provides adequate funding to cover the costs of online public service media in order to guarantee the independence of public service media. Section 8 of the 2016 broadcasting agreement^[118] obliges the BBC to carry out a Public Interest Test if they are changing existing or developing new services to ensure that this fits within the mission of the BBC and that the public value of the proposed change justifies any adverse impact on fair and effective competition.

3.4. Social Inclusiveness (32% - low risk)

The Social Inclusiveness area focuses on the access to media by specific groups in society: minorities, local and regional communities, women and people with disabilities. It also examines the country's media literacy environment, including the digital skills of the overall population. Finally, it also includes new challenges arising from the uses of digital technologies, which are linked to the Protection against disinformation and hate speech.



The MPM shows that the lowest risk to media pluralism in the United Kingdom comes from the **Social Inclusiveness** area which scored at 32%, which is within the low risk band. The **Representation of minorities in the media indicator** barely fell within the low risk category at 33%. The UK government recognises the Scottish, Welsh, Irish, and Cornish peoples as national minorities under the Council of Europe's Framework Convention for the Protection of National Minorities, which the UK signed in 1995 and ratified in 1998. Section 264.6.b of the Communications Act 2003 provides: "A manner of fulfilling the purposes of public service television broadcasting in the United Kingdom is compatible with this subsection if it ensures ... that cultural activity in the United Kingdom, and its diversity, are reflected, supported and stimulated by the representation in those services (taken together) of drama, comedy and music, by the inclusion of feature films in those services and by the treatment of other visual and performing arts."^[119] Even though national news in minority languages are available, the UK only has two minority language PSBs and "concerns have been raised about discoverability of minority language content."^[120] Other minorities which are not legally recognised have adequate access to airtime but there is "variability in levels of diversity across programme type and off-peak / peak viewing times (overall diversity is lower at peak times); a significant under-representation of older people across all categories; a significant under-representation of disabled people and transgender people across all programme types; variability within-group (e.g. a significant lack of South Asian representation within the black and ethnic minority category; the dominance of gay men within the LGBTQ category)."^[121] In terms of access to private audio-visual media and radio, most minorities not legally recognised have access to airtime, in comparison to national population percentages. There is room for improvement for communities of ethnic origin BAME, disabled, and those older than 50 years old. According to the industry-wide data collection system, DIAMOND, between 1 August 2020—31 July 2021, appearances on screen for the following protected characteristics were as follows (national population for comparison): transgender 0.7% (0.8%); ethnic origin BAME 20.9% (12.8%); 50 and over 25.4% (36%); sexual orientation LGB 14.2% (6.4%); disabled 8.3% (18%).^[122] Even though policies on access to media content by people with disabilities are well implemented by Ofcom. Per the Access services report for the first six months of 2022, all channels are on course to meet or exceed their full-year 2022 quotas for subtitles, signing, and sound descriptions.^[123] However, quotas for signing and audio description are lower than for subtitling, and there might be room for improvement in those categories.

Local and community media in the United Kingdom have been properly protected and face low risk, with an MPM score of 13%. The legal framework grants regional access to both TV and radio infrastructures. Ofcom is empowered by section 286 of the Communications Act 2003 to require that regional channels such as the Channel 3 and 5 licensees include a certain proportion of regional productions in their schedules. The BBC is under an obligation to serve the UK nations and regions (article 6 of the 2016 Charter), providing television and radio services for Wales, Northern Ireland, and Scotland and funds S4C and BBC Alba. The UK provides three public service multiplexes for distribution, thereby facilitating this regional coverage and a multiplex for local television multiplex. However, the Digital, Culture, Media and Sport Committee released a report in January 2023 on the Sustainability of local journalism and concluded that current forms of support are not enough to stop the decline of local journalism.^[124] In terms of community media, the government provides some support for local media, such as the Community Radio Fund. The law guarantees the independence of community radio through the provisions in the Community Radio Order 2004,^[125] and this independence is safeguarded in practice through Ofcom's role in allocating the fund. In fact, Cardiff University's Independent Community News Network (ICNN) reported in 2020 that "independent community and hyperlocal news outlets are fulfilling the traditional role of the fourth estate in local civic society, complementing the diverse range of news provision available."^[126]

Gender equality in the media is scored as medium risk at 35%. Even though the public service media must follow Ofcom's Guidance for broadcasters on equity, diversity, and inclusion^[127] and must follow on-screen diversity targets,^[128] the share of women on PSM management boards has not reached parity and is at an average of 41% across the BBC board, the Channel 4 board, and the ITV board. The figure for women among editors-in-chief in the leading news media in the country is even lower, at 36%, this reflects an increase from 27% in 2021.^[129] Lastly, male experts are more often invited by the media to comment on political and other relevant matters and events than female experts. Per the Gender News Gap 2021 report published by Women in Journalism, female spokespeople are outnumbered "5-1 as expert commentators in the media." Additionally, "65% of UK broadcast journalists complain that their organisation features more male experts than female experts."^[130]

Media literacy presents low risk in the UK with a score of 33%. The Communications Act 2003 (section 11) has tasked the independent regulator Ofcom with the responsibility to promote and carry out research into media literacy. Within this mandate, Ofcom releases annual reports on the state of media literacy amongst adults and children in the UK. Per a 2021 study for the Department for Digital, Culture, Media and Sport, the UK "has a level of media literacy above average for Europe," however, "the UK population has gaps in its media literacy levels"^[131] The All-Party Parliamentary Group on Media Literacy Report 2021/22 found that currently, the programmes of study for Citizenship, History, and English across all key stages do not explicitly refer to digital media or media literacy skills such as identifying misinformation, disinformation, and malinformation. Ten percent of schools do not teach their pupils media literacy at all and less than 50% of teachers think their pupils are media literate.^[132] On the positive side, Ofcom has focused on media literacy policy in non-formal education and carries out pilot programs and campaigns to promote online media literacy, including working with vulnerable users.^[133]

Focus on the digital environment

Social Inclusiveness in the digital environment registered a lower risk with a score of 25%. In terms of media literacy, 81% of the UK adult population have the foundation level of the Essential Digital Skills Framework and can complete the seven basic digital tasks by themselves.^[134] However, the indicator on Protection against disinformation and hate speech was not as positive, with a medium risk of 46%. Overall, the trust in news in the UK is low at 34%.^[135] And even though there are a number of independent and well-funded fact-checking initiatives in the UK, the government's approach to disinformation has lacked a legal basis, lacked transparency and was not based on a clearly defined definition of disinformation. Chapter 7 of the Online Safety Bill (OSB)^[136] asks Ofcom to create a committee on disinformation and misinformation to guide providers of regulated services about how they should deal with disinformation and misinformation on such services. Ofcom has also been tasked, under Chapter 8, with raising awareness about the nature and impact of disinformation. The OSB is currently in consideration of amendments in Parliament. There is also room for improvement to further protect against hate speech. Existing criminal offences can cover abusive online content such as death threats or harassment. For example, offences which address Violence Against Women and Girls can be applied to online behaviour. However, a report by the House of Commons on Tackling Online Abuse 2021-22 found that "offences relating to online abuse remain inadequate and underenforced."^[137] In addition, under the Online Safety Bill^[138], user-to-user services will have a duty to carry out a risk assessment of illegal content and must prevent individuals from encountering priority illegal content by means of the service, and effectively mitigate and manage the risks of harm to

individuals, as identified in the most recent illegal content risk assessment of the service, without mentioning hate speech directly.

4. Conclusions

The year 2022 was a challenging one for the UK, both economically and politically. The UK economy experienced a 41-year inflation high while going through three prime ministers in the span of four months. The UK media market continues its transition from print and online newspapers to consuming news through social media. The MPM found a mixed picture and some specific areas of concern. As in other countries, the digital transition has created new risks but also offers some potential to resolve them. The crisis of journalism sustainability undermines existing institutions and professional standards, and intensifies processes of market concentration, but lowers the barriers to entry for alternative voices, offering opportunities for new forms of pluralism. The transition at the same time challenges settled social institutions and therefore wider societal awareness and trust but there are also new entrepreneurs for repairing standards and trust, such as fact-checkers and citizen media. In short, legacy media in the United Kingdom face an uphill struggle to meet their social responsibilities, and digital media are yet to find an effective model, themselves facing challenges of concentration and standards.

In the **Fundamental Protection area**, the UK scored in the medium risk band (37%). The basic protections of freedom of expression, independence and effectiveness of the media authority and universal reach of traditional media, and access to the internet are all met and do not present a risk to the UK media environment. However, there is significant room for improvement in the **Protection of right to information**. Appeal mechanisms for denials to access information are not always effective. In addition, there is little public knowledge and understanding of existing legal protections for whistleblowers, which results in the vast majority of cases facing retaliation. More worrisome yet is the indicator **Journalistic profession, standards and protection** which scores the highest within the Fundamental Protection area at a high risk score of 69%. This is due to the fact that the system of journalism self-regulation remains split and discredited. Additionally, in terms of work security, journalists are being affected by the rise in the cost of living and freelancers face a tougher work environment with a lack of social protections. The majority of journalists report experiencing threats of violence, death threats, bullying, sexism, and homophobia, with women experiencing a larger proportion of these attacks. Moreover, even though the National Union of Journalists and the Ministry of Justice have called for the introduction of anti-SLAPP law, the UK has not taken legislative action.

Recommendations:

- To the State: to introduce anti-SLAPP legislation; to expedite appeal mechanisms to access information; to conduct a public awareness campaign on the existing legal protections for whistleblowers and to ensure that whistleblowers are protected and do not face retaliations; to provide social security protections for freelance journalists; to provide support for journalists that experience threats, raise awareness about reporting incidents to the police, and investigate such cases;
- to media companies: ensure that journalists are paid on time and do not experience irregularities in payments;

- to the journalistic associations: to build an effective system of self-regulation that wins public trust and engages new business models.

In the **Market Plurality** area, the UK presents a medium score, close to the border of a high risk (64%). As described in the report, the major threats in this indicator are transparency of media ownership (67%), plurality of media providers (85%), and media viability (68%). The other two sectors, plurality in digital markets and editorial independence from commercial and ownership influence are also cause of concern, but to a lesser extent with a medium risk score of 53% and 48% respectively. In terms of **Transparency of media ownership**, the UK has no specific provisions to require the media sector to provide names of their owners, nor does the legal framework contain specific provisions requiring financial reporting obligations for the media sector. The risk to media pluralism stemming from concentration in the production of media content is highly detrimental to the UK media environment, and this was reflected in the **Plurality of media providers** indicator. Even though there's a legal framework with the presence of the Competition and Markets Authority, the Secretary of State, and Ofcom, in practice media concentration among audiovisual owners, and online media is high. Finally, traditional **Media viability** seems to be a high risk, with the number of journalists in the UK decreasing over the past year driven by layoffs and cost-cutting initiatives.

Recommendations:

- To the State: introduce specific provisions to require the media sector to provide names of their owners; introduce specific provisions to require financial reporting obligations for the media sector; continue to provide support for local and community media initiatives;
- to Parliament: introduce a pro-competition regulatory regime for online platforms;
- to the competent authorities: to cooperate and apply a new pro-competition regulatory framework for online platforms;
- to the State, the media authority, the industry, and the digital platforms: to introduce an agreement between platforms and publishers to compensate publishers for the use of content.

The **Political Independence** area scores 41%, which is in the medium risk band. There are concerns regarding **Editorial autonomy** and **Independence of public service media**. In terms of the former, journalistic associations have not introduced regulatory safeguards to guarantee autonomy in appointing and dismissals of editors-in-chief nor are there self-regulatory measures in place that stipulate editorial independence from political interference. With regard to the latter indicator, laws governing public service media do not set out sufficient safeguards in terms of senior appointments and funding negotiations. As such, there have been cases of political interference in the appointments and dismissals. While the other three indicators are at a lower risk to the UK media environment, still they present some matters of concern. First, in terms of **Political independence of the media**, there is no general conflict of interest law in the UK; in addition, there are occasional cases of indirect political control over the audiovisual media and there is scope for the development of politically owned or controlled online radio stations in the future given that current rules do not extend to online radio. For **Audiovisual media, online platforms, and elections**, the Broadcasting Code provides accuracy and impartial requirements for all broadcasters. However, the representation of political viewpoints in public service media is not always consistent and fair. Additionally, the UK government could increase transparency requirements for digital campaign spending. Finally, in terms of **State regulation of resources and support to the media sector**, the legislative framework provides fair and transparent rules on spectrum allocation, but there is room for improvement in terms of the

subsidies that the government provides to media outlets that operate at the national level.

Recommendations:

- To the State: introduce a general conflict of interest law; ensure that laws that govern public service media have sufficient safeguards in place to ensure political independence of senior appointments and funding negotiations; increase transparency requirements for digital campaign spending; introduce independently administered subsidies to media outlets that operate on a national level;
- to Parliament: extend the prohibition of political ownership to online radio services;
- to social media companies: increase transparency requirements for digital electoral campaign spending;
- to journalistic associations: introduce self-regulatory safeguards to guarantee autonomy in appointing and dismissals of editors-in-chief; introduce self-regulatory safeguards to stipulate editorial independence from political interference.

Social Inclusiveness scores at low risk, at 32%, making it the lowest risk to media pluralism in the UK. The areas that raise a moderate level of concern are **Gender equality in the media** and **Protection against disinformation and hate speech**. For the former, the share of women on public service media boards has yet to reach parity (41%), while the figure for women among editors-in-chief in the leading news media is even lower, at 36%. Women are also under-represented in terms of expert voices invited to comment on political and other relevant matters. In terms of the latter indicator, the UK government's approach to disinformation has lacked a legal basis, lacked transparency, and does not include a clear definition of disinformation. In addition, a recent House of Commons report found that offences relating to online abuse remain inadequate and under-enforced. The indicators of lower concern are the **Representation of minorities in the media**, even though national news in minority languages is available, the UK only has two minority language public service broadcasts and concerns have been raised about their discoverability; **Local and community media** in the UK have been protected, however, current forms of support will not be enough to stop the decline of local journalism; and **Media literacy** which is above average for European populations, but still has room for growth given the fact that it is only present to a limited extent on educational curriculums, and the programmes do not explicitly refer to digital media skills.

Recommendations:

- To the State: introduce a legal framework that protects against and defines intentional and malicious disinformation and legislate to protect against hate speech; increase support for local journalism; extend media literacy programmes to include digital media literacy skills;
- to regulatory authorities, PSM, and private media: promote gender equality in the governance of media companies, in top positions in the newsrooms, and among expert voices;
- to regulatory authorities and PSM: improve the level and equity of provision for minority languages.

5. Notes

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ANNEX I. COUNTRY TEAM

First name	Last name	Position	Institution	MPM2023 CT Leader
<i>Damian</i>	<i>Tambini</i>	<i>Distinguished Policy Fellow</i>	<i>LSE</i>	X
<i>Julia</i>	<i>Madrazo</i>	<i>Policy Researcher</i>		

ANNEX II. GROUP OF EXPERTS

The Group of Experts is composed of specialists with a substantial knowledge and experience in the field of media. The role of the Group of Experts was to review especially sensitive/subjective evaluations drafted by the Country Team in order to maximize the objectivity of the replies given, ensuring the accuracy of the final results.

First name	Last name	Position	Institution
<i>Maria</i>	<i>Michalis</i>	<i>Trustee</i>	<i>Voice of the Listener and Viewer</i>
<i>Matt</i>	<i>Rogerson</i>	<i>Director of Public Policy</i>	<i>The Guardian</i>
<i>Magnus</i>	<i>Brooke</i>	<i>Group Director of Strategy, Policy & Regulation</i>	<i>ITV</i>
<i>Lexie</i>	<i>Kirkconnell-Kawana</i>	<i>Chief Executive</i>	<i>Impress</i>
<i>Helen</i>	<i>Charles</i>		

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