

CONFIDENTIAL

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5 August 2022

BY EMAIL:[LGBA]

Dear [LGBA],

Ofcom research report – *Drivers of perceptions of due impartiality: The BBC and the wider news landscape*, 22 June 2022 (“the Research Report”)

As promised I am writing to you ahead of our meeting on 10 August 2022.

You have cited a recent [Spectator Article](#) which discusses the Research Report, published on 22 June 2022, [Drivers of perceptions of due impartiality: The BBC and the wider news landscape](#) . Specifically, in relation to the Research Report, you have expressed concern “not only about the impartiality of the BBC, but more importantly, the impartiality of Ofcom”. We do not agree with your view. Ofcom is an independent regulator and we consider that we have carried out our statutory duties according to all relevant principles that represent best regulatory practice

We thought it would be helpful ahead of our meeting if we clarified and corrected the various points made in the article. The article argued that: the Research Report “gives a strikingly one-sided view of the sex-gender issue and the BBC’s coverage of it”; the perspectives of trans people were over-represented in the report due to the six in-depth interviews the researchers conducted; and “there is no reference in the 91-page report to ensuring the representation of gender-critical views”.

Before discussing the Research Report in detail, I thought it would be helpful to explain the background to its publication.

Background

Under the BBC Charter and Agreement, Ofcom is the independent external regulator of the BBC. Article 46 of the Charter sets out Ofcom’s principal functions in relation to the BBC, and Article 48 gives Ofcom the power to “conduct research to inform the carrying out of any of its functions.” Article 51 of the Charter requires Ofcom to “carry out and publish two or more detailed periodic reviews on the extent to which the BBC is fulfilling its Mission and promoting each of the Public

Purposes, and addressing any specific issues of concern identified by Ofcom”. Our first review must be published in sufficient time to inform the Government’s Mid-Term Review of the BBC Charter. In July 2021 we [set out](#) our proposed approach to this Periodic Review and our report on “[How Ofcom regulates the BBC](#)” was published in June 2022. The Research Report was qualitative research into “Drivers of perceptions of due impartiality: the BBC and the wider landscape” building upon our earlier [2019 Review of BBC news and current affairs](#) and commissioned in order to inform our Periodic Review.

We commissioned new qualitative research to understand how effectively the BBC is serving all audiences in its news and current affairs provision, across all platforms. This included an exploration of which factors drive audience perceptions of impartiality.

It is important to understand that the Research Report forms one part of the evidence base for the Periodic Review document “[How Ofcom regulates the BBC](#)” and our policy recommendations are set out in full in that document.

The Research Report

The Research Report found that audience attitudes on the BBC’s due impartiality continue to be driven by multiple factors, many of which do not directly relate to the BBC’s news and current affairs content. These include: the sense of ownership audiences have with the BBC; the overall BBC brand; how it responds to audience concerns; the way people see themselves being reflected on screen; the stories it chooses to cover; and how the BBC’s impartiality is challenged in the wider media.

As with all research carried out by Ofcom, we took great care when designing the research methodology that led to the Research Report. In summary:

- The methodology we chose was qualitative to allow us to discuss in detail the experiences of a range of different people – by its nature, qualitative research is not designed to be representative of all audiences or perspectives.
- In total, we spoke to around 150 different people as part of the research. We know from our previous research that personal experience is one of the contributory factors in how people react to news coverage. To ensure we heard views from a range of audiences, in addition to recruiting groups in the standard way based on age, socio-economic background and region to ensure a range of perspectives, we also boosted the over sample to ensure we heard from a range of other protected characteristics. The sample and approach included:
 - 15 focus groups with a broad range of audiences reflecting age, sex and socio-economic group from across the UK;
 - two focus groups with Black audiences;
 - two focus groups with Muslim audiences;
 - one focus groups with Jewish audiences;

- two focus groups with LGB audiences;
 - three triads with young people (16-17 year olds);
 - six depth interviews with trans participants;
 - 10 depth interviews with digitally-excluded, older participants (65-75 year olds); and
 - 24 reconvened interviews with participants across the sample picked at random from across all groups listed above.
- We used 24 different news stories as prompts in the research, covering a range of different types of topics, some of which we are aware have provoked reaction more widely. Topics included: migrants crossing the English Channel; the Brexit protocol; conversion therapy; high speed rail (HS2); racism in cricket; the Israel/Palestine conflict; and the North Shropshire by-election. A range of stories were shared as part of a pre-task and others were used as prompts in the discussions themselves.

The discussion guide that was used within the groups is included in the appendix of the Research Report and shows the range of areas that were probed with the audiences we spoke to. As is made clear from the discussion guide the purpose of showing participants the news stories used in the research was primarily to stimulate discussion about what factors influence perceptions of the impartiality of a news provider rather than to interrogate the story itself and formed a minority of the overall discussion. Clearly, it would be impossible for any research of this nature to gauge audiences' views on the BBC's approach to due impartiality over every significant news story. Therefore, the research did not aim to provide a detailed interrogation on how any one news topic or issue was covered by the BBC or to glean every conceivable viewpoint on different issues. We therefore did not seek to recruit a range of people with differing views on each of the 24 news topics we used, and specifically, we did not ask for respondents' views on how the BBC covers the gender critical debate.

The article was also critical of the time researchers spent talking to trans people about perceptions of the BBC's impartiality. As you can see from the information above as well as the six in-depth interviews with trans participants we undertook a further 24 reconvened in-depth interviews across the sample. The interviews with trans participants followed the same discussion guide as the focus groups and the amount of time spent on interviews was shorter than for a group – interviews were approximately an hour each and focus groups were two hours.

As set out above, the Research Report supports the Periodic Review document "[How Ofcom regulates the BBC](#)". In this we state:

- "We found that audiences' perceptions of the BBC's due impartiality are driven by a range of factors other than the BBC content they watch or listen to. Factors include the way they see themselves portrayed on screen, criticism of the BBC in the media and their views about BBC more broadly. The personal political views of audiences and their strength of feeling about the subject matter of the content also influenced audience perceptions of due impartiality. Some participants felt that the BBC's funding mechanism meant it was more likely to be pro-

Government and would struggle to report stories independently. In contrast others perceived the BBC and its news coverage as left-leaning and anti-conservative.”

- “Our latest research confirms that audiences continue to attach significant importance to the BBC being duly impartial. Although the level of complaints to Ofcom about lack of due impartiality in BBC programmes remains high, we have not found the BBC to be in breach of the due impartiality requirements of the Code over this Charter period. The BBC has a good record of complying with broadcasting rules intended to ensure that programming is duly impartial. For example, as noted in our last BBC Annual Report, according to the BBC, in the period April 2017 to March 2021 inclusive, the BBC Executive Complaints Unit upheld or partially upheld complaints in 22 instances (out of a total of 112) where it found that the appropriate standard of due impartiality had not been applied.”
- “... the range of factors shaping audience perceptions of due impartiality present the BBC with complex challenges and many of these factors fall outside the remit of Ofcom. The selections of stories, choice of guests and tone of programming are rightly areas of editorial discretion for the BBC. It is important, and in line with freedom of expression, that broadcasters can include views that some people may find offensive or challenging. Our role is to intervene only when programming raises substantive issues under the Code.”
- “... maintaining audience confidence in the BBC’s due impartiality is critical for the BBC. Transparency in how it deals with complaints about due impartiality – both those it upholds and those it does not – will help to: maintain confidence by giving audiences and stakeholders more clarity about how the BBC approaches this issue; allow effective oversight by Ofcom; and demonstrate the BBC’s publicly-stated commitment to due impartiality. We have therefore required the BBC to publish its reasoning for all due impartiality and due accuracy complaints that reach Stage 2 of its complaints process.”

The above quotes are taken from pages 32 to 34, and the report contains further information.

I hope the above is helpful in explaining our approach and I look forward to meeting you, along with my colleague [Ofcom] next week.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Adam Baxter', is written over a light blue rectangular background.

Adam Baxter