

Response:

Your details

- Full name: Peter Murrell
- Representing: Organisation
- Organisation (Optional): Scottish National Party

- Confirmation: I confirm that the correspondence supplied with this form is a formal consultation response. It can be published in full on Ofcom's website, unless otherwise specified below, and I authorise Ofcom to make use of the information in this response to meet its legal requirements.

Confidentiality

- We will keep your contact number and email address confidential. Are there any additional details you want to keep confidential? (Optional): None
- If you want part of your response kept confidential, which parts? (Optional): •
- Confidential Responses Only: •
- Ofcom may publish non-confidential responses on receipt: Ofcom may publish non-confidential responses on receipt

Your response

- Question 1: Do you agree with Ofcom's proposal to remove the list of larger parties from Section Six of the Code and the PPRB Rules? Give reasons for your answer.:
We support the proposal to remove the concept of "larger parties" from the Code. We have previously highlighted the comparative position of the Liberal Democrats in Scotland and the Scottish Green Party. The Liberal Democrats had "larger party" status at the 2016 Scottish Parliament elections, while the Scottish Green Party did not. The Scottish Green Party, as most had expected, achieved a greater share of the regional vote in May 2016 and had more MSPs elected than the Liberal Democrats. It was effectively only as a result of public opinion that we had debates between the Scottish leaders of all political parties likely to gain representation at the election. I doubt if broadcasters were assisted in coming to that welcome result by a Code which

provided for a simple list of larger parties.

- Question 2: Do you agree with the proposal laid out in paragraph 3.30 that Ofcom produce an annual digest of electoral support? Give reasons for your answer.:
An annual digest of evidence of past electoral support and/or current support would be useful in informing debate and decisions on political party coverage.
- Question 3: Do you agree with the proposed amendments to Section Six set out in Annex 5 a) in relation to larger parties and b) to include BBC broadcasting services and BBC ODPS? Give reasons for your answer.:
No comment necessary on any of the details.
- Question 4: Do you agree with the proposed amendments to the PPRB Rules set out in Annex 4 a) in relation to larger parties and b) to include BBC broadcasting services? Give reasons for your answer.:
No comment necessary on any of the details.
- Question 5: Do you have any comments on Ofcom's proposed amendments set out in Annex 5 for the purpose of regulating BBC broadcasting services and BBC ODPS in the area of due impartiality and due accuracy?:
The proposed amendments all appear appropriate to deal with BBC Charter Renewal. On reviewing this section of the Code, it is noted that the Political Parties, Elections and Referendums Act 2000 only applies to referendums which take place as a result of legislation in the UK Parliament. The referendum on Scottish Independence took place on the authority of the Scottish Independence Referendum Act 2013, an Act of the Scottish Parliament. A draft Bill has been published by the Scottish Government for a future referendum. The 2013 Act was heavily modelled on the 2000 Act. The draft Bill extensively applies the 2013 Act. It is suggested that the reference to the 2000 Act is removed but that a reference to "statutory" is inserted before "UK-wide" to cover both referendums under the 2000 Act and other referendums based on the provisions in the 2000 Act.