

SUBMISSION BY BBC GLOBAL NEWS LIMITED

MANDATORY NEWS MEDIA BARGAINING CODE – CONCEPTS PAPER

4 June 2020

1. EXECUTIVE SUMMARY


- 1.1. BBC Global News is a commercial subsidiary of the British Broadcasting Corporation. It owns and operates the BBC World News TV channel, and BBC.com, the BBC's commercially funded international 24-hour English-language news platform. BBC World News is available in more than 200 countries and territories worldwide and over 465 million households, 3 million hotel rooms, 180 cruise ships and 53 airlines.¹ BBC.com offers international news, in-depth analysis and features to more than 110 million unique browsers each month.²
- 1.2. In a consolidating media market with diminishing media plurality, BBC Global News provides significant value to Australian audiences who want access to independent and impartial journalism.³ Audience growth from key global events, including US/UK elections; civil unrest; trade disputes; pandemics; and, importantly, coverage of local Australian events such as the bushfires, demonstrate the ways in which Australian audiences come to BBC Global News content. In April 2020 alone, there were over 7.97 million unique browsers within Australia who accessed BBC.com.⁴
- 1.3. With the Australian media landscape being eroded by events including a dramatic decline in advertising revenues, and the subsequent loss of regional players and the closure of the Australian Associated Press, BBC Global News is able to bring another perspective and voice to the Australian media market, particularly in its coverage of international news and through the initiatives more particularly set out in section 2.2 below.

¹ Correct as of March 2020.


² Average weekly unique browsers in Q1 2020 (Jan to Mar 2020).


³ Centre for Media Transition 2020, *News in Australia – Impartiality and commercial influence: Review of literature and research*, University of Technology Sydney, NWS (commissioned by the ACMA) (hereinafter the 'ACMA Impartiality Paper').

⁴ Based on internal metrics collected via ATI.

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- 1.4. BBC Global News, in its capacity as one of the largest providers of news content to Australian audiences, welcomes the opportunity to comment on the mandatory news media bargaining code (the “Code”) in Australia between digital platforms and news media organisations. It supports the ACCC recommendations in the ‘Digital Platforms Inquiry – Concepts Paper’ that the scope of the Code should be broadly construed, particularly with respect to the ‘media organisations’ and ‘news content’ to be covered by the Code.
 - 1.5. We particularly agree with the ACCC’s proposition that: *‘it will likely be appropriate for the bargaining code to incorporate a definition of news that focuses on the news content itself rather than the nature of the news media business producing the content... Under such a content-based definition, any Australian media organisation could be within the scope of the bargaining code if it produces at least some content that fits this definition’*. We consider that *‘the full range of media organisations providing news services to Australian audiences’* includes international media organisations.

2. SCOPE OF ‘MEDIA ORGANISATIONS’ COVERED BY THE CODE

- 2.1. The Concepts Paper contemplates that the Code should include Google and Facebook (the ‘Digital Platforms’) and ‘news media businesses’, the latter of which, according to the Concepts Paper: *“should be read to mean the full range of media organisations providing news services to Australian audiences.”*
 - 2.2. The ‘full range of media organisations providing news services to Australian audiences’ in our view includes international media organisations. The BBC, for example, provides the following news services to Australian audiences:
 - 2.2.1. operating the BBC.com website which provides news, sport and features content including a dedicated ‘Australia’ subsection;
 - 2.2.2. operating the BBC World News TV channel which is distributed in Australia through local vendors (e.g. hotels) and broadcasters (e.g. Foxtel) and contains 24/7 news and current affairs content including programmes such as Asia Business Report and Newsday (Asia Pac) which are produced specifically for Asia-Pacific audiences;
 - 2.2.3. producing/commissioning and distributing news content for Australian audiences across digital platforms including Facebook and Google products;
 - 2.2.4. supplying extensive news content to ABC news outlets (including their television and radio output); and
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2.2.5. providing access to BBC World Service radio output through both analogue and digital services, and via IPTV.


- 2.3. It does so at considerable scale, reaching millions of Australians, with AT1 analytics demonstrating that BBC.com was accessed by almost 8 million unique browsers in Australia during April 2020 alone and other metrics positioning us as within the top 10 biggest news publishers in Australia.⁵
- 2.4. The work by BBC Global News of delivering news content to Australian audiences is supported by personnel employed locally on the ground in Australia together with active partnerships with Australian media organisations, demonstrating the financial and operational investment which international media organisations such as BBC Global News make in Australia. This investment in content, resources and on-ground personnel can only continue so long as Australia remains a viable market for us to operate in. In our view, the Code ought not be applied in a selective way which has a detrimental financial impact on publishers excluded from the Code as this would impair the ability of organisations like BBC Global News to invest in content for Australian audiences.
- 2.5. International media organisations such as ours also help provide diversity in the news content Australian audiences are able to access by providing levels and depth of international coverage which domestically based organisations are not resourced to provide. The importance of this is demonstrated by the ACMA Impartiality Paper which is more particularly discussed in section 3 of this submission.
- 2.6. Accordingly BBC Global News recommends that any Code clarifies that it is applicable to international news organisations which provide news services to Australian audiences. Alternatively BBC Global News recommends that the Code clarifies that it is applicable to international news organisations which both: (i) service Australian audiences; and (ii) have ‘prominent’ reach in Australia.⁶

3. SCOPE OF ‘NEWS CONTENT’ COVERED BY THE CODE

- 3.1. BBC Global News agrees with the content-led approach to defining the scope & applicability of that code, and further supports the proposition that ‘news content’ be defined by its broadest iteration which is inclusive of news organisations who ‘adhere to and publish equivalent internal journalistic standards’ in order to avoid excluding those organisations who are not members of industry bodies, as noted in the Concepts Paper.

⁵ Nielsen, 2018 based on unique audience figures where the BBC ranked 6th.

⁶ Access to BBC World Service radio output through both analogue and digital services, and via IPTV.



- 3.2. For example, whilst BBC Global News is not a member of the industry organisations used as examples in the Concepts Paper, the news output of BBC Global News is subject to the stringent BBC Editorial Guidelines which prioritise the needs of our audiences by ensuring our news content is independent, impartial and produced with integrity.⁷ This in turn benefits the Australian consumer by providing them with a trusted resource for both national and international news. Research commissioned by the Australian Media & Communications Authority in January 2020 (the ‘ACMA Impartiality Paper’) found that accuracy and neutrality were the most important characteristics to Australian audiences in selecting which news providers they most trusted.⁸ The trust ratings in our news content are consistently high in Australia, demonstrating the importance of our news content to Australian audiences⁹.
- 3.3. Allowing for a comprehensive definition recognises the wide types of news content consumed by the broad spectrum of news consumers in Australia¹⁰ and ensures a more level playing field across the diverse spectrum of news media organisations who serve Australian audiences. As an illustrative example, when certain publishers in Germany sought to exercise a new right to monetisation in search, they reported a corresponding down ranking in search when they attempted to exercise that rate which impacted the results accessible by consumers.¹¹ This is an outcome which should be avoided in Australia, and to do so would support the conclusion in the ACMA Impartiality Paper which establishes that diversity in the Australian media landscape is crucial in order to fulfil the needs of Australian audiences. In order to achieve this access to choice, the bargaining code should include a wide definition of ‘news content’.
- 3.4. As a significant provider of trusted & impartial news content to Australian audiences, and as a contributor to the Australian media landscape, we are grateful for the opportunity to respond to the ACCC Concepts Paper and would be willing to provide further input as the development of the Code progresses.

END OF SUBMISSION.

⁷ The BBC Editorial Guidelines are available here: <https://www.bbc.com/editorialguidelines>.

⁸ p.8, ACMA Impartiality Paper.

⁹ Roy Morgan Net Trust Survey, June 2019 ranked BBC as fourth most trusted in Australia; the BBC’s *Value of News* survey conducted by BDRC Asia and Voxpopme in March 2017 ranked BBC.com as the most trusted online news brand.

¹⁰ p.3, ACMA Impartiality Paper.

¹¹ see, for example: [Wolde, H. T., Auchard, E ‘Germany’s top publisher bows to Google in news licensing row’](#) (Reuters).