

HOUSE OF COMMONS
ORAL EVIDENCE
TAKEN BEFORE THE
EUROPEAN SCRUTINY COMMITTEE

EUROPEAN SCRUTINY IN THE HOUSE OF COMMONS

WEDNESDAY 13 MARCH 2013

DAVID KEIGHLEY

Evidence heard in Public

Questions 321 – 356

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Oral Evidence

Taken before the European Scrutiny Committee

on Wednesday 13 March 2013

Members present:

Mr Cash (Chair)
Mr Clappison
Nia Griffith
Kelvin Hopkins
Stephen Phillips
Jacob Rees-Mogg
Mrs Riordan
Henry Smith

Examination of Witnesses

Witnesses: **David Keighley**, Newswatch, gave evidence.

Q321 Chair: Good afternoon, Mr Keighley. Thank you very much for coming along.

We can go straight into the first question. Your memorandum criticises the BBC for being, “biased in its coverage of EU affairs.” What is your view of the BBC’s coverage of the European scrutiny process, in terms of debates on the Floor of the House, proceedings in European Committees, the work of Departmental Select Committees and the reports and evidence sessions of this Committee?

David Keighley: That is a big question. Just to preface how I have arrived at that rather big conclusion, the work we do has been over many years now and is very systematic. We have monitored more than 6,000 hours of BBC output, the bulk of which has been the *Today* programme. We have also covered European elections and general elections when we have done a much broader sweep of programming.

It is very systematic work. We do not base it on simple value judgments. We transcribe everything. We record everything. I have been through every one of more than 7,000 transcripts over the years, looking at what is said there. We realise that measuring bias is a very complicated process, of which there is no absolute answer; one person’s bias is another person’s balance. What we have tried to do is take into account all these different factors and arrive at our conclusions.

I will start with the European Scrutiny Committee. I believe you have talked about Lord Wilson’s report from seven years ago; he pointed very much to one of the main areas of problem in output, which has been bias by omission. What he meant by bias by omission is that covering European affairs is quite difficult because making them interesting in the eyes of the general public, as Ric Bailey said when he gave evidence, can be quite challenging.

Lord Wilson was very clear also that it was the job of the BBC, as a public service broadcaster, to take that on board and then look at European affairs and make them interesting to the public. It was their specific remit to do that. I have looked at what has been covered by the *Today* programme over the past seven years, specifically about the European Scrutiny Committee. Our monitoring is not the entire output of the *Today* programme but it has been

approximately half of it. There is therefore a slight assumption that covering half allows you to make, to an extent, a generalisation about the other half; I would put that caveat in. Of the half that we have covered, there have been only about 10 mentions of the European Scrutiny Committee on the *Today* programme.

Q322 Stephen Phillips: In how many years?

David Keighley: Since 2005, so in eight years.

Chair: We, of course, produce vast numbers of reports and there are also our recommendations for the European Standing Committee and debates on the Floor of the House.

David Keighley: For example, when you recommended, as I understand it, that there should be a debate on the budget last autumn, the only mention on the *Today* programme was that you had sent the subject for debate—and we were monitoring between that period of September and December. My argument would be that given the importance of this debate and given all that we know about the complexity of the European budget—which you do not need me to tell you about—that was a peg to discuss not just why the European Scrutiny Committee had recommended this but the deeper issues behind that. In fact, the European budget was, in our latest survey, one of the higher areas of coverage in terms of volume of coverage devoted to European affairs in the last survey period.

The point I would make is that within that coverage, although there was opinion about whether the budget should be higher or lower or whether there was a split in the Conservative party and so on, there was no real effort by the *Today* programme to explain what was behind the budget, why it had arrived at that particular point and why the European Scrutiny Committee, for example, felt so passionately about this subject. I would characterise that as, if you like, the “bias by omission” argument that, actually, these things are happening.

I fully recognise that the *Today* programme should not be wall-to-wall European affairs and it has to have a balance of subjects, but my argument is that it has not properly taken into account what Wilson and others have said about the need for more explanation, more interpretation and aiming for the audience to have a wider understanding of what European affairs are about.

Q323 Chair: In terms of information within the framework of the BBC Charter, are you saying that the coverage of not only our own process but also the debates that take place and the proceedings in Committee and in the Departmental Select Committees, in your judgment is, by omission, failing to live up to what is required under the Charter? Is that what you are saying?

David Keighley: In a nutshell, yes. Can I give you another example of a different area of coverage where that would be covered by the obligations within the Charter? I have picked out the statistics from our database and what we have looked at are what we call general EU legislation topics. The only way I can explain that is, for example, “The latest project from the director of the award-winning Abba musical *Mamma Mia* and the Oscar-winning *The Iron Lady* is an all-female version of Shakespeare’s *Julius Caesar*”. There are some mentions of the EU legislation: the population of wolves in Sweden has recovered and the debate is raging about whether there needs to be a cull; there is something about the ash disease and what was being done to that; there was also something about artificial hips legislation and perfume makers. There is that general melange of legislation and directives that you cannot sum up in one word.

We have looked at how much of that there has been since March 2010 and that covers six of our surveys. The total amount of our feature airtime and the monitoring we have done there is 749 hours. That is the total on the *Today* programme available for all feature

material. In that period, they covered 75 hours of general EU affairs, but they covered just 1 hour 36 minutes of the general legislation. That means that the percentage of the *Today* airtime that was actually devoted to what we call general EU affairs was 0.21%.

Q324 Henry Smith: Mr Keighley, welcome and thank you for your evidence today. In your memorandum, you say that Newswatch also monitors other broadcasters via various different channels. What is your assessment and view of what those other broadcasters' attitudes are towards the Commons European Scrutiny Committee and their general reporting?

David Keighley: I should say that the work that we have done on other broadcasters has been relatively limited, so I would not put the same weight on that.

Q325 Henry Smith: I take that fully on board, but nevertheless, do you notice a difference between their attitude and the BBC's or is it similar?

David Keighley: I do not think there is a major difference. Most broadcasters think that coverage of EU affairs is quite difficult and it is difficult to bring them alive. My argument has always been to the BBC in response to that, "You are the public service broadcaster, you are the one that gets the licence fee money and there is a special responsibility on you there." It is often difficult persuading broadcasters that their job is to bring EU affairs alive and I would not say that the BBC is particularly worse or better than others in that respect. That is, again, what Lord Wilson drew attention to in saying that the BBC has that special responsibility.

Q326 Chair: To put it the other way round, would you say that, where most people refer to these questions as European affairs, in fact they are British affairs, because the legislation is passed in the United Kingdom Parliament and it is part of the function of Parliament to evaluate through the Scrutiny Committee and, subsequently, through Government, to implement European obligations imposed on the United Kingdom? Rather than looking at it as an exclusively EU question, the real question is also the extent to which the United Kingdom citizens are affected in their daily lives by the impact of the EU in the legislative proposals.

David Keighley: I agree. That is one of the problems. There is a mindset that there is Europe and that Britain is separate from that. Lord Wilson again drew attention to the obligation of broadcasters—especially the BBC—which is to make clear what the impact of the various measures is on the average person in Britain. It is getting inside that and it is about talking to British people about what they think about these affairs that are going on on a very complicated basis.

From the evidence we have, that is another part of the problem: the vast majority of the coverage is through the eyes of politicians; it is very seldom that they go to ordinary people to talk about these issues. That raises its own difficulties, of course: how do you identify who to go to and so on? Again, I would argue that that is the job of the broadcaster. Their job is to realise that there is a degree of complexity and that it is about how we live our lives. That has always been the starting point I have come from; we are talking about affairs here that our integral to UK life, however you look at them, and the importance is in understanding the impact.

Q327 Henry Smith: Have you detected a difference in terms of the intensity of reporting, regarding different media? For example—obviously, you have mentioned the *Today* programme on radio—there is television and the web as well. Is it a fairly consistent style of coverage across all those different media?

David Keighley: It is a fairly consistent style, yes.

Q328 Kelvin Hopkins: First of all, can I say that I think your paper is excellent and a revelation to me as a Labour withdrawist? You kindly made reference to me. I just wanted to note the figure that 0.06% of the total number of speeches on the EU in seven years were made by Labour withdrawists; that is one in 1,400, approximately. Even in the House of Commons, at least one in 10 speeches are made by Labour withdrawists, so the imbalance is very clear. That was just a comment.

When witnesses from the BBC gave evidence to the Committee—I know you saw that—they suggested that the complexity of European issues can make it difficult to report on them in a way that the public can understand. As a former BBC journalist, do you share this view? What are the potential challenges in reporting developments in the European Union and how can they be overcome?

David Keighley: As a former BBC journalist and somebody who did cover European stories many years ago now, it is difficult. There is the feeling that because it is Brussels and because it is “over there”, it is not necessarily relevant. It is a lot of committee work. The words “legislation” and “directive” are not something that turns people on.

The point is that I became a journalist and I think most journalists become journalists because they do want to help interpret the world for other people. It is the challenge of journalism to do that; that is what Wilson said very clearly. We have compiled some figures on this, and this is not a reflection on their entire output, but quite often on *Today* you get this feeling that, “It’s boring. It’s the EU”—that is often said as asides in the introduction to the item. That is the sort of thing that the BBC should be continually fighting against in how they cover things.

I am not trying to say that all the BBC does is bad as I think they do some tremendous stuff at times, but there is this default position, if you like, that it is difficult and it is boring and it is “over there” and it is not really about the UK. That is the problem.

Q329 Kelvin Hopkins: I get the very strong feeling from that argument that there is an attempt to say, “It is far too complicated for ordinary people. It will go above their heads, so let’s not talk about it. We’ll just carry on supporting the EU.” That is the flavour of it, if I may say. I write and speak a lot about the EU to ordinary audiences and my local newspaper. Time and again, people come back to me having understood because I write clearly about what the key issues are and people do understand. It is not really very complex if you put it in the right way and this is what journalists should do.

David Keighley: Yes, I agree.

Q330 Chair: I would like to just follow that by asking the simple question about whether or not everybody is not really guilty of trying to make complexity where it is not as complex as it really seems to be.

It is one thing, for example, to take a particular quote from Mr Brokenshire, which was the one that we were given in relation to the session where we had the BBC witnesses. It is not just the *Today* programme; it is the whole output of the BBC generally, dealing with things like housing benefits. If you were to go through the non-EU British statute book and all the debates that take place and then ask if anything that relates to the European Union, in terms of the legislative proposals, is any more complicated than the material that you have to deal with in relation to questions like medical matters, or any part of the legislative domestic statute book, you could ask what is the real difference.

After all, surely it all falls into the same category; it is just that one has the label “EU” attached to it, impinging on the daily lives of the British people, and the other is just part of the normal domestic legislation. I am interested to know whether you think that there is a real difference, although you yourself are saying that it is complicated. Is it really all that complicated by comparison with a lot of the other things that crop up in the field of domestic legislation, or not?

David Keighley: No, it is not. It is not immediately at my fingertips but Wilson has a very good quote in his report about the job of a journalist being to make the complicated interesting. It is to distil reality; that is the challenge of being a journalist. No, I agree with you.

Chair: There is banking legislation and financial supervision: it is going on all the time in all the news and current affairs.

Q331 Stephen Phillips: Given the answer to that question, there is effectively no difference between reporting legislative proposals from the EU and legislative proposals that are before Parliament generally from the Government. Do you want to speculate on what the reasons are as to why the BBC consistently fails to report on the work of this Committee and the European business of the House? Is it overt bias? Is it a general feeling that this Committee does not matter? What is the reason for it?

David Keighley: Since I have started this work, I have tried to get inside the BBC mindset on this. I have spoken to many BBC people over the years. I have many friends who are BBC people. I do not think there is anywhere in the BBC where you can say there is overt, deliberate bias. I do not think that is the way it operates. This is purely my opinion and it is not evidence-based, it is my gut feeling as a result of talking to these people: the difficulty is that Europe is in that silo of being difficult.

Stephen Phillips: You have just told the Committee—and we would probably all agree with you—that it is no more difficult than any other of the complex issues.

David Keighley: I agree, but it is in that silo, for whatever reason.

Q332 Stephen Phillips: So, there is an institutional bias by omission as soon as the word “Europe” is involved. Would that be a fair way to put it?

David Keighley: I think so, yes. There is also among most journalists.

Q333 Chair: Do you think that there is any possibility that this is derived from the nature of the research that takes place within the bowels of the BBC, in terms of the attitudes of the people who are asked to go through the output for news and current affairs and whose job it is to do the research—not just on the *Today* programme but on anything else? Do you think that the relevance of the proposals in the Wilson Committee report and also the question of the College of Journalism is an area where some further analysis needs to be done in order to establish why it is that you have this silo attitude when actually there should not be one at all?

David Keighley: I am not clear what the BBC does in terms of self-monitoring. As far as I am aware, it does not publish anything on this.

Q334 Chair: Do you think they should?

David Keighley: I was coming to that. What I do know is that in the wake of the Wilson report and the aftermath of the Andrew Gilligan changes over the Iraq War problems, what they did appoint is one person to look at output on a “dipstick basis”. I have met him and spoken to him about his work, but I cannot say exactly what he does. However, this is the

impression that I got. He is called Malcolm Balen and what happens is that the different editors who, as you know, rightly have their own autonomy, every so often in association with the Editorial Board of Management decide that they are going to look at a particular programme. Malcolm Balen does that himself; he has got some support. He does it on a revolving, dipstick basis.

That is one way of conducting research, but I think it is a very limited way of doing so. Everything that we have done—and everything that the BBC has responded to us about what we have done—shows that the BBC does not really know exactly what is going on with its own output because it does not monitor enough. I am not suggesting there should be banks of people monitoring, but it is absolutely amazing that they just have this one major figure in this equation. Of course, I am not suggesting that individual editors are not able to decide, but the problem that our research has shown is when you are on a moving ship, like the *Today* programme, which is three hours a day, you do not often have a full view of what your own output is.

We do not arrive at our judgments on the day—although sometimes you hear programmes that you think especially raise issues—but it is only when you sit down and look over a three-month period and go over every single transcript on the EU line-by-line and look at every single issue that has been raised and how it has been raised, that you do get a picture.

I do not think the BBC is doing that. All their responses to what we have done are based on that; they attack us in different ways and they will tell us, sometimes, that we are looking at the wrong time. At other times, they will tell us that we are looking at the wrong programmes. They will tell us at other times that we have not really understood that monitoring is not about counting numbers but about knowing what the texture of arguments is. Our research takes all of that into account. All their response indicates to us is that they do not really know themselves what their position is.

Q335Kelvin Hopkins: You have portrayed the BBC—and I think there is a mindset that there are middle-class people who have got O-level French and who drink French wine and therefore Europe is a good thing. It is about making that distinction that Europe is a subcontinent of wonderful countries and peoples, whereas the European Union is a political construct. We have to make that distinction. There are those sorts of people and they think, “Everybody’s in favour of Europe, aren’t they?” That is the attitude. When someone deliberately has Marine Le Pen coming on from Paris to put the Eurosceptic view back at Nigel Farage, they are taking the mickey. That is a deliberate attempt to damn the critical case by including a fascist in the programme.

David Keighley: I do not think I was aware of that particular example, but what I would say about Nigel Farage—and not just Nigel Farage—is another piece of research. I mentioned it in the letter I sent: the withdrawal case put by known supporters of withdrawal has been, in seven years, 6,000 words. I have got the entire transcript of everything that has been said, broadly, and most of it has been the people themselves raising the issues of withdrawal, rather than being asked about it.

Quite often, the withdrawal people are put into a situation where they are on difficult grounds to start off with. They are arguing, not from the point of view of, “You’re on the programme to explain about withdrawal, generally.” News and current affairs journalism is not about inviting people on just to put their case, but people are given easier rides. The number of occasions when withdrawal people have been given an easy ride is almost non-existent.

Q336 Chair: Are you saying that, basically, in BBC terms, there is a cultural question and that that question is that Europe is good for you and suggestions that it is not are simply not really part of the culture?

David Keighley: I would not go that far myself, but the evidence of this document shows that they certainly do not consider the withdrawal argument very seriously.

Q337 Mr Clappison: I often feel when I am listening to those sorts of programmes, where somebody is challenged right from the off, that the effect on public opinion comes from the questions, rather than from the statements and the answers that are given by the person being interviewed.

Can I ask you about what you were saying about deliberate bias? You have cleared the BBC of deliberate bias and accepted that journalists are trying to be impartial and independent. Do you think it is the case, though, that in the attitude they are forming or have formed, or the assumptions that they bring with them when they are dealing with the issues, that their attitudes actually subconsciously come from somewhere else—from what they are exposed to?

David Keighley: That is a very interesting question. I looked—and have looked over the years—very carefully this morning, as part of preparation for appearing here, at the College of Journalism website. When you look at how that is framed, their attitude towards Europe is very difficult to characterise, but it is almost from the corporate mindset; it is from the idea that, yes, Europe is a good thing. It is not as critical as you would expect it to be. This applies often to their coverage: they are not really getting to the nitty-gritty of why there is an issue around this particular area of Europe. They are not really engaging with it. It is easier to accept that Europe is—

Mr Clappison: They are accepting as a norm, or as the centre ground, a set of ideas that have come from certain quarters, but may not necessarily, for example, accord with those of the public. We are told that the public, on any view of it—and the opinion polls show this—have a very substantial Eurosceptic point of view.

David Keighley: That has been my point all along. The fact is that opinion poll after opinion poll shows that at least 50% of the population wants some change in the relationship with the EU and you often get more than that calling for actual withdrawal. It is that sort of opinion that is not being brought into the frame.

Q338 Mr Clappison: Do you think the BBC ever sit down and think to challenge where their assumptions are coming from on this issue?

David Keighley: I do not know. I wish I knew. I wish they would and I wish they would debate this more. The need is for greater transparency in how they arrive at decisions and that is what is lacking in the equation. That has been the frustration of this process—we have done this work and they have not really engaged with it, even though this is tangible research evidence.

Q339 Mrs Riordan: I will follow on from previous questions and from a quote from Mary Hockaday about the lack of understanding among audiences—we have spoken about that today—and there is a lot. Mary said, and I paraphrase, it is their, “responsibility to try to help people understand politics at whatever level.” To what extent should the BBC, as a public sector broadcaster, see its role as to educate and inform the public? You spoke about the reply to you and what they said about you not watching at the right time, or not watching the right programmes. If you are not, how are the public out there supposed to grasp an understanding of Europe?

David Keighley: I am not really quite sure how to answer your question, because it is quite general. The difficulty that I think is encountered is that somehow they do not get to grips with trying to think about—it comes back to the impact point—what the impact is on the average person.

The BBC has an absolute duty to educate, inform and entertain; that is drilled into you the minute you join the BBC. Part of that mission is to understand that the complicated things that affect our lives need to be properly explained to people—not in a patronising way and not in an oversimplified way. Different people out there have got different levels of understanding so you need to create a package of understanding. The website can do quite a lot in that respect.

The *Today* programme is pitched in one particular area. Within that area you are aiming at what is considered a reasonably educated audience, but within that you should be looking to, I would argue, bring into play the more complicated things about the EU as well and make them accessible to people.

Q340 Mrs Riordan: When should the programmes go out, and what role should the Commons play? Quite often we get education programmes—I watched one on Monday night and it was fascinating, but it was on at half past eleven at night, which is no good for people who are going to work at six o'clock in the morning. The whole package has got to be looked at, not just what they are broadcasting.

David Keighley: One of the transcripts I looked at as part of my preparation for here was an explanation that went out in 2009—not on *Today*, I think, but on *Yesterday in Parliament* or the *Westminster Hour*. It was an excellent explanation of EU legislation and there were some very good contributions in it, but it went out at half past eleven at night.

My point would be that you cannot put an hour like that in the middle of the *Today* programme, but that should rub off on to the *Today* programme structure. Part of what *Today* is doing should be an understanding that within that framework of European affairs they should be continually trying to educate people and inform them.

Quite often with journalists, it is the “adrenaline junkie syndrome” where the moment takes over and you want to air as quickly as possible the stories you want to get to air. You want the programme to be as exciting as possible. However, the job is also to step back and say, “Hang on. Are we actually covering these things in the right way? Are we actually bringing enough interpretation into this? Are we allowing the right people to come on the programme?”

Q341 Chair: Have you formed a view about what we produce in our reports and on our website? Do you have a view about the content of what it is we produce? There were 90 reports recently. We are recommending matters, continuously, for debate.

There are also questions of the inquiries that we have held on various issues, such as sovereignty in relation to the European Parliament. There is the question of the Referendum Bill that went through, and so on. Have you had a chance, yourself, to look at the material in question? It is flowing out of this Committee like a tsunami. I just wondered if you have had a chance to look at it and form a judgment about the content, because it is important for us to get a judgment from others as to what they think we are producing.

David Keighley: I have looked at the site. To have an overview at this stage would be presumptuous. I would be very happy to have a good look and write to you a separate note about that, if that would be helpful—rather than me giving a top-of-the-head—

Q342 Stephen Phillips: As we look at it, what we produce is primarily for Parliamentarians. The question is whether we can produce something else or something in a

different format that would make it easier both for broadcasters and the print media to more properly engage with the work of this Committee and thereby to educate and inform—if not to entertain—their viewers, listeners and readers. Now, it may be that you cannot answer that today, but certainly for my own part, in terms of our output—which is very significant in terms of both content and volume—it would be useful for us to have constructive criticism as to how that could be made more accessible, both to the public and to the media generally.

David Keighley: I would be very happy to provide that.

Q343 Chair: You might find it worth considering the question of the explanatory memorandum that the Government put forward. A lot of the complexities described—speaking as a person who has been involved in legislation for the whole of his working life—are no more complicated than any other domestic legislation.

For every example of ultra-complexity in relation to the European legislative proposals, one could find just as many in relation to other questions in the domestic field. The question is whether there is some kind of judgment that one could bring to bear to ensure that they look at the explanatory memorandum, which is produced by the Government, which itself purports to set out in simpler language what it is that the actual legislative proposal amounts to.

You might find it useful when you are doing what is suggested, to look at the explanatory memorandum as a reasonable test. We are not asking people to consider the finer detail. What we are asking people to consider is whether it is legally or politically important—that is our job.

David Keighley: Yes, I understand.

Q344 Kelvin Hopkins: One of the points I made in the interview with the BBC is the people they choose to have on when they are in discussions. One can choose a leader from the three separate parties. I will choose someone from the past: John Major, Tony Blair and Paddy Ashdown all have identical views on the European Union, but they are from three different parties and they could be portrayed as being politically different when actually they are the same. Having a genuine range of views, with people with genuinely different views from the left and the right, is very important in political debate. The BBC sometimes misuses its power in this way.

David Keighley: The word that came to mind was “laziness”. In the pressures of a newsroom, you go to speakers you know you can get, quite often. It is not necessarily laziness; it is just expedience.

We have made this point many times in our reports that time and time again you do get the same people coming up. You do get Kenneth Clarke with more regularity than other speakers. Interestingly, they had, as a speaker from the left, Bob Crow on *Question Time* last week, but I have never heard Bob Crow on the *Today* programme talking about the EU or withdrawal. I am not making any point other than that you would expect him to be there sometimes—given his prominence, given he is a trade unionist and given that he has got strong withdrawalist views. However, he is not.

Q345 Henry Smith: Your memorandum has been critical of the BBC’s response to the Wilson review. What urgent action do you believe has been taken in response to that?

David Keighley: Do you mean over the years since Wilson? Well, they appointed a Europe Editor, who was, initially, Mark Mardell but is now Gavin Hewitt. That was an important step and that did elevate the Brussels bureau up in the hierarchy.

What the BBC has claimed since Wilson is that their coverage of the EU has gone up. Our surveys go back to July 2003 on a regular basis, and they show that the proportion of the EU coverage in the two periods in 2003—this is EU coverage in relation to the whole coverage—was about 5.6/5.7%. Then in March to June 2004, it went up to 9.8%. At the time of the Wilson Committee it was at around 10.8%. This was at the time of the debates on the Constitution and so on, so there was a lot to talk about.

The proportion was 10.8% immediately after Wilson, which is an interesting figure. By February 2006, it was down to 4.1%. By March to June 2008, it was 3.3%. The average over the years to 2011 was between 5 and 6%. It then shot up again in October to December 2011 to 22.5%, but that was when the Eurozone problems were at their peak and most of the coverage was about Eurozone matters.

In response to your question, I do not think there has been a consistent effort by the BBC to ensure the coverage is high. That is just one measure; I could back that up with lots of other indicators within that.

Henry Smith: That is fascinating. Of course, it measures quantity and does not necessarily measure quality, which is, of course, going back to an earlier discussion. I would just make that point. That is very interesting, thank you.

Q346 Mr Clappison: Can I take you back to the answer you gave just now? Could you repeat it, please? I am very sorry to ask you, but I was very struck by the figures you were giving for the European coverage in the first half of 2008, in January to March and then March to June.

David Keighley: March to June 2008. Over our 12-week monitoring period, the proportion of EU output in the airtime as a whole was 3.3%.

Q347 Mr Clappison: What was January to March?

David Keighley: Our surveys are every three months.

Q348 Mr Clappison: Would that survey include debates in Parliament and debates on the Treaty of Lisbon? It was at the time that Parliament was debating the Treaty of Lisbon, in the first half of 2008. I had the feeling, at the time, that it was not being reported very much by the BBC.

David Keighley: It was not.

Mr Clappison: I put that to the BBC when they gave evidence to us and your figures would tend to confirm that.

David Keighley: Yes. These are headline figures. This is not how you judge what our work is about completely. You need to read our reports to see what we are actually saying.

Q349 Mr Clappison: I think you agreed with me a moment ago that it was not reported very much on the BBC. Do you think that was a failure in their duty as a public broadcaster? It was a major debate, which was taking place over a long time in Parliament and was recognised as a major constitutional debate on a European treaty. It was hardly mentioned.

David Keighley: Over this period, we said in the reports on several occasions that the BBC was not reflecting those debates properly.

Q350 Mr Clappison: There is an independent “breadth of opinion impartiality” review under way, led by the former broadcasting executive Stuart Prebble, which will

include an analysis of the BBC coverage of immigration, religion and the EU. Have you contributed to that review?

David Keighley: Yes; we gave evidence to Mr Prebble in here before Christmas. We were with him for over two hours.

Q351 Mr Clappison: Can you share with us the flavour of your contribution?

David Keighley: Mr Prebble, who I have known for many years, was in listening mode. Basically, he wanted to hear our point of view. We put our point of view on the lines of what, in composite, I have done today.

Chair: In relation to the Wilson report recommendations, I recall that there was a special section, because this took place in the period between May 2005 and May 2006. It was a year's pause for them to do certain things.

David Keighley: Then they came back again, yes.

Chair: I think I am right in saying that one of them was to do with the question of the treatment of the referendum, which was then that the constitutional proposals, which were being put forward by European institutions—

David Keighley: Yes, I have the point here. It is point number 12 of Lord Wilson's recommendations.

Q352 Chair: Are you conscious of the fact, as would appear from the report, that indeed there were papers produced for internal use by the BBC as to how to conduct a referendum programme? In other words, were there papers to investigate the questions that should be asked of the various political parties and the participants, academics or whatever, on an impartial basis, to get to the bottom of how this referendum that was then intended to take place would be conducted?

David Keighley: I am not party to that, no.

Q353 Chair: You are not aware of any internal guidelines that were prepared? They appear to have been prepared.

David Keighley: From my knowledge of how the BBC operates in relation to strategy, it is almost certain that something would have been provided. I do not know what that is and I do not know how detailed it was or who was in charge of it. It would possibly have been Ric Bailey.

We did have a meeting with Ric Bailey and various others around the time of the European elections in 2009 to discuss how that was covered, and there was quite clearly a strategy in place there about how to cover it. There is a difference. When there is an election pending or something formal pending—although with a referendum, as far as I understand, there is no formal legislation—around elections there is a bigger requirement on the BBC to count and be aware of exactly who is on. I got the impression that they were handling the referendum in a very similar way to the way in which they would handle an election.

Q354 Chair: There is one difference, is there not, in respect of a referendum, which is a question of public policy, along the lines of the public purposes of the BBC Charter? In other words, it is not a purely party political question.

All parties are split on the question of European referendum questions, so that one would regard the treatment of a referendum and the run-up to it as something that should be tested, not by reference to the guidelines with respect to impartiality as between political parties, but as between the views on either side of the equation in terms of public purposes as to whether or not you are in favour of, shall we say in broad terms, a "yes" vote or a "no"

vote. It is not a question of party politics; it is a question of public purposes within the framework of the Charter. Is that the way you would see it?

David Keighley: Yes, absolutely. It is an ultimate test of how you handle impartiality, given the range of voices and given the fact that there is not a formal structure for dealing with it. When you look back at how the last referendum on Europe was handled—a lot has been published—there were certainly all sorts of shenanigans going on behind the scenes, which led to the influencing of the BBC then. I am not suggesting the same will happen again, but there is the need to be very vigilant about that.

Q355 Chair: Following on from that point you make about impartiality, do you think that the BBC defines impartiality in relation to the European question under the Charter and also in guidelines? How do you think this has evolved over time? How far do you think it affects editorial decision taking? In other words, are they really having regard to their own Charter and their own guidelines in respect of the European Union question?

David Keighley: The way they approach it, as Ric Bailey made clear to the Committee, is through the lens of due impartiality, which I understand the BBC to mean it is not one from either side; it is actually ensuring that, as an issue is dealt with over time, you get the range of voices involved properly reflected. The Bridcut report in 2008 took this from seesaw to wagon wheel. The analogy was that you have the spokes of a wheel and, rather than having a seesaw, you needed to think of impartiality as that full range of different views.

Has the BBC understood impartiality as far as the EU is concerned? I suppose the fundamental argument of our reports has been, over the years, that no, it has not. In particular, it has not sufficiently taken into account public opinion. It has not taken into account sufficiently the impact of EU actions on the UK. The lens that they have viewed it through has been too much that this is a process that is happening afar, rather than as something that is integral to what we are experiencing in this country.

I have not seen a written version of how the BBC views EU impartiality. We have had the admission by Mark Thompson in 2010 that he thought they had got EU coverage wrong, to an extent. He did not back that up with any research. He did not say where it was wrong; he did not say where he thought it was right. Part of the frustration in this equation in trying to decide what impartiality is, is that we do not know on what principles the BBC is actually working.

Q356 Chair: Do you think it would be a good idea if they were to hold, shall we say, a public seminar in which all the participants who had an interest in these matters would be able to get together with people from the BBC, including editors, commentators and producers, and have a thorough discussion about this?

David Keighley: That would be one way, yes. The other way is what I said earlier—to have greater transparency as well about what they do do.

There is one part of the equation that I have not mentioned, which I found very encouraging. We put in a complaint to the *Today* programme last year about one aspect of its coverage and Ceri Thomas, the editor of the *Today* programme, wrote back saying he disagreed with us.

Eventually, he agreed to meet and we did have a very good meeting with Ceri Thomas in Parliament, during which he said he is going to engage in more dialogue with us about the research. That is the first time that that has happened in all the time we have been doing this research. I regard that as a very encouraging step and that is exactly the step to which I hoped, when I embarked on this research in the first place, the BBC would respond. It has taken them 12 years to respond in that way, but it is a start. I am hopeful that that will lead to more constructive dialogue.

Chair: Of course, it is not just the *Today* programme; it is many programmes that crop up—such as *Westminster Hour* and so on, as you indicated.

Thank you very much, Mr Keighley, if there are no other further questions. If we have any further points that we would like to raise to you in writing, I hope you will be able to respond.

David Keighley: Yes, certainly.

Chair: Thank you very much indeed.