



**The ways
in which the public,
in all its diversity,
can be involved
in consultative
programming
structures**

Salvatore Scifo

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Report prepared by Salvatore Scifo, June 2009

**Directorate General of Human Rights and Legal Affairs
Council of Europe
Strasbourg, June 2009**

Acknowledgements

The author of this report would like to thank a number of persons who have contributed to this research: the members of the Group of Specialists in Media Diversity (MC-S-MD), and in particular the European Broadcasting Union, Jacques Favre and Ed Klute for their comments on drafts of this report; Karin Wahl Jorgensen, of the Cardiff School of Journalism, Media and Cultural Studies, for her insightful perspectives given in the area of journalism and public participation; the Council of Europe's Secretariat for his support in the process of preparation and editing of this report.

The opinions expressed in this work are the responsibility of the author and do not necessarily reflect the official policy of the Council of Europe.

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Executive summary

The report was commissioned by the Council of Europe Group of Specialists on Media Diversity (MC-S-MD), to research “the role of the media in promoting social cohesion and the integration of different communities and in particular prepare a report addressing the ways in which the public in all its diversity can be involved in consultative programming structures” across TV, radio, newspapers and new media.

The report draws on academic studies and official reports on “consultative programming structures”, meaning the wide range of tools that are available to the public to interact and to be consulted by media institutions on programming matters, with a focus of co-regulation options.

Whereas for television and radio this term usually refers to viewers’ and listeners’ panels, in the case of newspapers it refers to ways in which the public can get in touch with their editing hierarchies, commonly known as “Letter to the Editor”, or their contemporary equivalents in their online versions.

Previous studies have shown that in many countries broadcasters and media authorities are developing enhanced feedback tools, complaining procedures and websites to inform consultations and facilitate the involvement of the public in consultative programming structures through internet-based platforms.

The range of possible interactions between the media industry and the public, including civil society organisations, include options of regulation, self-regulation and co-regulation, and a wide range of tools that can be used in each context.

However, the mere formal existence of a law, procedure, code, body or committee is not a guarantee of viewers’ rights to be protected. Recent research findings offer a fragmented picture in terms of media accountability and possibilities of participation that depends on the historical and social contexts of each country, ranging from well-developed systems in some countries to very weak or almost non-existent in others, where media systems are still in transition, following recent major media reforms.

Public service media are a key player in promoting social cohesion at national level across Europe, but need to continuously redefine the relationship with their audiences through the use of online platforms, and also open their content to conversation “in order to build and maintain a constant dialogue with the public”.

Community media, with their reliance on volunteers from the local community and the collaboration with a network of civil society organisations involve their target audiences directly in researching, producing and presenting programmes. They are usually more responsive as they are able to be in closer contact with their local community than larger broadcasters.

Newspapers are also going through substantial changes and their online versions now include more interactive platforms that facilitate the participation of the public and interaction with their readers. However, further research is needed to analyse the dynamics of participation and the editorial choices that occur in these platforms. Where effectively introduced, ombudsmen have improved the quality of the relationship between the newspapers and their readers.

Where they exist, civil society organisations provide extremely valuable work to monitor the media, representing viewers’ interests within the industry, and providing information and discussion forums to media users. Where these organisations are weak or non-existent there is a need to encourage their establishment and development.

Awareness of consultative programming structures has to be increased, and the cause of non-participation to be researched further with the collaboration of all the stakeholders involved in this process.

The Council of Europe should keep monitoring developments in this area and possibly facilitate the constitution of platforms which could bring together media institutions, policy makers and civil society, in order to help raise the awareness on consultative programming structures, as well as the opportunities and challenges offered by digital media.

A rationale for public’s involvement in programming structures

The role of the media goes much further than simply providing information about events and issues in our societies or allowing citizens and groups to present their arguments and points of view: communication media also play a formative role in society. That is, they are largely responsible for forming (not just informing) the concepts, belief systems and even the languages – visual and symbolic as well as verbal –

which citizens use to make sense of and interpret the world in which they live. Consequently, the role of communication media extends to influencing who we think we are and where we believe we fit in (or not) in our world: in other words, the media also play a major role in forming our cultural identity. (European Commission (EC), 1998:9)

The role of media institutions in shaping cultural identity, beyond their use for information, entertainment and education, is well documented. Both industry and academic research in the field has been, and continues to be, a subject for passionate discussions at both national and wider European level.

In a continent where public service broadcasting has historically played an important role in enhancing democratic processes, this sector is currently going through an unprecedented level of change that is contributing to redefine the concept of public service broadcasting (PSB) itself and how it adapts to the converging media scenario of this decade.

Private media concentration in fewer hands and, in some cases, the process of commercialisation of PSBs, as well as similar trends in the print and large web-based media, have raised concerns among policy makers, researchers and sections of the public alike, worried that citizens' position in relation to the media has been weakened in the last two decades, and that "traditional legal and market-oriented accountability mechanisms alone are no longer sufficient". Therefore, as media researchers Bardoel and d'Haenens argue, it is extremely important to discuss "to what extent modern media meet the citizen and how the accountability and answerability of media vis-à-vis citizens can be strengthened" (2004:166).

Public participation or consultation as regards programming and content provision has been the subject of a large study carried out at the European level. Focused mainly on television viewers (Baldi 2005; Baldi and Hasebrink 2007a, based on EAVI 2004), the study has shown that in many countries broadcasters and media authorities are developing enhanced feedback tools, complaints procedures and websites to inform consultations and facilitate the involvement of the public in consultative programming structures through Internet-based platforms. However, the study paints a more complex picture. It remarks how the increased consolidation and globalisation, especially in the television sector, has not been met by increases in audience power and satisfaction (see also Bardoel and d'Haenens, 2004).

"On the contrary, European citizens are facing, in many countries, a dangerous standardisation and homogenisation of their television schedules and the 'digital revolution' is not reversing –

for the time being – this negative trend" (Celot and Gualtieri, 2005:351).

In other words,

"the digital revolution and platform convergence tend to divert funding from programming to technology and marketing" (Baldi and Hasebrink, 2007a:10)

with consistent sums destined to promote cross-media presence and infrastructures.

Less quality in programming can also have social consequences on the public and this has attracted the attention of institutions such as UNESCO and the Council of Europe, which are "trying to strengthen civil society organisations in order to foster citizens' participation" (*ibid.*, 11). Regarding the Council of Europe, the issue of how public service media should promote a wider democratic participation of individuals has been explored for a number of years.

Moreover, the right to freedom of expression¹ through the media needs to have balance with regards to other rights, such as privacy, the protection of minors, ethnic minorities and, more generally, vulnerable groups of our society. In a previous study, Hasebrink did point out (1994) that, apart from being a customer, consumer, or just a user of the media, the public is also formed by individuals who "need protection and the possibility to defend their rights", as they can become objects of bad reporting, offensive statements, and, more generally, harmful programming that violates or exploits their religious or moral feelings. The public includes also citizens and, among them, minority groups whose interests and communicative needs necessitate being included on all the available platforms.

In this sense, the European Commission has stated that regulation of the media should also strive to achieve a balance between "the free play of market forces and the preservation of the general public interest" (EC, 1998:10). The latter could be described as

1. Convention for the Protection of Human Rights and Fundamental Freedoms, ETS No. 5, Article 10, paragraph 2, available online at <http://conventions.coe.int/treaty/en/Treaties/Html/005.htm>.

"feeding into the broader constitutional endeavour of effective citizen participation", which requires 'a diverse range of the views to be in circulation and accessible to as wide a range of the population as possible in order to allow for comparison and triangulation' (Feintuck, 1997:3).

In the newspaper industry, sector's representatives have stated that tools to facilitate consultation and interaction with the programming structure are already incorporated in the layout of the paper, in both internet and print versions. However, the possibility of submitting feedback, comments and opinions, does not automatically mean that there will be an increased degree of influence of the public, in the editorial choices and programming structures of mainstream media and further research is surely needed in this area.

Outside the realm of mainstream media, community media, given their own nature, have consultative structures usually built-in their organisational structure. Local communities can in principle have a substantial say on the output of the radio and TV stations and, in some countries, the presence of local steering committees/advisory bodies is also a necessary requirement to apply for a broadcasting licence. Research in this area (Gumucio Dagron 2001, Girard 1992, Lewis and Jones 2006) has highlighted the potential of community media and "bottom-up" media production processes in empowering communities and promoting participation in society and politics, especially among the most marginalised social groups.

In order to make full use of the potential of digital media and to encourage reflection about the media in the public, national governments have also been stressing the importance of gaining media literacy skills, for both children and other social groups whose view have been usually under represented in the media. A number of projects have been funded for this purpose across Europe. In the case of the United Kingdom, the promotion of media literacy has also become one of the duties of the media regulator Ofcom (Communications Act, 2003).

In the following pages the report will explore academic research conducted on this matter to put the discussion into context, then moving to an over-

view of consultative structures across Europe and relevant case studies, discussing also findings about the effectiveness of listeners and viewers

organisations before reaching the conclusions and a series of recommendations on this matter.

How the public can interact with media institutions

The “large spectrum of interactions” between the media industry and the public, including civil society organisations, has been insightfully analysed by the French media academic Divina Frau-Meigs in *La palette des interactions: auto-régulation, régulation et co-régulation* (Frau-Meigs, 2006a), translated into English and included later in a publication on media education published by UNESCO (Frau-Meigs, 2006b).

Consultative structures such as the “consultative councils for programming” (as in Frau-Meigs, 2006b:162)

are described as “multi-stakeholder platforms” that

“can refer to state of the art research and concrete situations, with debates that do not confine themselves to the decision-makers only but which often include producers and broadcasters. It may result in the drafting of recommendations related to some cultural or political value or content, to editorial strategies, and to specific formats in conformity with the expectations of a given community.” (*ibid.*)

Self-regulation by media professionals consists in instruments elaborated by the professionals themselves, which aim to maintain or increase the trust of the public. Whereas these might differ

from country to country, they share in principle similar processes (2006b:83). The individual behaviour of the members of the media industry and the standards of their work are made explicit in what have been called media accountability systems (MAS) and contribute to “underline the importance of freedom of expression”, reminding “that information is a common social good, and not just a commercial product” (*ibid.*). The range of possible interactions in this field listed by Frau-Meigs (83-86) are summarised in Table 1 below.

Table 1. Self-regulation

Tool	Remit	Aim	Advantage/Limitation
Style sheets	Recommendation/commitment for news making	Help professionals to deal with social issues, representation of minorities and young people	Not binding <i>per se</i>
Guidelines for standards of good practice	Principles of the profession: objectivity, equity, independence, freedom of expression*	Establish social accountability of journalists; respect for human dignity, diversity and peace	Not binding; no mention of fees or sanctions
Ombudsmen (human interface between media and their public)	Relay suggestions and complaints from the public	Remind guidelines to media professionals (as recommendations, charters, good practice)	Some have own programmes (pedagogical/educational function); Facilitators of understanding between professionals and citizens; No need of arbitration
Ethics and liaison committees (panel of experts representative of interests of the public)	Aid media to present democratic debates, observe respect of human dignity and protection of minors	Highlight lack of rigor in news-making (absence of issues in news agenda; excessive time dedicated to trivia)	Consultative status; part of media's public image
Critical and review programmes and professional journals	Examination of techniques of enquiry and reporting	Exposure of botched/untrue articles and/or reports; publish censored documents; highlight discrimination in editorial boards; expose collusions with politics and economics	Point of reference in their fields; professionals' tool to assert independence
Press councils	Periodical meetings between professionals and the public where complaints are considered	Ensure independence of the press and its taking account of readership by considering solutions to complaints	Consultative power; no sanctions prescribed. Recommendations published in newspapers; more useful at local level
Professional ethics workshop	Members of the public discuss editorial decisions with professionals	Develop mutual understanding between professionals and their publics	Space for debate, especially at local level. At wider level are promoted as 'week of press'.
Call-in shows	Audience calls during live radio and TV programmes	Allow audience to express themselves freely	Aura of authenticity and participation; need for precaution for live broadcasts to prevent discriminations

Table 1. Self-regulation

Tool	Remit	Aim	Advantage/Limitation
Prizes	Professional recognition and/or financial rewards to media professionals	Promote best practices and encouraging quality programming	Usually confined to the sphere of news
Self-regulated monitoring entities	Advice to professionals and respond to public's concern (e.g. advertising campaigns)	Formulate rules and recommendations	Sponsors joining on a voluntary basis
Labels and classificatory systems	Classification of audiovisual supports	Prevent access to potentially harmful content	Sales and rental points not effective in limiting access to products not made for minors
Screening committees	Programme units managers in charge of channel obligations assist by people representative of the public	Decide about programmes bought and scheduled by a channel	Not real tools of evaluation; commercial decision often different from committee recommendations (e.g. youth programming)
Scrambling or remote control locking systems	Parents that want to forbid access to programmes or websites to their children	Avoid the access to potentially harmful content	Technical capacity of the broadcasting systems, internet servers or television sets

* As expressed in international documents like 1983 declaration by UNESCO on the ethics of journalism or the similar declaration adopted by the European Council in 1993

Frau-Meigs also reminds us that since 1983 UNESCO had listed the access and participation of citizens among the main ethics principles of journalism in its Declaration of international principles on the ethics of journalism² with “many international press organisations and media institutions that have promoted this and other ethical principles among the ranks and their professionals” (ibid, 76). A recent *Media Self-Regulation Handbook* published by OCSE (Representative on Freedom of the Media, 2008) provides also a comprehensive and clearly written resource especially for member states that want to develop this tool further, including bodies as Ombudsmen and Press Councils and

2. Issued by the Fourth Consultative Meeting of International and Regional Organisations of Journalists in Paris on 20 November 1983.

referring to best practices across Europe.

Apart from self-regulatory bodies, as press councils or media trusts, the two other possible forms of regulation are regulation by the state and co-regulation, in collaboration with civil society organisations. In the latter case, the public can be consulted on programming issues as well as major changes in media’s mission or economics that might affect standards of programming (e.g. public service broadcasting remit).

Regulation, delegated by the state to specific authorities and/or intermediaries, aims to “preserve or correct the market balance”, “ensure that official texts are respected and applied” and “encourage the adoption of standards for better practices” (ibid. 86). Bodies

like Ofcom in the United Kingdom, the Conseil supérieur de l’audiovisuel in France or the Broadcasting Commission of Ireland, and their predecessors, have been in charge to regulate access to the airwaves by commercial and community broadcasters and monitor broadcasting norms as well as the access to spectrum. Frau-Meigs highlights how the rise of organised groups of citizens and consumers has encouraged regulators to apply more transparent procedures, as well as managing “disputes concerning ethical standards and public service obligations of the networks”. Table 2 below summarises the interactions in the case of regulation by state intermediaries/authorities (based on Frau-Meigs, ibid., 86-88).

Table 2. Regulation by state entities

Tool	Remit	Aim	Advantage/Limitation
Establishing regulatory entities	Authorise broadcasting agreement and establish services and obligations	Maintain the principles of pluralism and cultural diversity, balance opinions, right and expectations of the public	In some countries full regulatory powers and for applying sanctions; ‘soft pressure’ on industry for classifications standards
Setting up a complaints body	Ensuring that audiences’ criticisms reach programme managers and news editors	Correct information; monitor rights of reply in case of personal attacks or political editorial	Enact respect of persons’ image
Establishing public service obligations	Implement rights and duties of the media in relation to their public in public and commercial channels	Measure candidates’ access rule in news and monitor fiction, advertising and documentaries	Possibility of monitoring channels’ licences and agreements through periodical evaluations of the relations with the public. In local media priority topics to be dealt in the community can be decided in town meetings

Table 2. Regulation by state entities

Tool	Remit	Aim	Advantage/Limitation
Applying a set of measures for the protection of minors	Enforce existing children's rights, also referring to related UNICEF and UNESCO documents	Enact procedures that protect children's appearance on broadcast news or fictions	Promotion of culture, communication, education and protection of minors
Elaborating parental warning systems	Examination of content to prevent damaging young/fragile people's sensibilities. Review in annual report or discussions	Classifying programmes prior to broadcasting and attaching possible scheduling restrictions	Give a strong ethical signal; perception moving from censorship to parental decision-making tool
Fostering the public broadcasting of critical reading programmes	Debate excerpt of programmes in terms of production and editorial processes with media educators and representatives of the public	Target children and families on public broadcasting channels and operate by keeping balance with country's political and legal framework on minors/minorities protection	Resolving conflicts before or after regulations; taking account of specificities of each medium that is ruled by particular codes/guidelines

Here co-regulation is understood as a co-operation between the media industry and actively organised sectors of society (e.g. civil society). A major role here is also played by the self-regulation bodies describe above and the governmental departments or ministries of culture, communication and education that participate in negotiations in multi-stakeholder partnerships and forums. In this context, Frau-Meigs says, the concept of "governance" frames the notion of co-regulation, "a form of government that aims at re-founding the democratic basis for the exercise of power" (*ibid.*, 88).

Media governance structures and activities include:

- ▶▶ issuing directives and recommendations rather than laws and sanctions;
- ▶▶ involving a multiplicity of actors from the local up to international level;
- ▶▶ encouraging citizens' participation and responsible behaviour;

▶▶ depending on the single country's political and social context, involving a variety of actors as citizen groups, NGOs, trade unions, corporate organisations, professional groups, charities, researchers and representatives of local communities.

The study reports that media-related civil society organisations, in some countries, "have gained considerable importance", either in the form of communication focused groups or already existing professional or consumer groups that have added media and communication to their agendas. They are active in defending rights that are ignored or overlooked by current political and commercial powers, such as misrepresentation of minorities or access and over exposure of specific issues in the media.

These organisations are aware that economical and political actors will not take initiatives on particular issues and therefore:

▶▶ claim to respond "to the expectation for direct participation in a democratic process";

▶▶ aim to be involved also at the level of decision-making and do not simply follow up implementation of directives or recommendations;

▶▶ require information in time to formulate their own contribution or counter-proposals;

▶▶ develop a "structured relationship" with the media and establish ethical relations with professionals;

▶▶ try to arouse the critical awareness of the general public on particular issues;

▶▶ aim to establish principles, recommendations and standards of practice and disseminate them.

A summary of co-regulation activities that might involve civil society organisations is illustrated in Table 3 below (based on *ibid.*, 89-91).

Table 3. Co-regulation with civil society organisations

Activity	Remit	Aim	Advantage/Limitation
Participating in advisory councils for programmes or multi-stakeholder forums	Present state of the art research and practice and participation in discussions with decision-makers, producers and broadcasters	Advise PSB's councils and ministries committees; help to write up recommendations taking account the expectations of the represented community	Engage in direct discussion with media industry representatives and programmers
Creating media monitoring entities	Possibly litigate against industry, regulators or co-regulatory bodies; act as watchdog, denounce and offer critical analysis	Create stable structures that allow associations to exercise surveillance on relevant matters; raise awareness and stimulate discussions	Internet has favoured increase in their number, swiftness of information and capacity to remain on alert
Organising multi-stakeholder events	Attract multi-stakeholder participants and guest from industry, public authorities and associations in semi-formal/official meetings (e.g. festivals, workshops)	Contribute to build trust and habits of exchange in neutral places	Discussion of relevant programming or policy matters in semi-formal contexts

Table 3. Co-regulation with civil society organisations

Activity	Remit	Aim	Advantage/Limitation
Developing resource centres	Store documents about relevant events in media libraries, computer databases or on-line portals	Shed new light on own analysis of media issues; train representatives in entities and public authorities where the organisation is involved	Keep up to date with relevant issues through easily searchable archives; association members' development
Publishing pedagogical materials	Distribution of media content through a wide range of formats to members	Spread training and self-tutoring methods to develop media literacy	Increase of media skills and literacy among members
Co-ordinating with inter-governmental organisations (IGOs)	Work on specific issues and apply principles adopted by the UN; publish regular reports on issues as Millennium Development Goals	Co-ordinate international and national policies with NGOs and civil society at local level	Involvement of local groups, their expertise and hands-on experience
Establishing non-governmental organisations (NGOs)	Collect data and do comparative or on-the-spot research; possibly denounce the violation to correct a problem or raise public awareness/launch a campaign	Protect a particular category or civic right(s) by monitoring rights and duties of media in a group of all countries; coordinate with IGOs and relevant matters	Up-to-date research and keeping/promotion of awareness on the state of civic rights and fragile groups

However, co-regulation interaction between the industry and civil society, Frau-Meigs warns, requires "care and vigilance" when independent associations are proposed to share responsibilities on matters where the final

control is held somewhere else (e.g. classification of programmes) or when the participation in media councils gives some control on editorial choices but does not influence broadcasters' everyday decisions. She concludes by

arguing that "co-regulation implies that the responsibilities and social functions of each stakeholder should remain separate and clearly delineated".

The European context

The classification done by Frau-Meigs helps to give an idea of the range of interactions between the public and the industry. However, at the European level extensive academic research on broadcasting accountability is a relatively recent phenomenon.

As media scholars Jeremy Mitchell and Jay Blumer claimed in their study published in 1994, "no attempt has previously been made to examine the nature and the implications of the several facets of the relationship between broadcasters and viewers in the round". They listed eight formal accountability mechanisms:

- ▶▶ Political accountability through political and parliamentary systems
- ▶▶ Administrative accountability (handling complaints)
- ▶▶ Advisory committees
- ▶▶ Audience research
- ▶▶ Responses to sponsors and advertisers
- ▶▶ Direct audience feedback (letters, telephone calls)
- ▶▶ Press criticism

▶▶ Direct market relationships (subscription, pay-per-view)

The twelve countries that were included in their study (Czech Republic, France, Germany, Hungary, Italy, The Netherlands, Spain, Slovakia, Sweden, Switzerland, Turkey, and the United Kingdom) shared an "almost complete lack of consumer consciousness in their regulatory structure [...] oriented to their legal obligations rather than the interest of viewers" (*ibid.*, 208-212).

A decade later, a large study conducted in 2004³ with the financial support of the European Commission's Directorate of Education and Culture (Baldi 2005) gathered a substantial body of information on media accountability systems and ways that facilitate viewers' participation in media governance.⁴ Among the main features the study highlighted that "the

mere formal 'existence' of a law, procedure, code, body or committee is not a guarantee of viewers' rights to be protected" and that "options for viewers' participation have diminished compared to the past" (Baldi and Hasebrink, 2007:13-14).

On similar lines, Bardoel and d'Haenens also argued that "the position of the citizen in relation to the media has become weaker in recent decades" and there is a growing need to understand to "what extent modern media meet the citizen and how the accountability and answerability of media *vis-à-vis* citizens can be strengthened" (2004:166).

Hasebrink et al. (2007) have warned that viewers should not be regarded "as consumers of television products only" and therefore look at their participation beyond their viewing decisions and envisage them as "participants of a public discourse on media qualities and media accountability [...] close to the concept of civil society" (:78). As civil society has "a special sensitivity for problems and concerns of viewers and can articulate them in the public

sphere" (Dahlgren 1995, quoted in *ibid.*), viewers' organisations can play an important role in "raising public at-

tention and support to their objectives".

Accountability and participation in the public service broadcasting

The context

Before moving to discuss recent research in the area of media accountability and the presence and effectiveness of consultative programming structures among public broadcasters, it is important to describe the context in which public service media are operating at this time in Europe, characterised by a mix of pressing demands to be more accountable, more distinctive, more inclusive, and, eventually, leading the transition to digital by making their contents available on a mix of cross-media platforms. On top of that, in many countries, there is the need to justify the rationale of licence fees that taxpayers have usually no other choice than to pay.

Bardoel and Brants (2003) have noted how, after the introduction of commercial broadcasting across many European countries throughout the 1990s, some public service broadcasters have felt the need "to go back to worrying about their legitimacy and roots in civil society" and have implemented "new accountability instruments in order to give the citizens more involvement in PSB policies" (Bardoel, 2007:450).

Bardoel and Ferrell Lowe have highlighted how in the current context "the core challenge facing public service broadcasting is the transition to public service media", which requires a series of shifts in their production processes:

- » developing a demand-oriented approach to service and content provision, rather than the previous supply-orientation;
- » relating to audiences as partners rather than targets;
- » developing strategy and tactics for popular, albeit distinct from commercial, cross-media content (2007:10).

They also remark how broadcasting policies in Europe, apart from economic and social factors, have emphasised "social imperatives as the pivotal concerns" (*ibid.*) and this is evident in documents like the Protocol on the System of Public Service Broadcasting attached to the Treaty of Amsterdam (Commission of the European Communities (CEC), 1997) where PSB is envisaged as "directly related to the democratic, social and cultural needs of European citizens and a *necessity* for maintaining media pluralism" (*ibid.*, 11, emphasis in original text).

Moreover, because of the 2001 Communication on State Aid, and the exponential growth of non-linear media consumption and production, the move to PSM has required a "renewal of the public service ethos" across European public media and new strategies to be developed and adopted. In this respect, Nissen (2006) has identified three content implications that PSM will be required to oblige:

- » consider the needs of special groups and individual users of public media;
- » serve the needs related to cultural diversity and democratic processes;
- » promote social cohesion.

A justification for the latter also being

"the general trend towards globalisation and internationalisation, regional integration of nation states and individualisation of citizens requires modern society to find mechanisms that counter this fragmentation and create social cohesion. Electronic media and services adapted to the new context of the information society can serve this role" (19).

In this context, Bardoel and Farrell Lowe then argue, PSM have to become more audience-centred, with this implying "serving citizens in all the ways their public interest activities seek to

fulfil social, cultural and democratic needs". This will require developing "convincing arguments and practical instruments that make its public dimension more explicit and transparent" (2007:22).

Importantly, the Council of Europe (Committee of Ministers, 2006) wants to make sure that the public service principles are extended to new media because a full participation in the information society is seen as an essential tool for democracy, citizenship and, ultimately, to exercise the human right to communicate. With a specific focus on the information society, the Council of Europe also stresses the fundamental role of public service media in the new digital environment and recommends that its member states include provisions in their legislation "covering in particular the new communication services, thereby enabling public service media to make full use of their potential and especially to promote broader democratic, social and cultural participation, *inter alia*, with the help of new interactive technologies" (Council of Europe, Recommendation (2007) 3 of the Committee of Ministers of 31 January 2007 on the remit of public service media in the information society). From a legal point of view, the Council of Europe emphasises the need to allow public service media to "exercise, as effectively as possible, their specific function in the information society and, in particular, allowing them to develop new communication services" (Recommendation (2007)3, paragraph 26).

Therefore, as Jakubowicz states, "the PSB role as the central force preserving the cohesion of society clearly needs to be safeguarded and, crucially, *extended* to the online world" (2007:35) and, furthermore, "redefining the rela-

relationship with their audience and opening content to ‘conversation’ in order to build and maintain a constant dialogue with the public”:

“People should be able to feel that public service broadcasting is theirs [...] New media, as several public service broadcasters have recognised, provide striking opportunities to break out of [the] ‘take what you are given’ mode. But organisational changes offer also public service broadcasters opportunity to build new relationships of partnership, identification and a sense of shared ownership which involves viewers, listeners and web surfers – indeed, which make receivers into senders.” (Collins et al. 2001:11, in Jakubowicz, *ibid.*)

The main features

Unsurprisingly, given the different historical and social contexts of each European country, in terms of media accountability, Baldi (2007) paints a highly fragmented picture of Europe and distinguishes three groups of countries.

The first one includes those where efforts to improve accountability have ever been concrete and tangible, where debates on media accountability and its improvement are lively and ongoing. Classified by Baldi as *most advanced*, they include the Nordic countries, the United Kingdom, Ire-

land, Germany, Belgium and the Netherlands (see also Table 4 below). All these countries share as well authoritative reviews of public service broadcasting, regulators and broadcasters that implement more effective tools to better understand audience needs and representation, and a supportive environment for the establishment of self-regulating bodies. The Nordic countries share also a long tradition of Ombudsman practice.

Box 1. Some good practices in public service broadcasting in the most advanced countries. Adapted from Baldi (2007)

Audience Council (RTE, Ireland)

Established in January 2004, it is an “unpaid public body of citizens and nominated members which provides a mechanism for the audience to respond to RTE (Radio Telefis Eireann, the Irish public service broadcaster) and interact with its programming agenda”. In this way, non-politically appointed citizens become part of a self-regulation “which ties broadcasters and authorities to its audiences and public” (Baldi, 2007:20-22). Half of the members are publicly recruited and the other half nominated from arts, sports, industry, and language organisations. Its legal basis is laid down in the RTE Charter.*

Medienversammlung (Media Meeting) (Media Authority, North Rhine-Westphalia, Germany)

Launched in November 2003, it has an advisory function and aims to achieve public discussion between viewers and media professionals. Relevant topics are discussed by a mix of viewers/users, academics, politicians and media professionals.†

Programme Council (Denmark)

This is a forum where public service broadcaster TV2 Denmark meets regularly with representatives of viewers’ organisations twice a year. Its role is to “comment on programmes and give inspiration and good ideas”.‡

* RTE Audience Council: <http://www.rte.ie/about/audiencecouncil.html>.

† Medienversammlung: <http://www.medienversammlung.de/>.

‡ <http://www.circom-regional.org/states/denmark.asp>.

The second group of countries includes those where accountability tools are present, but their efficiency is seriously questioned by the findings of Baldi’s research. They are classified as *less advanced* and include Italy, Spain, France, Greece, Switzerland, Austria, Portugal and Luxembourg. Despite some differences among themselves, they share mechanisms to ensure viewers’ participation and are usually more formal than substantial. Often, there is also a lack of political tension on these issues and, despite the exist-

ence of European directives and laws in the national law, there seems to be no urgent need to implement them.

The third and last group includes those countries where accountability and responsibility are still political and managerial aims. The *under construction* countries, include central and eastern Europe (CEE), where “the separation between media and society is still a tangible feature”. They share a lack of general funds and attention to viewers’ interests, a lack of civil society tradition, and a still strong state influ-

ence. Here broadcasting systems increasingly tend to be dominated by commercial, and often foreign, interests where PSBs tend to be marginalised.

Holznagel and Jungfleisch (2007), in a review of the findings in the areas of legislation and media law of Baldi et al.’s study, have analysed the possibilities of participation in internal advisory boards set up by PSBs and regulatory authorities. Aiming to represent the interests of the public and to make sure that programming is not

biased towards specific interests, these bodies include the possibility for social groups to have their representatives on board (e.g. representatives of religious, social, political and cultural organisations).

However, Schreier (2001:65 cited in *ibid.*, 56) reminds us also that “despite the many precautions to insure independence of board-members, political parties often exercise influence over public service broadcasters”.

The classification by Holznapel and Fleisch follows different criteria from Baldi’s study and distinguishes among *homogeneous*, *inhomogeneous* and *in progress* countries, depending on the presence, or not, of a range of characteristics. From a viewers’ perspective these include viewers’ rights established by law, complaints and audience councils, authorities’ responsibility for viewer complaints and representation in official bodies. From a broadcasters’ perspective, they include the independence of the Authority, its responsibility for programme standards and its sanctioning powers (*ibid.*, 58).

In the case of Germany, part of the *homogeneous countries*, Broadcasting Councils (PSB internal supervisory boards) include social and political groups, as well as Government and Parliament representatives, in order to have a pluralistically composed body, representative of the society in the country’s *Länder*. Finland’s public broadcaster YLE’s administrative board includes members from social and linguistic groups, as well as personalities from the areas of education, economics, arts and sciences (*ibid.* 61). The British example, arguably the more advanced in the continent, because of the historical reputation as a solid and still very supported public service broadcaster, the BBC, will be the focus of a separate and extended review in the next section on public service media.

The *inhomogeneous countries*, instead, show a very different mix of high standards and a lack of important features. Holznapel and Fleisch cite examples such as Austria, where there is formally an Audience Council of the

public broadcaster ORF that should protect viewers’ interests, but estimates a very low influence, due to the high number of members nominated by the Federal Government.

In Switzerland, the viewers that want to get involved have to become members of the public service broadcaster SRG SSR.

Holznapel and Jungfleisch criticise also the Dutch “pillarised” model, where, in principle “open access and effective influence in public broadcasting for citizens is assured” (*ibid.*, 2005:295), but where viewers have to become members of one of the public service organisations present in the Netherlands. So, the more members they have, the more programming time is allocated to them.

Hasebrink et al. warn that in those cases broadcasters are more likely to reject initiatives from single viewers, seen by them as “illegitimate”. In other words “the public is sufficiently represented through these bodies” (2007:80) so other perspectives might have limited or no space at all.

Finally, the CEE countries, classified as *in progress*, are characterised by strong, often foreign-controlled commercial sectors, public service broadcasters that are under threat and have a very fragile or non-existent community broadcasting sector. This is due to the policy frameworks existing there and an overall lack of funds for non commercial broadcasters.

In this context, viewers’ and listeners’ participation in programming structures is not regarded as an important issue and the absence of a strong civil society sector leaves a gap and the need to lobby for better conditions to improve the possibilities of contribution from the public.

In the last group of countries new media laws have been recently approved and many of them are still in the process of establishing independent media systems. However, early signals of progress are present and, as Holznapel and Jungfleisch conclude, the further development promises to “be an exciting progress” (2007:73).

After reviewing, the main features of the broadcasting sector, the attention will now turn to characteristics and possibilities of influencing their programming through consultative structures.

Some case studies

United Kingdom

In the British context, Collins and Sujon (2007) recognise that the opportunities for viewers’ to exercise voice are stronger in the case of the public service broadcaster, through its National Broadcasting Councils for Northern Ireland, Scotland and Wales, and the English National Forum.

However, Collins and Sujon have also highlighted that the BBC does not support democratic election and accountability of its consultative institutions, and criticise the BBC for not being yet accountable in the sense “of being subject to sanctions imposed by itself directly or by other bodies external to itself” (*ibid.*, 38). More than viewers and listeners holding the BBC to account, they describe the relationship as “one of mutual obligation rather than one where one party holds the other into account”: the public is obliged to fund the public broadcaster “so that the broadcaster may provide information to listeners and viewers to act as citizens” (*ibid.*, 50). Where the authors recognise, on the other hand, the contribution of the public broadcaster to an informed citizenry, they also highlight that this should happen in a framework of “reciprocal entitlement and obligation”.

It has to be noted also that because the BBC, as most of the PSM, benefits from public funding, the programming quality will tend to be higher than the offer from the commercial sector, where programming has to reflect more the interests of advertisers than their listeners and viewers.

France, Spain and Germany

Apart from the use of councils, several public service channels across Europe have introduced ombudsmen-like bodies to deal with comments and suggestions from the public: the *médi-*

Box 2. BBC Audience councils in the United Kingdom*

The new Audience Councils of the BBC were introduced in 2007, following a review of accountability systems across the corporation. The British public broadcaster claims that these bodies are one of the key ways that “ensure the views of the public are represented at the highest levels of the BBC.”† There are Audience Councils in each nation: Scotland, Wales, Northern Ireland, and England, with the latter assisted by a network of 12 further regional Audience Councils.

Members of the councils are licence-fee payers who “have an informed interest in the work of the BBC and an understanding of the interests, concerns and diversity of the audience in their nations. Members are volunteers and do not have any professional link with the BBC”.

In its document *Our promises to you* (2007), the BBC has also stated that “the Audience Councils play a key role in any public consultation organised by the Trust. This means that they must be consulted before the BBC launches a new service; when the Trust is reviewing a service; and when the Trust is considering how well the BBC is doing in delivering its Public Purposes”.

Finally, the Corporation is planning to use a wide range of tools, depending on the situation, as public meetings, specific interest groups and an “enhanced complaints procedure”.

* With the new Royal Charter, in place from 1 January 2007, the Audience Councils for Northern Ireland (<http://www.bbc.co.uk/northernireland/audiencouncil/>), for Scotland (<http://www.bbc.co.uk/scotland/aboutus/acs/>), Wales (<http://www.bbc.co.uk/wales/audiencouncil/>) and England (<http://www.bbc.co.uk/england/ace/>) were constituted.
† http://www.bbc.co.uk/annualreport/trust/governance/trust_gov_audiences.shtml (Accessed 27 December 2008).

ateur in France, the *Defensora del Espectador, el oyente y el usuario de medios interactivos* in Spain and the *Publikumsstelle* in Germany.

It could be argued that, in an ideal market viewers and listeners have the freedom to decide what to buy (or not) but due to the dominance of a restricted number of actors in the media content supply chain, barriers at the entrance are still high in all European

markets. But where in Britain the Voice of Listener and the Viewer (VLV) helps to articulate viewers’ and listeners’ concerns directly, fourteen European countries do not have any viewers’ associations, and where they do exist, in most cases, have low political relevance. Some positive signals, though, are the ones used for the process of modernisation for the “Television without frontiers” directive where dif-

ferent levels of hearings and focus groups were organised and “a tendency to develop self-regulation and to create specific self-regulatory bodies, audiences and civil society actors or platforms” that might lead to new forms of participation from the public has emerged (Baldi and Hasebrink 2007:13-14).

Community/third sector media

A report commissioned by the Council of Europe Group of Specialists on Media Diversity, prepared by Peter Lewis and published in 2008, explored the role of community media and their contribution to social cohesion. In the context of this report, perhaps the most important feature to discuss is the described level of audience involvement in the programming of the station.

“The use of volunteers by community media, the regular collaboration with civil society organisations in the community and the representation of community individuals and groups on the bodies that own and control community media projects mean that audiences are involved in defining needs, researching, producing and presenting programmes and participating in policy and fundraising.” (23)

The substantial difference here is that, compared with national and local mainstream broadcasting, members of the audience can participate more directly in the media production processes in their community station, where mechanisms of accountability are in principle stricter for the nature of this medium.

The “Community Radio Charter for Europe” (AMARC, 2008) recalls the Universal Declaration of Human Rights and, specifically, sets communication as a fundamental human right, meaning not only the “access” or the right to reply being present in public and commercial broadcasting, but also the possibility of having one’s own tool to exercise this right, independently from politics, institutions and commercial interests, run not for profit and

owned, managed and produced by a group that is representative of a community of place or of interest. In other words, the participation and possibility of influencing directly the output of the station as a member of an advisory board, as well as producer or presenter:

“The community participates in formulating plans and policies for the radio service and in defining its objectives, its principles of management, and its programming.” (Fraser and Resepo Estrada, 2001:16)

The organisational structures of a community broadcaster then have to permit to the community a substantial influence on the station’s policies and administration. These stations all share the concern of giving representation to social groups that are underserved, marginalised, neglected or misrepresented.

Box 3. France: Les médiateurs

Public Service television channels France 2, 3 and 5 have set up two *médiateurs*, the first named “mediator for programmes”;* the second “mediator for information”.† The mediator for programmes deals with the production teams of the programs on behalf of members of the public dissatisfied with the response to questions by the programmers. This excludes news bulletins and magazines, which are covered by the mediator for information. The latter has an interactive site, where recent messages from the public are displayed and discussed and includes the possibility to send video messages to the mediator. The mediator himself comments on current programming issues prompted by the public in *The Word of the Mediator*, a weekly video clip that can be viewed by accessing its website.

The mediator for information collects observations, criticisms and analyses that aim to improve the programmes of the channels and establish a more direct connection with the public. He passes the received feedback to the Directorate for Information and Magazines. The mediator publishes *La lettre du médiateur de l'information*, which is sent to the journalists of the three public service channels, and has the duty to write an Annual Report addressed to the Director of France Télévisions. However, this body is independent from the management of the channel in order to fulfil its mission and is irremovable in the course of its 3-year mandate.

More in detail, the mediator:

- examines all the requests received and decides to take action or not in regard to the complaints (the mediator has guaranteed access to all the necessary information to investigate the complaint);
- communicates this information to the concerned departments and decides, if necessary, to make the information public, for example on websites of the channels;
- considers the usefulness of explaining to the public the choices made by the newsrooms or programming units, possibly describing the difficulties met by them during the production process;
- facilitates internal discussion in the channels, possibly leading to the development of good practices to be share across their staff members;
- can request access to the programming space of France 2, 3 and 5 if needed in order to discuss relevant topics, with the agreement of the managing director of the channel.

As for the latter point, the OCSE guide on Media Self-Regulation cites *L'Hebdo du Médiateur* (The Mediator's Week), a 20-minute programme broadcast on Saturdays at 1 p.m., and highlights its success, stating that “the confidence in it shown by viewers stems above all from the special status of the ombudsman – total independence from the management, editorial orientation and hierarchy” (the Representative on the Freedom of the Media, 2008:82-83)

Finally, it is worth remembering that the Mediator acts *a posteriori* and not *a priori*, as he/she can not interfere directly in the choice of topics and production of news bulletins or magazines.

* http://relations.france2.fr/mediateurp_intro.htm.

† <http://info.france2.fr/mediateur/>.

Box 4. Spain: La defensora del espectador, oyente y usuario de medios interactivos

The *Defensora del Espectador, oyente y usuario de medios interactivos** (Defender of the viewer, listener and interactive media user) has been introduced by the Spanish public broadcaster RTVE to give the public the possibility of communicating complaints, claims and make suggestions directly to the Corporation. It aims to help citizens to exercise the right to truthful, independent and pluralistic information, as well as entertainment; to improve the transparency and self-regulation processes and, ultimately, the relationship between the public and media professionals thus improving the programme proposal of RTVE's channels. The defender's feedback to the public is then published on its website or sent directly to the person who made the claim in the first place.

* http://www.rtve.es/Front_PROGRAMAS?go=111b735a516af85c803e604f4546adce218cb24b4a9860ba28ba563101d4ed2fdd0adfabcdca9d4fb43104d6647bedd4e37c62fbf4dba26ff55b8eaae8dc1c4d

sented from mainstream media from the local up to international level. Access of community groups to the media can have a cohesive function as these small-scale stations, with their local outreach, can be a tool that allows these communities to speak for themselves and shape their own identity, discussing issues relevant with

Box 5. Germany: Die Publikumsstelle

Introduced in 2004 by the regional public broadcaster Westdeutschen Rundfunk (WDR),* the *Publikumsstelle* ("Audience Interface Unit") is a reference point for positive and negative feedback, receiving responses and possible complaints. It was introduced as part of the 11th Interstate Treaty on Broadcasting in Germany and is regulated by its Article 10. Even though previously the public would have been able to submit feedback to WDR via the Director General's office, which was dealing with the collection of such cases, the new unit has surely improved the broadcaster's organisational procedures. However, the *Publikumsstelle* does not decide how to deal with complaints (unlike those which deal with programming matters or content of programmes, including protection of minors), which fall within the competence of the Directorate General itself.

* See full text available at: http://www.wdr.de/unternehmen/_media/pdf/basis_struktur/wdr_Gesetz_neu.pdf;jsessionid=UKGTHAKCFJ5ROCQKYXEUTIQ.

their own channel of communications and in their own terms. In other words, "citizens need access to the means of communication and voice in order, also, to be able to speak with one another, to discuss their conditions and aspirations, and to develop the capacity for engagement" and "community-based and some public service broadcasters, in particular, tend to be highly participatory and to encourage immediate feedback and discussion over the airwaves" (Buckley et al. 2008:17, 34).

For example, the Community Radio Order 2004, the legislation that has permitted the establishment of a full time and distinct third sector of radio broadcasting in the United Kingdom, states that

"it is a characteristic of every community radio service that members of the community it is intended to serve are given opportunities to participate in the operation and management of the service."

In practical terms, as a successful community radio licensee⁵ in the United Kingdom stated in its application.

"All of the programme ideas at ALL FM are generated by the local residents and groups within the community who make up our volunteer base. The staff supports the volunteers to generate and produce their ideas. We engage in outreach work with various community organisations and networks and offer the opportunity through this for individuals or groups to get involved and make programs for their community. We train groups to produce their own radio programmes and generate their own content [...]" (ALL FM, 2004, 25)

5. ALLFM is a full-time community radio station broadcasting to the central and south-eastern areas of Manchester, United Kingdom. Further information and the current schedule are available at <http://www.allfm.org/>.

Moreover:

"The Steering Group has been constituted to be representative of the local community by following the demographic (Census Information) of the local community in its recruitment policy. [...] The main way ALL FM intends to make its service accountable to the community is through the work of the Steering Group which will recruit and maintain a representative body of people to discuss and guide programming policy. [...] We hold regular Open Days where the Public can come into the station, meet the presenters and staff and let us know what they think of the service we provide." (*ibid.*, 36-7)

However, as community broadcasters aim to be more accountable to the community they serve rather than mainstream broadcasters, a careful planning of their access and participation policies have to be planned. Due to social and cultural differences, some groups may have problems in coming forward and asking for a slot in the schedule. In this sense, a thorough knowledge of the demographics and social dynamics of the community, possibly supported by a full-time community developer, helps in involving the more marginalised groups. In fact, ALL FM has such a full-time position in its structure, whose aim is to do outreach work with groups to encourage their involvement at the station. In practice, this means "identifying gaps in representation at ALL FM and engaging positive action through recruitment to address this", as well as engage with local community and voluntary networks (*ibid.*, 13). The station's varied and eclectic schedule does indeed reflect the composition of the targeted community, trying to balance the voices and allocation of

airtime in consequence (see footnote 6).

Public service broadcasters can be at times slower to adapt to changing social environments (e.g. ethnic composition of a population in a particular area), given their national/regional dimension or, locally, due to processes that involve often the need for approval from the centre. Community-based media are usually more responsive as, by nature, they are in closer contact with their community. As Lewis has remarked in his report, "in many of the western European countries, the older minority communities had to wait a long time before seeing some concession in mainstream media" (2008:27). A selection of relevant examples of successful multilingual community broadcasters, ranging from OOG Radio (Groningen, the Netherlands), to Invandrer TV (Aarhus, Denmark), Radio Droit de Cité (Paris, France), Radio Dreieck (Freiburg, Germany) and Cross Radio (across ex-Yugoslavia states) are cited (for further details, *ibid.*, 28-29)

At the European level, a valuable contribution in this sense has also been given by organisations like Online/More Colour in the Media (OLMCM), a network of NGOs, broadcasters, training institutes and researchers, that was set up in 1997 to improve the representation of minorities and other diverse groups in the media, that has supported, among other things, the networking of experiences and the circulation of information about on minority/ethnic community media.⁶

6. Further details at <http://www.olmcm.org/>.

Newspapers/print media

"Beyond offering information, newspapers must also solicit new ideas from citizens. Therefore, letters to the editor selected for publication should not merely address normative concerns as reflected in ongoing stories placed on the agenda by the news organisation itself. They should also allow for members of the public to introduce topics, and open them up to the critical scrutiny of public debate." (Habermas, quoted in Wahl-Jorgensen, 2002:72)

The newspaper landscape, like the broadcasting sector, has undergone no less profound changes and the most successful ones have online editions that now include news updates "by the minute", embedded audio and video-clips, podcasts and the possibility to comment and discuss the published articles or develop a blog discussion about a particular hot topic at any time.

Historically, the primary spot for the public's interaction, and possibility to influence the output of newspapers, have been the "Letters to the Editor" ("a place where democracy blossoms because regular citizens are allowed a voice of their own", Wahl-Jorgensen, 2004:90), a section that has been appreciated for its function of "engaging local communities in newspaper coverage" (Wahl-Jorgensen, 2002:69) and a main device to give feedback in the print media (for a study of the Belgian context see also Antoine, 2000).

However, there is a risk that only the more "committed" will be the ones airing their voices and, therefore, making these spaces not very representative of the general public:

"The letters section, far from being a microcosm of a diverse society, and a forum for the voiceless, appears to be dominated by groups with a relatively narrow range of interests." (*ibid.*, 91)

In other words, as Raeymaeckers puts it, it is important to remember some crucial questions:

"who are the people who write letters to newspaper editors, what is the true value of their contributions, and to what degree do their opinions reflect public opinion?" (2005:200).

More recently ombudsmen and readers' councils have also been introduced. The ombudsman has been

described as "someone employed by a newspaper, acting as an intermediary between readers and the newsroom, handling complaints, questions or remarks about the content of the paper"; however, in some cases its function has been to "build customer relationships, rather than making the paper accountable" (van Dalen and Deuze, 2006:461).

As cited earlier in the report, OCSE has published a *Media Self-Regulation Handbook* that also gives extensive examples of ombudsmen and best practices especially in the area of printed media, with a useful map that illustrates the current situation with regards to press councils in Europe (Representative on Freedom of the Media, 2008:48-49) and devotes a whole section to the ombudsman (*ibid.*, 83), this is especially helpful for those countries that would aim to improve or establish such a body.

In 2007, the above mentioned Group of Specialists on Media Diversity circulated a questionnaire among relevant industry representative groups and these included the European Newspaper Publishers' Association (ENPA), an organisation that represents over 5 200 national, regional and local newspapers across 23 member states of the European Union plus Norway and Switzerland.⁷

In its response ENPA stated that consultative structures at newspapers are "in-built into the very nature of the newspaper product in several ways" whatever their format and whether in print or online. Different types of these structures have been established in order to suit best each title or media group. The Association claims that they have all been "very effective" outcomes, this being part of "the advantages created by a self-regulatory system which can permit the press the flexibility and independence that it requires, whilst still ensuring that the readers' and wider public's concerns are taken effectively into account" (Council of Europe 2007:7). An

7. Source: <http://www.enpa.be/> (accessed 20 October 2008).

adapted selection of case studies regarding single newspapers and nationwide bodies, as reported by ENPA, is listed in the box on the following page.

ENPA also stated that some tools to facilitate consultative programming structures are already incorporated in the layout of the paper: in both internet and print versions readers now have the opportunity to contact the journalists directly. The e-mail address is printed or will be visible alongside or at the end of the article, and readers can express their own opinions (e.g. use of the "your reactions/your views" option). More institutionalised forms of reader feedback are the press councils who deal with the complaints of citizens when they are not directly dealt by the newspaper itself.

However, the possibility of submitting feedback, comments and opinions (an option that has been facilitated by the development of the so-called Web 2.0 sites that make interaction, social networking and the circulation of media products from ordinary citizens more easier) does not automatically mean that there will be an increased degree of influence of the public, in all its diversity, on the editorial choices and programming structures of mainstream media. As Collins and Sujon warn:

"Although it may be too early to observe outcomes, it is clear that internet sites, chat rooms and new media tools are significantly affecting not only how viewers can interact with broadcasters, but also how broadcasters form relationships with their viewers." (2005:307)

Therefore, what needs to be studied further here is what newspapers make of all this input, how are the comments processed (online/offline) and to what extent the public can really influence editorial policy, especially in the case of self-regulating bodies. As said earlier, even when civil society is involved in co-regulation processes, when decisional powers lie elsewhere, the real outputs might take very partially account of the public's needs and requests. In recent times there has been a growth in the number of Internet

Readers' ombudsman: *Dagens Nyheter*, Sweden*

Dagens Nyheter is the biggest daily morning newspaper in Stockholm. The Readers' Ombudsman deals with the receipt of complaints, views or just anything that the readers want to communicate to the newspaper. Once a week, the ombudsman has a half or full page in the newspaper, publishing contacts and views from the readers, interviewing relevant people at the newspaper on the matters discussed, who give their own views on the subject of the complaint.

Newspaper's website discussion forum: *La Montagne/Blognaute.fr*, France

The online readers of the French newspaper *La Montagne* can discuss articles further on the newspaper's website discussion forum linked from an article's web page or from the main menu, by using the blog tool at Blognaute.fr.† The "blog de la rédaction" is a service set up to allow readers to comment on the published news, as well as to offer their own views and suggestions about the newspaper itself. All the comments which are legal and not insulting /discriminatory in nature are published on the blog's website. A selection of the suggestions from Blognaute.fr each Monday are featured in the print version of the newspaper: in this way the electronic versions of newspaper are contributes also to its print version.

Letters to the Editor: *Aftonbladet*, Sweden

At *Aftonbladet*, the largest tabloid newspaper in Sweden, the editor in chief, Anders Gerdin, every Sunday publishes *Hörru Anders!* (Hey, Anders!), where mainly critical letters and comments from the readers are published, sometimes together with a comment or reflection on the criticism from the editor himself.

Readers' council: *Vorarlberger Nachrichten*, Austria

In June 2007 this local newspaper established a readers' council, composed of 30 members, that has close contact with the editor-in-chief, with whom it meets every two months and discusses its concerns and proposals directly.

Ombudsman for printed media: *Leseranwaltschaft der Printmedien*, Austria

In June 2007 an ombudsman for all printed media in Austria was established.‡ This is an institution of self-regulation based on the code of ethics. The readers' complaint institution (*Leseranwaltschaft*) in Austria does not give legal advice, but it issues guidance to all readers who feel themselves affected by possible violations of the code of ethics by printed media. The readers' ombudsman understands him/herself primarily as a mediator between readers' complaints and concerned newspaper. In the current debate this is considered as a first step to a new model of a press council: it must be pointed out that in Austria a very strict media law is in force.§

Finally, in Sweden, the Press Ombudsman¶ and the Press Council are the structures that receive readers' complaints. The system is financed by the associations of newspapers and magazines, as well as the journalists.

* At the time of writing other readers' ombudsmen exist in Denmark (*Politiken*), Great Britain (*The Guardian* and *The Observer*), the Netherlands (*De Volkskrant*, *Brabants Dagblad* and *Eindhoven Dagblad*), Spain (*El Pais*) and Turkey (*Sabah*). Source: The Organisation of News Ombudsmen (ONO), available online at <http://www.newsombudsmen.org/regmem.htm> (accessed 30 December 2008).

† <http://auvergne.blognaute.fr/index.php?2006/05/10/116-quest-ce-que-blognaute.fr/>.

‡ The Ombudsman is online at <http://www.leseranwaltschaft.at/>.

§ Further information in a study on media self regulation in Austria in: Franzisca Gottwald, Andy Kaltenbrunner and Matthias Karmasin, *Medien selbstregulierung zwischen Ökonomie und Ethik Erfolgsfaktoren für ein österreichisches Modell*, Schriftenreihe des Medienhaus: Vienna, 2006 (in German).

¶ <http://www.po.se/>.

sites which include what has been called "user-generated content"; at times going so far as to refer to these examples of "citizen journalism". But how far citizens are effectively contributing to mainstream media output needs still to be put in perspective.

Furthermore, as Bardoel has suggested:

Media professionals want to work 'for the people', but often see accountability to the public and to society as no less threatening than the forces of the market or the state. More than ever in the past, the *citizen* becomes an active part of

the (mass) communication process, due to the potential of new technologies, more competition between media and, last but not least, a more self-conscious and better educated citizenry (2007:455)

In other words, new media are facilitating to challenge the monopoly of pro-

fessional journalists' in the area of news production and open to discussion their practices and ethics. A recent study by Thurman (2008) on the user generated content featuring on British news websites has also shown some of the conflicts between the editors' professional gatekeeper roles and their perceptions of user participation and how the often claimed readers' participation is very often pre-mediated and edited. Moreover, Thurman is also concerned by the "extent to which users are interested both in participating themselves, and viewing other readers' contributions", given that a "popular" debate on the BBC News website's post-moderated comments system had attracted just 0.5 percent of the site's daily unique audience.

Journalistic user-driven online news such as OhMyNews, Indymedia and Wikinews have shown clearly the potential of collaborative forms more

than individual blogs and the user-generated platforms available on mainstream publications. In the last decade access to information has become more open, authoring tools have become much cheaper (or free) to obtain, as well as the hardware required to do such work. As Quandt and Singer have described, participation can now possibly happen in any stage of the process: news gathering and editing, organisation and display of news, coordination and control of editorial processes and delivery of information. For both journalists and journalism researchers there is a need to redefine "the new roles and the news stages in the communication process to accommodate an expanded range of collectors, editors and disseminators" (2008:140). Divisions between information producers and consumers will continue to blur, they argue, and there might be an emerging division

between a part of the audience that will be more involved in news-making (also through social networking tools as Facebook and, more recently, Twitter) and others that will remain "relatively passive consumers of information" (*ibid.*, 141).

Finally, there are cases like the Netherlands, where the introduction of the Newspaper Ombudsman has had, according to van Dalen and Deuze, considerable positive effects:

"At the beginning of the 21st century, Dutch newspapers became more open to their readers than ever before. The rise of ombudsmen in the Netherlands is directly related to this attitude change. On the one hand, readers are quicker to respond to the newspaper; on the other hand, the newspaper is more open about its practices. For ombudsmen, their work has changed the way they think about their public: readers are taken more seriously. (2004:471)

The contribution of civil society organisations

Hasebrink et al. (2007) analysed the participation in programming structures through civil society organisations and remarked that the possible absence of viewers' organisations does not necessarily mean that their participation is low, as there might be other mechanisms to ensure participation. On the other side, if they are present it does not mean that they are necessarily politically relevant, with the exception of the United Kingdom-based Voice of Listener and the Viewer (VLV).

Hasebrink et al. (*ibid.* 83-88), in tracing the contours of viewers' organisations in Europe, identified five main aims and motives:

- ▶▶ General representation of viewers' interests
- ▶▶ Protecting family/children/youth interests
- ▶▶ Defending pluralism and diversity
- ▶▶ Ensuring gender interests
- ▶▶ Safeguarding religious values.

The type of activities carried out by these organisations include media monitoring, research, lobbying government, authorities, and institutions,

organising public debates, seminars and workshops, representing viewers' interests within the industry, offering complaints services, and providing information and discussion forums to media users.

Reflecting the differences previously described among European countries, the picture that emerges here is described as a "colourful map of different kinds of activities advancing the viewers' interests". Again, the United Kingdom is described as a unique case for its "highly elaborated accountability systems" and organisations that are able to influence the political and policy debate as the VLV. At the continental level, the European Alliance of Listeners and Viewers Association (EURALVA), a group founded in 1996, that now includes eight associations from seven countries (United Kingdom, Germany, Finland, Sweden, Norway, Spain and Portugal) have united forces to represent viewers and listeners, support PSB and organise common activities as responding to Europe-wide consultations and directives, and international conferences.⁸

Then, there is a group of countries that had traditionally strong welfare state systems (as Sweden, Germany, Austria and the Netherlands) which is characterised by developed media accountability systems in place and strong PSBs, but no independent viewer organisations activities, even though the change "from government to governance" regulation will probably modify the scenario in the near future.

Most of the southern European countries, as Hasebrink et al. continue, have poor accountability systems and rather weak PSBs, but include a consistent number of organisations that have been operating for a long time and whose activities to encourage quality programming and pressure from the public are still regarded as very important.

Finally, in most of the CEE countries there is no presence of independent organisations in this area, as well as rather weak traditions of PSB and accountability systems, and a strong foreign-owned commercial media

8. Further information at <http://www.euralva.org/>.

presence. The developing civil society sector in these countries, the researchers conclude, would need a lot of en-

couragement to “develop public attention and the interests of viewers”.

Table 4 summarises the associations and their activities cited in their study.

Table 4. Viewers’ organisations in Europe (based on Hasebrink et al. 2007:83-88)

Name	Country	Features
Gezinsbond	Belgium	Founded in 1920. Has 300,000 members and aims to protect minors and preserve diversity in Broadcasting.
Ligues de Families	Belgium	Founded in 1920. Has 80,000 members and has similar objectives to Gezinsbond
Zorra	Belgium	Watchdog for gender questions in advertising.
Pro Yleisö	Finland	Founded in 2003. Aims to foster media quality and strengthen PSB objectives
Collectif Interassociatif Enfance Média (CIEM)	France	Founded in 2002. It aims to protect young viewers’ right and includes parents, educators and associations
Observatoire Français des Médias	France	Founded in 2003. Has 300 members among professionals, users and academic. Promotes free and pluralist information
Association for the Protection of Television Viewers (APTV)	Greece	Founded in 1996. Aims to protect minors from violence and vulgar programming.
Mira Media	Netherlands	Founded in 1986. Includes the major migrant organisations and aims to achieve more diversity and pluralism
Association of Television Viewers and Radio Listeners (ATR)	Spain	Founded in 1985. Encourages self-regulation and audience participation in broadcasting
Association of Users of Communication (AUC)	Spain	Founded in 1980. Has a membership of 10,000 and defends citizens as users, receivers and targets of media.
Spectators Forum	Spain	Founded in 2002. Has 150,000 members, promotes self-regulation, defends viewers rights, gives awards to quality programmes
Associated Televiewers’ of Catalunya (TAC)	Spain	Founded in 1985. Has 15,000 members and aims to act as a bridge between audience and tv stations
Arbejdernes Radio og Fjernsynsforbund (ARF)	Sweden	Founded in 1930, has 30,000 members and 150 local clubs.
Voice of the Listener and the Viewer (VLV)	United Kingdom	Founded in 1983. Has a membership of 2,500, produces high quality research and maintains high reputation with government

Conclusions

Can we measure at this stage the influence of the public in programming? Are consultative programming structures contributing to social cohesion?

Following the review of European viewers’ organisations, Hasebrink et al. (2007:91) claim that the overall consciousness of being an active actor in media governance, and programming structures, of mainstream broadcasting is “rather poorly developed”:

“Despite the large number of initiatives and activities the overall impression is that viewers as civil society actors do not play a substantial role in European media systems [...] as far as accountability systems include elements of viewer participation, these do not get much attention or are even unknown to large parts of the population (*ibid.*)

This seems to be confirmed by research done by the BBC, preceding the introduction of the Audience Councils (discussed earlier) in 2007:

“Overall, people expressed a low level of personal participation and interaction, both with the BBC and with other organisations. Fifteen per cent of people in the quantitative survey said they regularly shared their opinions, views and feedback with organisations. Only 8% have ever given feedback to the BBC. What participation there was tended to be at a local level on issues which affected everyday life such as local council services, schools, hospitals or utilities? When asked about specific Trust activities or decisions, only 6 to 14% of people surveyed said they would want to be personally involved in giving their views on each type of activity [...]

Respondents said that they only wanted to take part in a consultation if it was clear what might change as a result [...]

There was a great deal of support [...] for the idea of Audience Councils. However, very few of those who took part in any element of the consultation knew about the councils and their work. The Trust will look at ways of raising

awareness of the Audience Councils. (BBC (online), 2007)

Therefore, recent research done on a large scale in the area of consultative programming structures seems to agree that, at the national level, with a few exceptions, civil society organisations and accountability systems are still under-used or unknown to large parts of the public. This, perhaps, also because of a “distance” felt from the broadcaster especially in the case of audiences living far away from the broadcasting centre, where engagement at the local level seems to be more effective as people can relate their everyday lives to them more directly.

Whereas many steps forward have been done in terms of putting in place improved mechanisms of accountability, awareness of consultative programming structures is still low and

would need to be more effectively communicated to audience members. Moreover, even though the research discussed above has surely helped to accumulate a range of quantitative and qualitative data about the existence and the activities of consultative structures and audiences' organisations, further European research should focus also on the causes that might motivate, or not, audience members to interact actively with the media.

In conclusion, structures are in place but there is still too little real interaction between the media institutions and the audiences. Civil society organisations, especially in Eastern Europe have too little knowledge, skills and resources to fulfil this role, while often individual citizens are not aware and empowered enough to make full use of all available possibilities of interaction. What has to be stressed then is the need of further empowerment of the media user, viewer or listener and

the ways on how this could be achieved. Whereas it is up to all the stakeholders involved in this process to discuss ways of supporting platforms where the public and civil society can interact with media, European institutions should strive to improve what should become a real and meaningful involvement of the public, in all its diversity, in consultative programming structures.

Recommendations

Recommendations for future actions to be promoted in the next term of the Council of Europe, to be followed by the stakeholders involved in the processes that have been discussed in the report are listed below.

Council of Europe

The Council of Europe should keep monitoring progress in this area by giving such a mandate to one of its working groups of specialists. Furthermore, a European workshop that could bring together media institutions, policy makers and civil society could help to raise awareness and level of discussion on the issues emerged from this report, as well as the opportunities and challenges of digital media, highlighted by Karol Jakubowicz in his background paper for the 1st Council of Europe Conference of Ministers responsible for Media and New Communication Services (28-29 May 2009, Reykjavik, Iceland).

Future research to be commissioned in this area could include the collection of successful case studies, on a country by country basis, of encouraging public participation in the media. This

should further analyse how current systems are working, assessing the effects of audience participation in the media. A comparative study on how positive and negative feedback procedures on programmes and suitable public involvement are organised in different countries, could surely help further discussion, even though it has to be taken into account that the interrelation of programming, public reception and public feedback and response are specifically related to the cultural and social background in the respective country or constituency, and that there possibly are no "one fit for all" solutions available in this case. The emerging issues of how to involve more effectively civil society organisations in the regulatory bodies for new media structures at the European level should also deserve attention and possibly further research.

National governments

Member states of the Council of Europe should be encouraged to provide an enabling environment in which civil society organisations can achieve a recognised role in the media

system and be involved in co-regulation processes aiming to improve the accountability of media outlets. Where civil society organisations are weak or non-existent, European institutions should consider ways of supporting the establishment of such organisations, for example through workshops and training events where best practices can be showcased, networked and discussed.

National regulators

National media regulators should aim to further improve and support initiatives in the area of media literacy in order to offer the audiences and groups in society the skills and information necessary to exercise their rights.

Media organisations

In a constantly changing media environment, media organisations, operating on any platform, need to redefine the relationship with their audience and open their content to real conversation in order to build and maintain a constant dialogue with the public with clear and accountable procedures.

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