



House of Commons  
Culture, Media and Sport  
Committee

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**Work of the  
Committee in 2007**

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**Third Report of Session 2007–08**

*Report, together with formal minutes*

*Ordered by The House of Commons  
to be printed 15 January 2008*

**HC 234**

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## The Culture, Media and Sport Committee

The Culture, Media and Sport Committee is appointed by the House of Commons to examine the expenditure, administration, and policy of the Department for Culture, Media and Sport and its associated public bodies.

### Current membership

Mr John Whittingdale MP (*Conservative, Maldon and East Chelmsford*)  
*[Chairman]*

Janet Anderson MP (*Labour, Rossendale and Darwen*)

Mr Philip Davies MP (*Conservative, Shipley*)

Mr Nigel Evans MP (*Conservative, Ribble Valley*)

Paul Farrelly MP (*Labour, Newcastle-under-Lyme*)

Mr Mike Hall MP (*Labour, Weaver Vale*)

Alan Keen MP (*Labour, Feltham and Heston*)

Rosemary McKenna MP (*Labour, Cumbernauld, Kilsyth and Kirkintilloch East*)

Adam Price MP (*Plaid Cymru, Carmarthen East and Dinefwr*)

Mr Adrian Sanders MP (*Liberal Democrat, Torbay*)

Helen Southworth MP (*Labour, Warrington South*)

### Powers

The Committee is one of the departmental select committees, the powers of which are set out in House of Commons Standing Orders, principally in SO No 152. These are available on the Internet via [www.parliament.uk](http://www.parliament.uk).

### Publications

The Reports and evidence of the Committee are published by The Stationery Office by Order of the House. All publications of the Committee (including press notices) are on the Internet at

[http://www.parliament.uk/parliamentary\\_committees/culture\\_\\_media\\_and\\_sport.cfm](http://www.parliament.uk/parliamentary_committees/culture__media_and_sport.cfm)

### Committee staff

The current staff of the Committee are Kenneth Fox (Clerk), Martin Gaunt (Second Clerk), Daniel Dyball (Committee Specialist), Anna Watkins/Lisa Wrobel (Committee Assistants), Rowena Macdonald (Secretary), Jim Hudson (Senior Office Clerk) and Laura Humble (Media Officer).

### Contacts

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# 1 Introduction

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1. This is the Culture, Media and Sport Committee's report on its work during 2007 and is designed to illustrate the ways in which the Committee's work has met the objectives for select committees drawn up by the Liaison Committee following a resolution of the House on 14 May 2002. It also provides a short commentary on the Committee's working methods and priorities.

2. Information on the decisions of the Committee can be found in its Formal Minutes, updated weekly and available on the Parliamentary website at [http://www.parliament.uk/parliamentary\\_committees/culture\\_\\_media\\_and\\_sport.cfm](http://www.parliament.uk/parliamentary_committees/culture__media_and_sport.cfm). A more detailed set of statistics on members' attendance, numbers of meetings, publications, staffing and other matters can be found in the Sessional Return for 2006-07, published on 16 January 2008.<sup>1</sup>

## 2 The objectives

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3. The objectives set by the Liaison Committee for departmentally-related select committees are rooted in the House's Standing Orders, which require those committees to examine the expenditure, administration and policy of the Government department concerned and its associated public bodies. The objectives are:

*Objective A: to examine and comment on the policy of the Department:*

- proposals from the UK Government and European Commission in green papers, white papers, draft guidance etc.;
- areas of emerging policy, or where existing policy is deficient;
- any relevant published draft Bill;
- specific output from the Department expressed in documents or other decisions;

*Objective B: to examine the expenditure of the Department:*

— the expenditure plans and out-turn of the Department, its agencies and principal non-departmental public bodies (NDPBs);

*Objective C: to examine the administration of the Department:*

— the Department's Public Service Agreements, the associated targets and the statistical measurements employed;

— the work of the Department's executive agencies, NDPBs, regulators and other associated public bodies;

— major appointments made by the Department;

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<sup>1</sup> HC 1, Session 2007-08

— the implementation of legislation and major policy initiatives;

*Objective D: to assist the House in debate and decision, producing reports which are suitable for debate in the House and its committees, including Westminster Hall.*

4. Table 1 in the Annex to this Report illustrates concisely the various ways in which the Committee's work in 2007 has carried forward these objectives. The following paragraphs provide more detail.

## Policy

5. Addressing the activities of a Department with such a diverse set of responsibilities is a challenge. The eight Reports of substance published by the Committee in 2007 cover between them the majority of departmental policy areas, from media (print and broadcast) through to creative industries, preparations for the London 2012 Olympic Games and Paralympic Games, and cultural property. A further range of policy areas is addressed by inquiries currently under way into sport, tourism and on-course horserace betting.

6. Different inquiries are undertaken for different reasons. In some cases, we are seeking to inform or comment upon white papers or major reviews of policy. For instance:

- Our inquiry into built heritage, published in 2006,<sup>2</sup> sought to influence the preparation by the Department of the one White Paper which it published in 2007, in March: *Heritage Protection for the 21<sup>st</sup> Century*.<sup>3</sup>
- Our Reports on New Media and the Creative Industries<sup>4</sup> and on Public Service Content<sup>5</sup> both included recommendations to Ofcom in relation to its Digital Dividend Review, a major exercise to draw up principles for the allocation of spectrum to be released by digital switchover.
- Our Report on Public Service Content will inform Ofcom's second statutory review of public service television broadcasting, now in progress, as well as two reviews of funding for public service broadcasting announced by the Government.
- Our Report on New Media and the Creative Industries also made observations upon elements of the Gowers Review of Intellectual Property, commissioned by the Government and published during the course of our inquiry.
- Our long-term inquiry into the London 2012 Olympic Games and Paralympic Games has already led us to publish one Report, which assessed in detail the funding and various legacies expected from the Games.<sup>6</sup> A further inquiry is now under way; and
- Our inquiry into the European Commission White Paper on Sport, announced in November 2007, will provide the Department with a perspective from Parliament on

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<sup>2</sup> *Protecting and Preserving our Heritage*, Third Report, Session 2005-06, HC 912-1

<sup>3</sup> Cm 7057

<sup>4</sup> Fifth Report from the Committee, HC 509-I, Session 2006-07

<sup>5</sup> First Report from the Committee, HC 36-I, Session 2007-08

<sup>6</sup> Second Report from the Committee, HC 69-I, Session 2006-07

the merits of the White Paper and will, we hope, influence the position which it takes on the White Paper in EU fora.

7. In some cases, inquiries can help to provide a steer to the Department when there is debate or uncertainty within Government about how policy might be developed. Our inquiry into ticket touting took place after a series of summits had been convened by the Department, bringing together interested parties to try to establish whether the industry could reach agreement on the secondary ticket market or whether Government intervention was required. Limited progress was made at the summits, and it emerged that the Department was considering whether to extend existing statutory controls on touting, for instance by banning the unauthorised resale of tickets for specified events (similar to the “Crown Jewels” list of sporting events).<sup>7</sup> Our Report on this difficult issue<sup>8</sup> provides guidance to the Department on what further information we believe needs to be gathered to allow more informed policy-making, and it identifies where there may be scope for devising a compromise acceptable to all sides.

8. Other inquiries seek to address areas where policy appears to be deficient or slow to respond to developments. Our inquiry into Call TV quiz shows<sup>9</sup> was prompted by reports of dubious practices by producers and broadcasters in relation to a particular type of televised quiz show, in which members of the public participate using phone lines chargeable at premium rates. On further investigation, we concluded that the relevant regulatory frameworks established by Parliament (under gambling and broadcasting legislation) were in some cases unclear, lax, or outdated. The Committee’s concerns proved well-founded, and our Report proved to be one of the first steps in a gradual exposure of more widespread malpractice in game shows and phone-in programmes, calling into question the production standards used in programming broadcast by each of the main terrestrial broadcasters.

9. A further example of an inquiry into policy which might be seen as deficient is our short inquiry into on-course horserace betting, announced in July 2007 and now nearing completion. The passage of the Gambling Act 2005 has had consequences for the administration and allocation of pitch positions for on-course horserace bookmakers; some of these consequences may have been unforeseen and are potentially damaging to on-course bookmakers, and the Committee has considered, among other things, whether the Department has a responsibility to develop its policy in such a way as to mitigate those consequences.

10. Another of our inquiries, into collections,<sup>10</sup> was intended to examine policy in an area which receives comparatively little attention elsewhere in Parliament, notwithstanding the significant commitment of funds required to support museums and galleries and the major part which they can play in meeting the Government’s aims by stimulating learning among people of all ages and backgrounds.

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<sup>7</sup> “Crown Jewel” events are sporting events for which the rights for live broadcast coverage must first be offered to generally available free-to-air channels.

<sup>8</sup> *Ticket touting*, Second Report from the Committee, HC 202, Session 2007-08

<sup>9</sup> *Call TV Quiz Shows*, Third Report from the Committee, HC 72, Session 2006-07

<sup>10</sup> *Caring for our Collections*, Sixth Report from the Committee, HC176-I, Session 2006-07

11. Our scrutiny of policy extends to the various public bodies which come under the Department's wing. Some, such as the Museums, Libraries and Archives Partnership, the Horserace Betting Levy Board and UK Sport have given evidence in the course of inquiries into relevant subject areas. Others have given oral evidence on the basis of their Annual Report (BBC) or Annual Plan (Ofcom). The particular significance in the case of the BBC is that it is not directly accountable to Ministers: scrutiny depends to a large extent on select committees.

12. In the Queen's Speech in November 2007, the Department announced that it would be publishing two draft Bills in the 2007-08 Session: the draft Cultural Property (Armed Conflicts) Bill and a draft Bill on heritage protection, giving effect to the overall policy proposals set out in the White Paper on heritage protection published in March 2007. We commend the Government for its commitment to publishing bills in draft, and we expect to take oral evidence on the draft Bill on heritage protection as well as conducting scrutiny of the draft Cultural Property (Armed Conflicts) Bill.

## **Expenditure and administration**

13. It is the Committee's standard practice to examine the Departmental Annual Report and to submit questions based upon the Report to the Department. The Department's response is then treated as a memorandum to inform questioning at an oral evidence session with the Secretary of State and senior officials. While much of the questioning at such sessions explores policy, it also offers an opportunity to examine the Department's performance against PSA targets and administrative matters. Much of the financial expertise and analysis to support this exercise is provided by the Committee Office Scrutiny Unit.

14. The Committee pursues an active exchange of correspondence with the Department on the content and presentation of Main and Supplementary Estimates and of Resource Accounts. As with examination of Departmental Annual Reports, we are assisted in this exercise by the Committee Office Scrutiny Unit.

15. Over 95% of the Department's expenditure is channelled through sponsored bodies, most of which are non-departmental public bodies (NDPBs).<sup>11</sup> Starting from December 2007, we plan to undertake a more systematic examination of Annual Reports of major NDPBs, assessing performance against targets, staffing and expenditure. As with the DCMS Departmental Annual Report, much of this scrutiny will be undertaken by correspondence. We see scope for assistance from both the Committee Office Scrutiny Unit and the National Audit Office in conducting such scrutiny. Written questions have already been sent to Arts Council England, English Heritage and National Museums and Galleries on Merseyside; questions to other NDPBs will follow. We may choose to follow up responses by taking oral evidence and, if warranted, by publishing a Report.

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<sup>11</sup> DCMS Departmental Annual Report 2007, Cm 7104, page 57

## Assisting the House in debate and decision

16. Table 2 in the Annex offers examples of ways in which the Committee's work has informed the House in its proceedings during the year.

# 3 The Committee in context

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## Working methods

17. The Committee continues to operate in a very similar way to that described in our previous Annual Report, relying principally upon written and oral evidence submitted in response to the announcement of a new inquiry.<sup>12</sup> We note the risk that such an approach might, in theory, restrict submissions to those from organisations which are alert to the Committee's activities and which are key players (such as major broadcasters), public bodies, or representative associations with resources allocated to promoting a collective view to Government and Parliament. However, the prominence given to the Committee's work in the national and trade press perhaps leads it to receive a range of submissions from individuals who might not otherwise be aware of the Committee's work or role; this was particularly so during our inquiries into Call TV quiz shows and ticket touting. We also draw upon constituency correspondence forwarded to us by Members with constituents' consent: this has been a fruitful source of evidence for the inquiry into on-course horserace betting. We also note the recommendation by the Select Committee on the Modernisation of the House that a greater use of on-line consultation would be a good way for Parliament to take account of the views of the wider public.<sup>13</sup>

18. The Committee undertook several visits within the UK in 2007, including visits to the office of the Press Association and of the Press Complaints Commission in London, Lingfield Park racecourse, to the Olympic Park in East London, and to museums and galleries in Tyne and Wear and in Glasgow. The value of such visits lies in the scope for the Committee to gain a clearer understanding of the background against which a particular policy is set, to see physical layout and appreciate the scale of a project, to see work processes at first hand, to hear off-the-record views, and to hear them from a wider range of staff than might be accommodated within the confines of an oral evidence session.

19. We recognised in our report last year on the work of the Committee in 2005 and 2006 the value of visits within the UK in raising awareness of select committees and of Parliament itself. We plan to visit Devon in early 2008, in connection with our inquiry into tourism in the UK; and we plan to take oral evidence in public during the course of the visit.

20. The Committee undertook one overseas visit in 2007, to Canada and the United States, principally to compare the Canadian approach to support for public service broadcasting with that of the UK and to gain a better understanding of the impact of new technologies on the provision of content in the United States. We also visited Vancouver for a series of

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<sup>12</sup> *Work of the Committee in 2005-06*, First Report from the Culture, Media and Sport Committee, Session 2006-07, HC 234

<sup>13</sup> *Connecting Parliament with the Public*, First Report from the Select Committee on Modernisation of the House of Commons, Session 2003-04, HC 368

meetings with organisers and others involved in preparations for the Vancouver Olympic and Paralympic Winter Games in 2010.

### *Follow-up*

21. Two and a half years into the Parliament, the Committee has now generated a sizeable output of reports. The quality of Government responses has been variable, with some - notably the response to the Committee's report on heritage<sup>14</sup> - not always addressing recommendations directly or in some cases rejecting them by merely restating arguments which had been challenged by the Committee. Where merited, we will follow up responses in which undertakings were made or which contain arguments which we find unconvincing. We have already undertaken such a follow-up exercise through correspondence with the Football Association, in relation to its response to our Report on Women's Football.

### *Relations with other Committees*

22. The Committee continues to work alongside other committees when there is a mutual interest. A number of committees, for instance, have taken oral evidence or held inquiries into aspects of the preparations for the London 2012 Olympic Games and Paralympic Games. These include the Business, Enterprise and Regulatory Reform Committee's inquiry into the construction industry, and the Report by the Transport Committee on the Draft Transport Plan for the Games.<sup>15</sup> Our recent oral evidence session with the Olympic Delivery Authority<sup>16</sup> also drew upon oral evidence taken by the Committee of Public Accounts some weeks earlier. We continue to believe that scrutiny by a number of committees with relevant specialist knowledge can be the most effective method of monitoring projects with many overlapping interests, such as the London 2012 Games.

23. Joint working can also take a more structured form. As in 2006, we held an oral evidence session jointly with the then Trade and Industry Select Committee on the Ofcom Annual Plan for 2007-08. Questioning was divided between the two committees according to their respective remits. We intend to undertake a similar exercise with Ofcom's Annual Plan for 2008-09.

24. Some of the territory being covered by our current inquiry into tourism revisits (albeit from a different perspective) some of the ground explored by the Communities and Local Government Committee in its inquiry into Coastal Towns.<sup>17</sup> That Committee expressed dissatisfaction with elements of the Government response to its Report and succeeded in securing a second, more sympathetic response. We shall take into account the recommendations of the Communities and Local Government Committee when we prepare our report, and we will press the Government further if we think it appropriate.

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<sup>14</sup> Cm 6947, published in October 2006

<sup>15</sup> *Transport for the London 2012 Olympic and Paralympic Games: The Draft Transport Plan: Third Report from the Transport Committee, Session 2006-07, HC 199*

<sup>16</sup> An uncorrected transcript of oral evidence taken by the Committee on 4 December 2007 is available on the Parliamentary website: see <http://www.publications.parliament.uk/pa/cm/cmcomeds.htm>.

<sup>17</sup> *Coastal Towns: Second Report from the Communities and Local Government Committee, Session 2006-07, HC 351*

## European Union policy proposals

25. We also continue to monitor relevant policy proposals which emanate from European Union institutions. The Committee's Report on New Media and the Creative Industries considered the European Commission's proposals for an Audio Visual Media Services Directive, on which political agreement was reached in Council in May 2007. The new Directive updates the Television Without Frontiers Directive adopted in 1989, extending regulation of content to programming made available on demand rather than according to a schedule, and introducing a new framework for television advertising and product placement. We will consider the relevance of the Directive to our forthcoming inquiry into harmful content on the internet and in video games.

26. In July 2007, the European Commission published a White Paper on Sport, describing it as the first occasion on which it had addressed sport-related issues "in a coherent and comprehensive manner".<sup>18</sup> The White Paper contains a wide-ranging Action Plan, although it remains unclear at this stage what effect it would have on sporting institutions and on the development of sport in the UK. The European Scrutiny Committee considered the White Paper in October 2007 but did not clear it; instead it asked for a progress report from Ministers and referred the document to this Committee for an Opinion, using its powers under the House's Standing Orders.<sup>19</sup> We welcome the European Scrutiny Committee's initiative, and we plan to discuss the provisions of the White Paper with the responsible European Commissioner and with members of the Culture and Education Committee of the European Parliament.

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<sup>18</sup> *The EU and Sport: Background and Context*. See [http://ec.europa.eu/sport/index\\_en.html](http://ec.europa.eu/sport/index_en.html)

<sup>19</sup> Thirty-fourth Report from the European Scrutiny Committee, HC 41-xxxiii, Session 2006-07

## Annex

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Table 1: Relationship of inquiries in 2007 to Liaison Committee criteria

Inquiry	Government policy proposals	European Commission proposals	Deficient or emerging policy	Expenditure	PSA targets	Work of Executive Agencies and public bodies	Major appointments	Implementation of legislation
BBC Annual Report for 2006-07				X		X		
DCMS Annual Report 2007				X	X	X		
London 2012 Olympic Games	X		X	X	X	X		
Call TV quiz shows			X					X
Caring for our collections	X		X		X	X		
Ofcom Annual Plan 2007-08				X		X		
New media and the creative industries		X	X			X		
Self-regulation of the press			X					
Ticket touting			X					
Public service media content			X			X		
European Commission White Paper on Sport		X						
Public confidence in broadcasting			X			X		
On-course horserace betting			X					X
Non-departmental public bodies				X	X	X		

Table 2: Impact of Committee inquiries upon Parliamentary proceedings

Inquiry	Impact
London 2012 Olympic Games and Paralympic Games	Report described by former Secretary of State as "a very balanced, authoritative and measured report " (Oral Questions, 29 January 2007). A number of Parliamentary Questions answered by reference to Report text (for instance <i>HC Deb</i> 5 Feb 2007 col. 714W; 14 June 2007, col. 1180W)
Public service content	Report tagged to debates in Westminster Hall on 4 and 5 December 2007 and welcomed or praised by Minister and Opposition front bench spokesman; section on children's programming directly supported by Early Day Motion 585 of Session 2007-08, signed by 61 Members from five political parties; conclusion on regional news programming cited by Early Day Motion 504, signed by 110 Members from seven political parties
Women's football	Report (from Session 2005-06) tagged to debate in Westminster Hall on 4 December 2007
Self-regulation of the press	Committee endorsed Government proposal for a custodial penalty to be available for the offence of unlawfully obtaining personal data, now one of the provisions in the Criminal Justice and Immigration Bill
Protecting and preserving our heritage	Report debated in Westminster Hall on 25 January 2007; unusually high number of contributions from Members other than Committee members, indicating that the debate was timely and relevant
New media and the creative industries	One of the Report's main recommendations (on copyright term) paralleled Early Day Motion 1392 of Session 2006-07, signed by 89 Members from seven political parties
On-course horserace betting	Minutes of evidence tagged to debate in Westminster Hall on 21 November 2007; oral evidence acknowledged or cited by several contributors to the debate
Harmful content on the internet and in video games	Inquiry welcomed by Early Day Motion 590, signed by 13 Members from four political parties

## Formal minutes

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Tuesday 15 January 2008

Members present:

Mr John Whittingdale, in the Chair

Philip Davies  
Mr Mike Hall

Rosemary McKenna  
Mr Adrian Sanders

The Committee deliberated.

Draft Report [*The work of the Committee in 2007*], proposed by the Chairman, brought up and read.

*Ordered*, That the draft Report be read a second time, paragraph by paragraph.

Paragraphs 1 to 26 read and agreed to.

Annex read and agreed to.

*Resolved*, That the Report be the Third Report of the Committee to the House.

*Ordered*, That the Chairman do make the Report to the House.

[Adjourned till Tuesday 22 January 2008 at 10.15 a.m.]

# List of Reports from the Committee during the current Parliament

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The reference number of the Government's response to each Report is printed in brackets after the HC printing number.

## Session 2005–06

First Special Report	Maritime Heritage and Historic Ships: Replies to the Committee's Fourth Report of Session 2004-05	HC 358
First Report	Broadcasting Rights for Cricket	HC 720
Second Report	Analogue Switch-off	HC 650 I, II
Third Report	Preserving and Protecting our Heritage	HC 912 I, II, III
Fourth Report	Women's Football	HC 1357

## Session 2006–07

First Report	Work of the Committee in 2006	HC 234
Second Report	London 2012 Olympic Games and Paralympic Games: funding and legacy	HC 69 I, II
Third Report	Call TV quiz shows	HC 72
Fourth Report	Call TV quiz shows: Joint response from Ofcom and ICSTIS to the Committee's Third Report of Session 2006-07	HC 428
Fifth Report	New Media and the creative industries	HC 509 I, II
Sixth Report	Caring for our collections	HC 176 I, II
Seventh Report	Self-regulation of the press	HC 375
First Special Report	Self-regulation of the press: Replies to the Committee's Seventh Report of Session 2006–07	HC 1041

## Session 2007–08

First Report	Public service content	HC 36 I, II
Second Report	Ticket Touting	HC 202