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## Regulatory policy roundup – international developments

**A**BA Policy and Research continues its roundup of developments from around the world in broadcasting, new media and spectrum management. This month the focus is on two significant reports recently released in the UK on privacy and spectrum management, respectively.

### Privacy

A research report *The Public Interest and Media Privacy* was released on 6 March 2002 by the Broadcasting Standards Commission (BSC), BBC, the Independent Television Commission (ITC), the Institute for Public Policy Research (IPPR) and The Radio Authority. Several high-profile court cases in the UK have recently highlighted contentious issues relating to concerns over privacy regulation and celebrities rights to privacy from the media.

The aims of the research were to:

- Examine the meaning of concepts such as ‘the public interest’ and ‘privacy’ to the media industry, regulators and audiences;
- Identify combinations of conditions and circumstances that could lead to public interest overriding individual privacy, or to lead to rights to privacy overriding the public interest;
- Establish whether and how the different media – TV, radio, press, the Internet/web – carry with them different expectations and ‘rules of engagement’ in terms of public interest and privacy; and
- Ascertain public opinion on the use by the media of surreptitious methods of acquiring personal information, and the acceptability of such methods under different circumstances.

Key findings emerging from the research suggest public support for:

- A virtually inviolable right to privacy for children;
- Clear limits to media intrusion into people’s private lives;
- The wider public interest to sometimes override the expectations of an individual to privacy;
- The importance of context in expectations of privacy;
- Changing expectations of privacy with the development of new technology; and
- The setting of firm parameters on the role of the media in the name of serving the public interest.

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### Spectrum management

The report *The Review of Spectrum Management* was published in March 2002 by HM Treasury and the Department of Trade and Industry. The review, conducted by Professor Martin Cave, was established March 2001, to look at the future of spectrum management, and develop principles that will underpin an economically efficient use of radio spectrum, including broadcasting spectrum.

On broadcasting spectrum the review notes:

- A continuing role for regulation in planning the terrestrial transmission of

broadcasting services, given the continuing policy interest in the delivery of public service broadcasting objectives;

- The effect of the absence of spectrum pricing across the broadcasting sector, in that major decisions affecting economically significant spectrum would not properly reflect the opportunity cost of the spectrum asset denied to other users;
- The strategic opportunity presented by the switchover to improve significantly the spectrum efficiency of broadcasting, and release valuable resources to the rest of the economy;
- Concerns with the way terrestrial TV spectrum is allocated and co-ordinated at an international level.

The report makes recommendations relating to broadcasting spectrum, including that:

- The Government separate over the next decade the delivery of its broadcasting goals from the management of the spectrum inputs to broadcasting (depending on how markets for cable, terrestrial and satellite broadcasting evolve);
- Spectrum pricing be applied over the coming decade to all spectrum (including public broadcasting);
- The Government carry out a full cost-benefit analysis of the options for spectrum currently used for analog TV transmissions.

The review has called for submissions by May 2002.

News release at:

[www.nds.coi.gov.uk/coi/coipress.nsf/](http://www.nds.coi.gov.uk/coi/coipress.nsf/)

Report (Broadcasting at Chapter 11) at: [www.spectrumreview.radio.gov.uk/](http://www.spectrumreview.radio.gov.uk/)

