

SUBMISSION TO THE FUTURE OF MEDIA COMMISSION

The Labour Party

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Foreword

The sustainability and viability of the media sector in Ireland is at a critical juncture. It is vital that regulatory and funding changes are made now for a better future, not just for the countless journalists and print workers working in the area, but for all of us who, as citizens, enjoy the benefits of a robust national, regional and local media.

This has never been truer than in our current era of social media, where instant updates can reach millions on Facebook and Twitter but where the value of factual, measured journalism and reliable public information are under constant threat.

The COVID-19 crisis has shown us the true value of trustworthy media in promoting essential public health messaging. Meanwhile, ongoing crises of democracy in the wider world reminds us of the inestimable value of a media which is strong and diverse enough to cut through the noise and hold decision-makers to account.

We believe there must be four key principals governing future changes to the regulatory, funding and supportive framework to ensure a sustainable and diverse media in Ireland. The Labour Party urges the Commission on the Future of Media to prioritise the following;

1. Ensure decent employment conditions for all those employed in the media sector.
2. Protect and promote the role of RTÉ as Ireland's national public service broadcaster.
3. Provide viable supports to local and regional media platforms.
4. Ensure a level playing field regarding social media and ensuring social media companies are regulated appropriately.

Senator Marie Sherlock
Labour Spokesperson on Media

Decent Employment and Conditions in the Media Sector

There would be no media without the journalists, print workers and other paid employees who make the sector work. However, we are living through a moment where traditional media outlets face relentless competition for audiences' attention, often from new social media actors, while concentration of ownership threatens the sector's diversity.

As a society, we cannot wait and see whether quality, independent journalism can adapt in a market dominated by social media giants operating under an entirely different set of rules. For the sake of our democratic and public realm, we believe that Government must lead the way in valuing quality journalism and protecting the jobs that facilitate it.

At the heart of any strategy to ensure that traditional media remains viable must be an emphasis on ensuring viable jobs. Labour believes that the Government must promote decent work and conditions within the media sector, by ensuring that any public funds made available to firms within the sector be conditional on the following:

- No compulsory redundancies, pay cuts, or executive bonuses within media firms in receipt of state support.
- No restriction of trade union organisation for employees of firms in receipt of state support.
- Restrictions on mergers, acquisitions or leveraged buyouts which result in job losses or pay cuts by any media firms in receipt of state support.
- A minimum of 25% employee membership of Boards of media firms in receipt of state support.

We support the National Union of Journalists in their call for these conditions to be set down in a Recovery Plan for the News Industry in Ireland.

Protecting and Promoting the National Public Service Broadcaster

RTÉ has spent six decades at the heart of Irish public life, providing a balanced source of public information which has continually served the nation well. Since 1996, TG4 has also excelled in its role in providing informative, educational and entertaining content through the Irish language. In the past, the decisions to establish both RTÉ and TG4 were both forward-looking and far-reaching; now, action is needed by Government to ensure their long-term viability in a radically changing media landscape.

As with any public service, the true test of how we value public broadcasting and balanced journalism will be how willing we are to adequately fund it. The Labour Party believes that

the existing TV Licence model is outdated and insufficient for the task, following repeated warnings from RTÉ management that it cannot meet their funding needs.

Labour therefore encourages the Commission to recommend an alternative to the TV Licence system in the form of a fair Broadcasting Charge. Labour's proposal would ensure the long-term viability of public broadcasting funding, eliminate the need for recurrent top-ups to RTÉ funding from the Exchequer, re-emphasise the importance we as a country place on balanced and Irish-language broadcasting, and protect the independence of RTÉ from political pressure by maintaining a bespoke funding stream.

Labour also believes serious consideration needs to be given to the overall size and allocation of funding for public service media. Speaking to the Joint Oireachtas Committee on Media, Tourism, Arts, Culture, Sport and the Gaeltacht, TG4 Director General called for greater geographic and linguistic diversity within publicly-funded media and proposed equivalent public funding for RTÉ to be shared between TG4, Screen Ireland and the BAI 'Sound and Vision' Fund. The Labour Party supports this call.

Labour recommends that the Commission propose:

- Replacement of the TV Licence with a fair Broadcasting Charge to fund RTÉ and TG4 on a sustainable and enduring basis.
- Continued emphasis on the editorial independence of the National Broadcaster.
- Once RTÉ's funding needs have been met, equivalent funding should be shared between TG4, Screen Ireland and the BAI 'Sound & Vision' Fund as an ongoing investment in Irish-language programming and publicly-supported film and audiovisual media content.

Supporting Local and Regional Media

Diverse voices are the mark of a strong media sector, and Ireland has a proud history of excellent local and regional journalism. However, the advent of online communications and greater concentration of media ownership threatens the viability of local and regional media as never before.

In order to support and promote local and regional media, we believe that the Government must take clear steps. First, the Government should draw on the success of Irish Aid in establishing the Simon Cumbers Media Fund in supporting emerging journalists. A similar national fund could be used to promote local and regional public-interest journalism on condition that the State operates an "arms-length" approach to prevent political interference in the selections.

Further, we believe the Government has an obligation to revisit the Media Merger Guidelines of 2015 to ensure that the value of a genuinely diverse media landscape is adequately reflected. Finally, Government should commit to utilising more of its public information and advertising budget to support local newspapers and encourage state agencies to do likewise. This would be a win-win in terms of public information dissemination and providing revenue to local media services. Local newspapers are a crucial part of the overall print media landscape delivering a vital service to counties and communities, particularly outside the Dublin area.

Labour proposes the following recommendations from the Commission:

- Establishment of a new fund to promote local and regional public interest journalism, in line with the Simon Cumbers Media Fund, operated on an “arms-length” principle
- Strengthening the terms of the Media Merger Guidelines 2015 to ensure a higher bar for media mergers and a greater emphasis on the value of media plurality, especially as regards local and regional newspapers;
- Greater direct expenditure by Government and state agency in public information dissemination via local and regional media.

Creating a Level Playing Field in Social Media and Online Journalism, and Regulating Social Media Companies Appropriately

The Labour Party believes in the value of an open internet while also recognising the real and pressing need for common-sense regulations. In 2020, the Oireachtas passed the Harassment, Harmful Communications and Related Offences Bill, or Coco’s Law, which criminalised the taking or sharing of intimate images without consent. This has set an important precedent in recognising how our national laws can and must be updated to reflect the realities of online harm and to mitigate the more harmful impacts of an increasingly online and interconnected society.

In the same way that the country has shown leadership in tackling online abuse, the Government must now ensure that undesirable effects of existing social media practices on our media sector be curtailed. Multinational social media companies are arguably the main competitors for attention, and therefore revenue, against traditional media sources. At the same time, online platforms such as Facebook or Twitter are increasingly the main avenue through which media providers must attempt to reach their audience. And yet, in many ways, these much larger entities operate under different rules and far lower standards for public interest than our domestic media.

The importance of a “level playing field”, where online and print publishers are held to the same standards, can hardly be overstated. At the same time, measures must be taken to combat the spread of fake news and disinformation on social media platforms, which undermines public information and trust in responsible media. All media providers should have to recognise their obligations towards the people availing of their services, whether online or through more traditional platforms.

The Labour Party encourages the Commission to propose the following:

- Ensure that the Online Safety and Media Regulation Bill is fit for purpose and that its provisions are acted upon swiftly, including the establishment of an Online Safety Commissioner and a robust regulatory framework for online content.
- Empowerment of the new Online Safety Commissioner to mandate removal of harmful or misleading content from social media platforms, with clear timelines for response and enforceable penalties for failure to act.
- Establishment of a National Media Literacy Programme to tackle online disinformation, with a focus on adults who have not grown up “digital by default.”
- Thorough investigation of whether defamation laws and other restricting influences on Irish journalists are appropriately constituted for the digital age.
- Stronger accountability of social media providers towards their users, ensuring such corporations have a legal responsibility towards individuals using their services including by reducing their exposure to disinformation.
- Recognition of the vital service content moderators provide for social media companies and that specific health and safety and employment protections are identified for those working in these roles.
- Appropriate regulation of social media companies, taking cognisance of the impending Digital Services Act and Digital Markets Act currently being developed at EU level, in particular ensuring that platforms have robust user safeguards, wide-ranging transparency on the use of content suggestion algorithms, and obligations on platforms with large market share to submit to independent risk audits.