

Television Appeals for Donations to Make Programmes or Fund Services – Ofcom Consultation

Response from The Christian Institute

The Christian Institute is a registered charity which holds to the truths of the historic Christian faith. We have 18,000 supporters throughout the UK, including over 2,500 churches and church ministers from almost all the Christian denominations. Our public policy work has included research in the fields of religious liberties and religious broadcasting. We are entirely supported by Christians in the UK.

The Christian Institute calls for the lifting of the ban on appealing for donations on TV to fund programmes and services. It is excessive and unnecessary, and discriminates disproportionately against religious and ethnic broadcasters. The current ban has contributed towards stifling UK religious broadcasting.

Appeals for donations

The Christian Institute has a long-standing commitment to supporting Christian TV broadcasting which has historically been over-regulated, on the whole, by government and regulators. We are concerned about the financial viability of the Christian broadcasting sector, which we want to see grow in quality and diversity of programming. The current ban on appealing for funds to make programmes is making this very difficult. UK-based religious (and ethnic) broadcasters currently feel disadvantaged compared to those channels which are licensed abroad.¹ Lifting the ban on appeals for money would help to improve the quality of domestically produced programming, and reduce the reliance on programming from abroad which is often not very good and culturally inappropriate for most British viewers.

Provided the ban on on-air appeals is lifted, we think that there are many reputable Christian organisations which could make good programmes of an entirely different character to the all-prevalent 'preaching service' model.

Christian broadcasters do not receive state subsidy. Producing programming is expensive and running a channel is even more so. Like most Christian charitable work, Christian broadcasting is largely performed as a non-profit-making public service. Channels like UCB are run as registered charities and regulated by the Charity Commission, as well as by Ofcom. Religious channels do not operate on a purely commercial basis, putting them at a financial disadvantage compared to other broadcasters. The ban on fundraising therefore has a disproportionate impact on them, compared to state-subsidised and commercial broadcasters. (This is reflected in the fact that Ofcom's own survey found little interest in on-air fundraising amongst state-subsidised and commercial broadcasters.²)

There are at least 10 satellite TV channels that represent 'charismatic' or 'pentecostal' churchmanship, one Roman Catholic channel and one broadly evangelical channel, UCB. The current funding regime in practice strongly militates against mainstream UK evangelicals who want to produce good quality programming. Not being able to fund their programmes through on-air appeals puts additional financial pressure on the Christian-based channels which carry their broadcasts. These channels can all too easily come to rely on fees from well-funded US charismatic groups that want to broadcast their programmes into the UK, whilst at the same time lowering the production standards of the domestic programming they are prepared to accept.

However, there are honourable exceptions. We would highlight excellent UK programmes such as “Through the Bible, Book by Book” with Richard Bewes and “So, Who is This Jesus?” presented by actor Russell Boulter. We are not denying that there are many excellent US-produced programmes, it is just that we want to see much more high quality UK-produced programming.

There is every reason to believe that Christians would support responsible Christian broadcasting if they were given the opportunity. Christians already provide substantial financial support to good causes. Very many religious organisations are funded entirely by the voluntary financial donations of individuals and churches. They use that money responsibly and professionally to provide services which benefit co-believers and the wider community.

Under the current *Ofcom Broadcasting Code* television broadcasters are prohibited from broadcasting “appeals for donations to make programmes or to fund their services.”³ However such a restriction does not apply to radio broadcasters.⁴ The Christian Institute supports the argument that the same rules should apply to both television and radio appeals.⁵

There is a need to prevent the psychological manipulation of people in all types of broadcasting.⁶ We note with dismay the growing number of satellite TV gaming channels which prey on the weakness of compulsive gamblers, or ‘quiz’ channels which solicit calls to premium rate phone numbers. People are also taken in by shopping channels which use manipulative techniques to encourage people to spend money which they often do not have on products they do not need.

In the context of religious programming we support necessary safeguards. For example, promising eternal life, healing or other divine blessings in exchange for a donation should be prohibited. We would support the approach taken by the Evangelical Council for Financial Accountability whose document *Seven Standards of Responsible Stewardship* states that: “Fund-raising appeals must not create unrealistic donor expectations of what a donor’s gift will actually accomplish...”⁷ We would support the use of this wording to cover *all* broadcast appeals for funds – religious and secular.

We would also support a requirement on broadcasters to account for the appeal donations which have been raised. Rule 10.16 of the radio *Broadcasting Code* is sensible and should be extended to television.⁸ However, any UK-registered charity would already be under this obligation through charity law. By law donations to a restricted fund must be spent on that purpose and must be accounted for separately from the general funds. This is a very important point. The annual reporting requirements for charities are already very significant. The Charity Commission has power to investigate complaints and even in extreme cases to take over the control of the charity.

We would therefore suggest that, in terms of appeals, broadcasters which are UK charities are treated differently to those which are not. It would be legitimate to impose additional reporting burdens on non-UK charities, or on any commercial company. It would be unfair to burden UK charities with a new type of financial reporting. Of course, it would be entirely reasonable for a UK charity broadcaster to state that their annual report is freely available. Perhaps Ofcom could achieve what it wants by this method, or by relatively minor amendments to the statutory annual report.

Existing restrictions on religious broadcasters

Religious broadcasters are already disadvantaged compared to secular ones by the limitations placed on the types of licence they can own,⁹ and by the restrictions with regard to the content of their broadcasts. The *Broadcasting Code* says: “The religious views and beliefs of those belonging to a particular religion or religious denomination must not be subject to abusive treatment.”¹⁰ Whilst Christians do not support the abuse of religious people, the way in which this wording has been interpreted has been used to censor orthodox religious debate. Secular programmes frequently denigrate religious faith but in practice are not subject to the same restrictions.¹¹ We believe that Ofcom should treat all broadcasters equally by not placing restrictions on religious channels and programmes that do not apply to others.

We also wish to see an end to the censorship of the Christian faith by regulators. Christian beliefs on sexual ethics or the occult have been censored by regulators’ rulings on the grounds that these beliefs were “offensive”.¹² Yet at the same time the rules relating to the broadcasting of pornography or gambling are progressively relaxed.

Christian broadcasting is not just for Christians. A religious broadcaster is just as capable of producing output which appeals to a broad audience as a secular broadcaster. But the current law does not give them the opportunity. All kinds of people with all kinds of ideas can invest in media as a means of communicating their ideas. In the current licensing regime the only people singled out for exclusion because of their *personal beliefs* are religious people. The basic position of broadcasting law in relation to faith groups is that it is restrictive towards them *solely on the basis of their religion*. It is wrong that Christians are labelled in legislation as inherently untrustworthy to broadcast. Allowing broadcasters to appeal for funds for programmes and services would help to ease this unwarranted burden.

The broadcast media is probably the most influential means of communicating ideas in the UK.¹³ Many Christians feel that they should be allowed to share what they believe through broadcasting. There is a widespread perception that regulators are hostile to responsible evangelism such as that by Billy Graham, which has effectively been banned from mainstream TV since the 1980s.¹⁴

Conclusion

We support the adoption of the safeguards summarised in paragraph 6.1 of the Consultation.¹⁵ There “should be a uniform approach to regulating this form of funding which is applied equally across all platforms”¹⁶ – and to all kinds of broadcasters: religious and secular.

The lifting of this unjustifiable ban would improve the calibre of Christian broadcasting. The additional funding could be used by Christian broadcasters to produce good quality, reasonable and interesting programmes instead of resorting to poor quality domestic programming or relying too heavily on programming from abroad. This would transform religious broadcasting in the UK – to the benefit of everyone.

The Christian Institute, 15 June 2006

¹ *Television Appeals for Donations to Make Programmes or Fund Services: Consultation*, Office of Communications, April 2006, page 4, para. 3.5

² *Television Appeals for Donations to Make Programmes or Fund Services: Consultation*, Office of Communications, April 2006, page 5, para. 3.8

³ *The Ofcom Broadcasting Code*, Office of Communications, May 2005, page 57, para. 10.15

⁴ *The Ofcom Broadcasting Code*, Office of Communications, May 2005, page 57, para. 10.16

⁵ *Television Appeals for Donations to Make Programmes or Fund Services: Consultation*, Office of Communications, April 2006, page 12, para. 5.13

⁶ See *Television Appeals for Donations to Make Programmes or Fund Services: Consultation*, Office of Communications, April 2006, page 10, para. 5.1

⁷ *Seven Standards of Responsible Stewardship*, Evangelical Council for Financial Accountability, Standard 7.2, see <http://www.ecfa.org/ContentEngine.aspx?Page=7standards> as at 13 June 2006

⁸ *Television Appeals for Donations to Make Programmes or Fund Services: Consultation*, Office of Communications, April 2006, page 10, para. 5.4

⁹ Broadcasting Act 1990, Schedule 2, Part II, para. 2, as amended by the Communications Act 2003, section 348. It appears that a strict application of the wording of this section would either require BSkyB to pull out of broadcasting, or for its parent company News Corporation to divest itself of its Christian publishing arm, Zondervan.

¹⁰ *The Ofcom Broadcasting Code*, Office of Communications, May 2005, page 22, para 4.2

¹¹ See for example, *Ofcom Broadcast Bulletin*, 61, 30 May 2006, pages 10-16; *Ofcom Broadcast Bulletin*, 34, 9 May 2005, pages 12-17

¹² See http://www.ofcom.org.uk/static/archive/itc/itc_publications/complaints_reports/advertising_complaints/show_complaint.asp-ad_complaint_id=289.html as at 13 June 2006; and House of Lords, Hansard, 10 December 2001, cols 1181-1182

¹³ Over £5 billion was spent on TV and radio advertising in the UK in 2004. (See <http://www.adassoc.org.uk/html/statistics.html> as at 15 June 2006.) To say that the media and advertising have no effect on behaviour is to say that all companies which fund advertising are completely deluded.

¹⁴ Quicke, A and Quicke, J, *Hidden Agendas: The Politics of Religious Broadcasting in Britain 1987-1991*, Dominion Kings Grant Publications Inc, 1992, pages 65-67

¹⁵ *Television Appeals for Donations to Make Programmes or Fund Services: Consultation*, Office of Communications, April 2006, page 13, para. 6.1

¹⁶ *Television Appeals for Donations to Make Programmes or Fund Services: Consultation*, Office of Communications, April 2006, page 1, para. 1.2