Does Ofcom Need Sharper Teeth?

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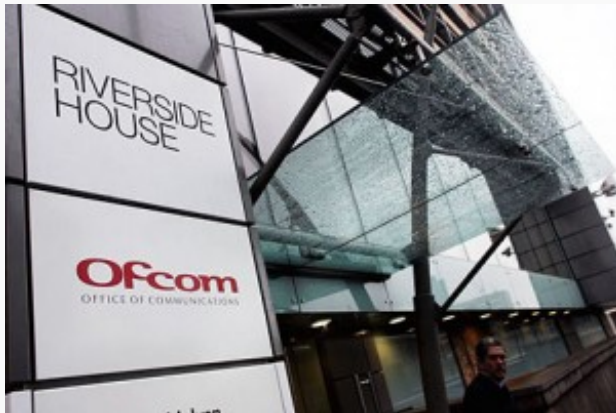
Too Big?

As a journalist my instincts are anti-regulatory. But if you look at the wider world of media and communications it is obvious that even open markets need managing. You can't have competition, for example without safeguards against monopoly. Some infrastructure projects, such as universal high-speed broadband, are so massive and long-term that they need to be nurtured by regulation. The Internet, itself, is a fragile and dynamic communications space that also needs protection.

In the UK much of this falls to the very big and quite expensive regulator Ofcom. But this government has promised to slash its budget and reduce its scope. It hasn't said exactly how yet, but my colleague Damian Tambini is worried that Ofcom might become emasculated just when we need better regulation of communications.

Writing in the Media Guardian he says:

> "The danger is that Ofcom is suspending much of its policymaking, advice-giving and forward-looking activity, without government, or anyone else, stepping into its shoes. For example, there is a danger that the UK has already lost the initiative on some key policy issues, such as net neutrality."

And Tambini warns that Ofcom is already reducing its work. This is partly because it foresees budget cuts, but Tambini says it is also under political pressure:

> "Even those who argue that net neutrality is a non-issue tend to point out important issues where Ofcom might have done more were it not in retreat. Would the Ofcom of old have pushed forward with proposals to support public service content beyond the BBC? Would it have worked more closely with the culture secretary, Jeremy Hunt, in developing his proposals for a rejuvenation of local civic media? Would we be reading Ofcom reports on other pressing questions of the day, such as universal and next generation broadband? How much of the silence is due to cuts, and how much is due to political risk aversion?"

It is difficult to have an open debate about this because so many people depend upon either Ofcom or DCMS for patronage or for policy that effects their business. It also raises issues that go way beyond media and communications. Are regulators best as independent bodies with real power and resources or should they be minimalist organisations that serve their elected political masters?