

*ENERGY*

**Evgeny Lebedev – Press Freedom Speech**

You may think it takes some nerve for a Russian and the son of an ex-KGB officer, to stand here and talk about the threat to press freedom in this country.

Let me tell you about my early years. I lived in a dark, closed society where free travel, free expression and certainly free speech did not exist. You had to read a foreign newspaper to find out what was going on in your own country.

When I was 15, men with guns first came for

*ENERGY*

my father. I can remember him being harassed but standing firm. He was targeted because of his determination to talk and operate openly at a time when perestroika and glasnost were still new formed words.

Ladies and Gentlemen, Press freedom is a universal ideal, but its currency differs around the world. In Russia, people die for it. So it is not something we take lightly. The day we bought the Evening Standard, a young journalist at Novaya Gazeta Anastasia Baburova and a young lawyer representing the paper's interests, Stanislav Markelov, were buried: murdered for their anti fascist, campaigning work. This followed the murder of another of our journalists, Anna Politkovskaya.

*ENERGY*

It is not easy to identify the gangsters behind such attacks on press freedom in Russia. What I do know for certain is that the more press freedom there is, the less opportunity there is for such intimidation and threats.

Where there is an absence of a free press the levels of corruption and oppression rise. This is well documented. The more restricted the media, the more corrupt the country and oppressive its government, until eventually the stage is reached where there is no-one to hold public officials and other powerful individuals and institutions to account.

It is to our enormous credit that in this country we can still work ourselves into a lather over an MP's over-claimed expenses of

*ENERGY*

£30 and Chris Huhne's driving points, issues at which the French would shrug their shoulders and about which my Russian countrymen would feel utterly bemused.

Just look at Bahrain where four journalists have recently been charged with writing false stories about the kingdom's crackdown on the opposition movement. The government, infuriated by its inability to control the news flow about the country abroad, recently threatened to sue the Independent for libel over a series of articles about government oppression by our respected Middle East correspondent, Robert Fisk.

Alongside the obvious advantages of press freedom we must surely also address its abuses. I say this because if we do not

*ENERGY*

safeguard our own press freedom we risk losing it.

I am shocked by the sheer extent of the phone hacking, under car tracking and rubbish sifting of celebrities in this country. I am equally disturbed by the alleged phone tapping, bank account blagging and email hacking of high level terrorist informers, intelligence officers, members of the Royal Family, the Governor of the Bank of England, the Commissioner of the Metropolitan Police, a Deputy Prime Minister, a Home Secretary, a Trade Secretary, a Culture Secretary and perhaps even a sitting Prime Minister.

The phone hacking of a murdered schoolgirl is quite simply disgusting, they should hang

*ENERGY*

their heads in shame.

The response to all this criminal activity, this theft of privacy, has, in my view, been manifestly inadequate. This does not represent a failure of legislation but it represents a failure of enforcement of that legislation.

So at what point will the Government acknowledge that the illegal surveillance of individuals has long since moved on from the fantasy realm of a lone, rogue reporter working for a single newspaper and that a Public Enquiry, at the very least, is now required? At what point will we admit that, illegal surveillance represents one of the biggest scandals in public life in post-war Britain?

*ENERGY*

Because I believe that a free press is as much a fundamental part of a civilised society as respect for personal privacy. I expect my editors at the Evening Standard and the Independent to make the correct distinction between what is in the public interest and what interests the public.

The Fred Goodwin super-injunction case, for example, shows that this distinction is not always clear – cut and cannot always be made. The judiciary took the view in his case, as elsewhere, that it is no-one else's business what he got up to under his desk and after hours.

Yet how do we know that his alleged affair with a senior executive at RBS did not have a

*ENERGY*

bearing on the decisions he took at the bank before it crashed so spectacularly and such cost to the taxpayer?

Under the Human Rights Act judges are required to balance the right to privacy with the right to free expression – but they are supposed to give “special regard” to the latter. In several recent super-injunction cases, it’s hard to see how they have been doing so. The Goodwin case and others suggest that they are ignoring what Parliament framed as a safeguard for a free press and are, in effect, rewriting the law themselves.

You know, I sometimes wonder if the only way to bring this country’s judges into the



*ENERGY*

21<sup>st</sup> Century is to pass a law forcing all of them to join Facebook and Twitter.

Of still greater concern is the suggestion by some members of the Government and other commentators that all this could be addressed by a new privacy law. Such a law would be a threat to our democracy.

English law is essentially practical. Yet these super-injunctions are increasingly impractical in a modern world. They can't even extend to other countries within the United Kingdom, so how can anyone pretend that in the age of pan global digital media these injunctions are not instantly obsolete? They have no value at all to people who want to keep their secrets private. On the contrary they now have quite the opposite effect.

*ENERGY*

I know that Max Mosley believes that newspapers must inform subjects before they expose them. I strongly disagree with him. Has anyone heard of the police informing a suspect that they are subject to investigation? Of course not and I know of at least one current investigation at our papers that would be hopelessly compromised if we had to disclose our information prematurely. Of course in 99 per cent of the time Journalists do ask the person being written about to respond. But to make that compulsory will compromise legitimate press investigations.

Let me be absolutely clear, I hold no brief whatsoever for the excesses of our tabloid press. Indeed I think some papers have

*ENERGY*

shown an utter and unacceptable disregard for even the basic legislation surrounding privacy. You cannot hold public figures to account if you can't hold yourself to account. You cannot have one foot on the moral high ground and the other in the moral mire. It is neither a convincing, ethical or elegant stance. But why pick only on the more salacious tabloids? The deceit practiced on Vince Cable by the Telegraph was just as equally unethical. "Power without responsibility", as the Prime Minister, Stanley Baldwin, called it 80 years ago.

So, Back to the phone hacking: This theft of information, this illegal collusion between the press and the police, is not responsible journalism nor indeed journalism of which I,

*ENERGY*

or my newspapers, want any part. All newspapers should embody the values of ethical journalism.

Until recently the British press could justifiably call itself our Nation's Conversation in print: And if fame and celebrity took a little bruising from time to time, it was a price worth paying for freedom of speech. Because it ensured that this country of which I am a proud citizen, remains one of the least corrupt in the world.

These are tough times for everyone, and the newspaper industry is no exception. 24 hour television news, the internet and social media have all encroached on the printed word. Proper reporting is in danger of

*ENERGY*

becoming a diminishing asset. It's expensive, so the digital media tend to take our news. So some newspapers will go to the wall and there is little doubt that there will be many fewer in this country in five years time.

But the answer is not a race to the gutter. If we don't act responsibly and ethically, then we have only ourselves to blame. We will be doing ourselves and ultimately society a terrible wrong. A free press is as much a part of our democracy as free elections, The Magna Carta and the unwritten constitution.

It is vital that the decision about what to print remains in the hands of the press. But unless that judgement is used responsibly and in the public interest, the power to make that judgement will go to the courts in one

*ENERGY*

direction and the internet in the other. In other words if we don't clean up our act, others will. That would be bad for the press, bad for democracy and bad for Britain.

Thank you.