1	Thursday, 6 October 2011	1	I add only this: the seminars will form part of the
2	(9.30 am)	2	record of the Inquiry and formal evidence will be taken
3	(Proceedings delayed)	3	on oath when we to move that stage. Because today is
4	(9.36 am)	4	only intended to set the scene, I shall not take part,
5	THE COMPETITIVE PRESSURES ON THE PRESS	5	although I will listen with interest throughout.
6	AND THE IMPACT ON JOURNALISM	6	It only remains for me to thank those who have
7	INTRODUCTION LORD JUSTICE LEVERSON: Good morning. On 28 July, when	7 8	agreed to speak and also all of you who have attended
8 9	I first spoke publicly about this Inquiry, I explained	0 9	and will take part for agreeing to ventilate your views
9 10	that I intended to hold a series of seminars so that	10	in this public forum and so spark off the debate. I hope everybody finds today of interest.
10	there could be a very early focus on the perspective of	11	Thank you very much.
11	all those involved.	12	DAVID BELL: Thank you very much, Lord Justice Leveson, and
12	I said that the seminars would include the practice	12	thank you very much to everybody. I don't think
14	and pressures of journalism both from the broad sheet,	13	a gathering like this has ever happened before and it's
14	mid-market and tabloid perspectives, the ethics of	15	very great to see such a broad range of people here and
16	journalism and the issues of regulation.	16	we are very, very pleased.
17	I also made it clear that all these issues had to be	17	I want to introduce myself very briefly. My name is
18	considered in the context of supporting the integrity,	18	David Bell. I have an unusual background. I was
19	freedom and independence of the press, while at the same	19	trained as a journalist on the Oxford Mail and worked
20	time ensuring the highest ethical and professional	20	for quite a long time as a journalist on the FT, before
21	standards. Plus the seminar this morning is entitled	21	going to the commercial side of the paper eventually
22	"The competitive pressures on the press and the impact	22	ending up as Chief Executive and then Chairman.
23	on journalism", and the seminar this afternoon "The	23	Our details are all in the pieces of paper which
24	rights and responsibilities of the press". For each,	24	I think everybody has and with me are two of our other
25	there are speakers who will open up the issues from	25	assessors, Elinor Goodman and George Jones. I don't
	Page 1		Page 3
1	different perspectives but then leave plenty of	1	think any of them need introduction to anybody and the
2	opportunity for others to take part and I hope that	2	details are all on your pack, so I think that's really
3	those in the audience will take part.	3	great. They're going to take part with me in chairing
4	The purpose of the seminars is two-fold. First,	4	the discussion that we really want to have when the
5	I am keen to ensure that, from the outset, the Inquiry	5	three presentations are finished.
6	concentrates on the principal issues, and I hope that	6	A little bit of housekeeping. As the judge said,
7	this process will begin the process of distilling those	7	this whole event is being recorded and will be up on the
8	issues.	8	website as quickly as we can get it on to the website.
9	Those who have been called to provide evidence need	9	The broadcast networks will also have full access to
10	not be concerned about speaking today. I will not be	10	what is happening today and there will be a transcript
11	using the words used in this seminar or, indeed, in any	11	afterwards. We have coffee at 11 o'clock and we'll
12	of the seminars, to examine their considered evidence at	12	finish this session of the seminar at 1 o'clock for
13	any hearing of the Inquiry.	13	lunch.
14	Second, and just as important, the seminars are	14	As the judge said, what we really want to do is to
15	intended to start a debate, which I hope will not only	15	have a wide array of contributions to the topics that
16	include those who have attended today, but extend to all	16	we're going to be discussing. The more debate, the more
17	who are interested in the subject and who are prepared	17	intervention the better because we want this to be as
18	to offer their views. This seminar and the further	18	broad and as representative as it possibly can be.
19	seminar next week will be placed on the website for the	19	So this morning's session is on the competitive
20	Inquiry, and we will also publish a summary. I invite	20	pressures on the press and their impact on journalists.
21	anyone, journalist, academic, member of the public, who		We have three short presentations which are going to go
22	wishes to write to the Inquiry with evidence or opinion	22	one after the other and then we're going to have time
23	as to the possible ways forward to do so. If I consider	23	then to pick up each of the issues that have been raised
24	it appropriate, I may then invite one or more to give	24	separately thereafter.
25	evidence.	25	So we are going to start with Claire Enders who, as
	Page 2		Page 4

1			
	you will see from your pack, has a very wide experience	1	products, which is read by so many people in this
2	right across the whole media industry. Following her,	2	country, is actually something that gives pleasure to so
3	Phil Hall, who has a long and distinguished record as	3	many and is such a significant industry.
4	editor in a variety of different places, then	4	That is also true of the fact that, actually, there
5	Richard Peppiatt, who will be talking from the point of	5	is, in this country, a level of mediatisation, British
6	view of a journalist at the sharp end, if you like.	6	people, on average, consume more media than any other
7	Then, when they have finished, we are going to come	7	people on the planet earth and, as a result, they are
8	back to each of the subjects.	8	served by a very wide diversity of opinions and sources
9	Before the coffee we will focus on the economic	9	of news.
10	pressures affecting all of us, then after the coffee the	10	The fate of the newspapers in the digital age has
11	perspective of editors and of individual journalists.	11	been a varied one. On this slide, what I've shown is,
12	Just to repeat what the judge said, we are very,	12	really, the change in income from the hey-day of
13	very keen that anybody who feels they haven't had	13	newspapers, which is roughly 2005, we're not absolutely
14	a chance to contribute today or would like to say more	14	the hey day, in terms of circulation, but certainly in
15	will write to us, there is a special part of the website	15	terms of financial performance, that was a very good
16	waiting for these submissions so that we get the fullest	16	year and you can see that certain organisations have
17	possible contribution to the Inquiry.	17	really suffered much more than others as a result of the
18	Without any further ado, I would like to introduce	18	digital transition, which I will cover in a following
19	Claire to make the first presentation. Thank you.	19	slide.
20	Presentation by CLAIRE ENDERS	20	You can see that, in particular, the regional
21	CLAIRE ENDERS: Good morning. I'm going to talk you today	21	newspapers, Johnston Press, Trinity Mirror, Regional
22	about the competitive pressures of the press in relation	22	Division and North Click and ^ News Quest (?), have
23	to the economics of the press. How are we doing? Okay.	23	suffered from very, very significant falls in income,
24	I hope that's okay.	24	essentially £1 billion of classified was removed from
25	So first, my name is Claire Enders. I started	25	the press industry from 2008 to the present and much of
	Page 5		Page 7
1	Enders Analysis in 1997 and this gives you some idea of	1	that loss has been felt by the regional press.
2	the subjects that we cover, essentially disruptive	2	In contrast, a number of the national newspapers
3	effects of technology, and the entire media ecosystem in	3	have done very well, despite circulation falls. There
4	the UK, including Internet models, print, radio, TV, pay	4	has been a systematic increase in cover price, which
5	TV and search and a number of different network models,	5	consumers have weathered very well, and when you see the
6	particularly fix line and mobile.	_	
		6	size of some of the newspapers, you can see that they
7	Our work is supported by over 150 organisations	6 7	size of some of the newspapers, you can see that they give a lot of value for money for their price.
7 8	· ·	_	
	Our work is supported by over 150 organisations	7	give a lot of value for money for their price.
8	Our work is supported by over 150 organisations drawn from the financial sector, the Government, film	7 8	give a lot of value for money for their price. In particular, I would point you to the FT group,
8 9	Our work is supported by over 150 organisations drawn from the financial sector, the Government, film and television and, indeed, we have listed on the left	7 8 9	give a lot of value for money for their price. In particular, I would point you to the FT group, which is the great success story. Although, of course,
8 9 10	Our work is supported by over 150 organisations drawn from the financial sector, the Government, film and television and, indeed, we have listed on the left the companies in the press that support our work and	7 8 9 10	give a lot of value for money for their price. In particular, I would point you to the FT group, which is the great success story. Although, of course, it is a global brand, FT group also comprises
8 9 10 11	Our work is supported by over 150 organisations drawn from the financial sector, the Government, film and television and, indeed, we have listed on the left the companies in the press that support our work and which is a pretty comprehensive list. Now, I'm going to	7 8 9 10 11	give a lot of value for money for their price.In particular, I would point you to the FT group,which is the great success story. Although, of course,it is a global brand, FT group also comprises50 per cent of the Economist group which has grown its
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1		1	
1	press.	1	country, which I hope will convince you that this
2	So the competition elements are much more acute	2	country is, in fact, the most mediatised nation.
3	since the take-up of the Internet by British people, and	3	But there are substantial shifts in the young and
4	here on this slide you can see that I have actually set	4	that is fed by a very, very large consumption of news
5	out the decline of circulation in four main periods,	5	and entertainment and other specialised sites on line.
6	before Internet dial-up started, when the decline was	6 7	As you can see here, we're looking at a situation
7	very gentle, to the period after dial-up launched and	7	where the amount of time spent and the number of unique
8 9	before, actually "all you can eat" dial-up and then, subsequently, broadband was introduced. You can see	8	users is simply just huge numbers, so I picked out the
9 10		9 10	blue circle, that is 39 million UK unique users visited
10	that by 2005 the rate had accelerated a little bit but since 2005 the rate of decline has accelerated markedly	10	news and information sites in August and spent an average of 2 minutes 20 seconds per day. In
11	and we are now in a further acceleration of decline,	11	contrast, someone who reads a newspaper will actually
12	because smart phones have taken off to such	12	read that newspaper for around 40 minutes a day.
13 14	a considerable degree that they are feeding a whole new	13 14	So the absorption rate and the differential, in
14	a considerable degree that they are recurs a whole new appetite for on-line media.	14	terms of experiences, is very, very significant. People
15	This slide will actually give you and the Panel more	15 16	who are reading newspapers are reading words, they are
10	details about the actual factors that have affected this	10	not skimming, they're taking things in, and they also
18	but we've already covered them in the slide. So the	18	use a plethora of other sites and everybody in this
19	(inaudible) compete for buyers through a high level of	19	country, pretty much, is actually engaged, at some
20	(inaudible) differentiation, really.	20	level, in one or other on-line phenomenon, whether its
21	What we did here is we just picked a Monday and	21	search, or it's recruitment, or it's health, or the
22	actually looked at each of the products within these	22	XXX is pornography conversational, which is the
23	different silos, in order to assess, really, how the	23	biggest segment, we've sized these two, the actual
24	content works. You can see that everybody is hitting	24	experience of people on a daily basis, conversational
25	all of the main points and you could say, well, actually	25	includes Facebook and all the other social networks.
	Page 9	-	Page 11
1	sports news and entertainment and lifestyle is news and	1	Search and entertainment are also very, very big of the
2	that's actually true. I mean, the composition of the	2	activity on-line.
3	news agenda, what we call hard news and soft news, is	3	So you can see that there is just a mass of highly
4	something that everyone of the titles prosecutes	4	differentiated offers on-line which are competing with
5	differently and it does so in competition with enormous number of media.	5	traditional newspapers.
6		6 7	Now, the way that all media industries have
7	This slide will actually show you that, on the left,	7	confronted the digital age is with an effort to
8 9	all UK adults spent about 7 per cent of their leisure time reading print media, which includes magazines; and	8 9	digitalise their offerings and to develop new business models and here we are showing a version of the adage
9 10	they are also very systematic TV viewers, which is the	9 10	coined in America, that analogue dollars become digital
10	top medium; they also communicate with voice and SMS;		pennies. Actually, this is not an example of pennies,
11	the Internet takes about 22 per cent of the average	11	this is an example of relatively successful transitions
12	leisure time of the Brit; radio 14 per cent; other	12	on-line for very high quality papers that people will
13	audio, music about 5 per cent.	13 14	wish to subscribe to, because they are essential.
14	When you come to young people, of course, you see	14 15	This is, in particular, the Wall Street Journal and
15	a very different picture. There, the TV is much less	15 16	the FT, are key business publications worldwide, and
10	significant but voice and SMS and the Internet, above	10 17	people subscribe to them on a global basis but, even so,
17	all, and the conversational elements of the Internet are	17	you look at the quality daily, the amount of revenue
19	about around 30 per cent of leisure time.	19	that can be gained from copy sales and from advertising
20	So you can see that, actually, the picture of the	20	revenue, from the Times of £462 per reader, compared to
20	newspaper reader is a person aged 40 plus, who is	20	the rather smaller £134 per reader of the Times on-line.
22	actually politically active and very engaged with other	21	The FT on-line, which has a much higher revenue,
23	media. The radio segment of all UK adults, that is	22	does so because it is a very selective and highly priced
24	comprised of things like Radio 4, and so on, so there is	24	audience and it is essentially rather small.
25	mass consumption of all kinds of different media in this	25	So what we see is that the paid for models have
		-	
25	Page 10		Page 12

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1	really not been enough to save the industry from the	1	all the time. The number of devices that people can use
2	decline in its circulation.	2	is actually growing all the time and so, as a result, we
3	The other websites, from newspapers and others,	3	live in an extraordinary mediatised nation, but within
4	compete for display advertising on-line which is the	4	that, actually, the newspaper reader is one who is
5	blue line, which, as you can see, was around £1 billion	5	blessed with very high quality products across the board
6	last year and which has grown at a steady rate and we	6	and, given the extraordinary range of products, as
7	are forecasting to continue at a steady rate.	7	I said, the, sort of, 7 billion printed products, let
8	Now, Internet time is growing at an unbelievable	8	alone the millions and millions of blogs, it is actually
9	speed. To give you an example, in the last year the	9	quite extraordinary that, actually, the public is so
10	amount of data on smart phones doubled, essentially, so	10	satisfied overall with the quality and the range and
11	this is a massive increase in activity and also the	11	differentiation of the products that are available to
12	(inaudible) time on line is continuing to grow at	12	them.
13	a very, very fast rate as the older population goes on	13	Thank you.
14	line.	14	DAVID BELL: Thank you very much, indeed, Claire. We wanted
15	What you see here is a situation in which the amount	15	to start with where we all are and where we're going
16	of income that is available is actually dwarfed by the	16	and, now, our second speaker is Phil Hall who was
17	number of mouths to feed. This is Facebook, this is all	17	an editor from 1974-2003 with background in local
18	the sites that you can think of, and, as a result, you	18	newspapers, the Sunday People, the Sunday Express and
19	don't see newspapers, even the most successful ones,	19	the News of the World. So Phil, over to you.
20	like the Guardian on-line and the Mail on line, you	20	Presentation by PHIL HALL
21	don't see that these phenomena are actually able to	21	PHIL HALL: I'd like to have been editor for 30 years but
22	survive on the basis of digital revenues alone. This	22	I was actually a journalist for 30 years, not an editor.
23	is the mass of time spent on line is actually not	23	Ten minutes is not a great deal of time to discuss, in
23	monetising well.	24	my view, the active pressures facing journalists, so
25	So, in relation to the regionals, you have really	25	forgive me if I get straight to the point.
23	Page 13		Page 15
1	quite a different picture there. You have a picture of	1	When I started in this industry nearly 40 years ago
2	very substantial decline in advertising revenue and they	2	the pressure was mostly of a competitive nature because
3	have been the ones that have been worst affected by the	3	newspapers were vying for readers in markets where many
4	pressures of the digital age and, actually, the popular	4	publications were neck and neck in terms of their
5	nationals have held up pretty well. So, actually, in	5	circulation figures.
6	some, the economic pressures of the industry of the last	6	When I became editor of the News of the World in
7	five years have really, primarily been felt by the	7	1995, the landscape had changed. The newspaper was
8	originals who have actually lost around 40 per cent of	8	selling 4.7 million copies and in my first conversation
9	their work forces in this time, compared to the	9	with Rupert Murdoch he asked what I expected to sell in
10	nationals that have actually lost only around	10	five-years' time. I optimistically and maybe naively
11	10 per cent.	11	suggested 5 million. His response was "You will be
12	So the final slide here is one in which I showed	12	selling 4 million or maybe 4.1." He knew full well the
13	that, essentially, these phenomena are very well	13	circulation trends of the newspapers, as Claire
14	entrenched and will continue to trend in the direction	14	indicated just now, and what he did in that conversation
15	that has already been well established and, here, you	15	was to explain there was no pressure to achieve the
16		16	unachievable. The pressure was to deliver a great
17	can see that we continue to reer that the pressure of		
1/	can see that we continue to feel that the pressure of classified is going to continue to decline, this is		
	classified is going to continue to decline, this is	17	campaigning newspaper.
18	classified is going to continue to decline, this is primarily going to continue to affect the regionals, and	17 18	campaigning newspaper. A 20 per cent circulation fall, as he had indicated,
18 19	classified is going to continue to decline, this is primarily going to continue to affect the regionals, and while we expect Internet classified and press classified	17 18 19	campaigning newspaper. A 20 per cent circulation fall, as he had indicated, could mean staff reductions and budget cuts but it does
18 19 20	classified is going to continue to decline, this is primarily going to continue to affect the regionals, and while we expect Internet classified and press classified to continue to be on very, very different trajectories.	17 18 19 20	campaigning newspaper. A 20 per cent circulation fall, as he had indicated, could mean staff reductions and budget cuts but it does not mean editors can justify 20 per cent drop in the
18 19 20 21	classified is going to continue to decline, this is primarily going to continue to affect the regionals, and while we expect Internet classified and press classified to continue to be on very, very different trajectories. So I hope that I have been able to explain to you	17 18 19 20 21	campaigning newspaper. A 20 per cent circulation fall, as he had indicated, could mean staff reductions and budget cuts but it does not mean editors can justify 20 per cent drop in the quality of their newspaper. That would be a circular
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4 (Pages 13 to 16)

1	15 years ago national newspapers, with one or two	1	I think it relevant to point out that editors do
2	exceptions, owned their own markets. The News of the	2	have different pressures now to those I experienced.
3	World was so dominant, the circulation figures were the	3	A media lawyer working in a newspaper told me recently
4	same as its two main rivals put together. The Mail	4	he spent a huge proportion of his time dealing with
5	group was equally pre-eminent likewise The Sunday Times.	5	issues around the Human Rights Act, in particular
6	It was, therefore, not expedient to look for	6	privacy issues. Many have used that Act to try to
7	sensationalist stories purely to win a circulation war.	7	protect themselves from perfectly ethical investigations
8	We were fortunate during my editorship to publish many	8	operated by tabloid and broadsheet papers alike. The
9	groundbreaking stories with investigations into subjects	9	news editor of my acquaintance claimed he would speak to
10	as far ranging as gun running, paedophilia, drug	10	the Press Complaints Commission two or three times
11	racketeering and illegal immigration gangs. Many of	11	a week to discuss issues around what is in the public
12	them ended with jail sentences. We campaigned over	12	interest and that is confusing.
13	miscarriages of justice and solved an unsolved murder.	13	Editors have long argued, certainly in the tabloid
14	There are great competitive pressures to produce the	14	market, that it's in the public interest to reveal the
15	best possible newspapers but there are also significant	15	truth about a misbehaving celebrity, who presents one
16	challenges to get it right because of the libel laws,	16	image to the public but, in reality, behaves in
17	being fair because of the PCC Code of Conduct and	17	a completely different way. For some years, privacy
18	justifying publication because of the human rights and	18	actions have blocked the publications of such stories.
19	privacy rulings.	19	Yet only last week the judge ruled that the footballer
20	The publish and be damned attitude has long been	20	Rio Ferdinand does have a duty to be consistent with the
20	confined to the history books of Fleet Street. I am	20	public image he presents and the way he behaves behind
21	sure the public believe big stories deliver big	21	closed doors.
22	circulation increases and, thus, editors are under	22	The confusion over what is in the public interest
23 24	pressure to deliver a major scoop on a weekly if not	23	clearly puts a great deal of pressure on editors,
24 25	daily basis. That is a simplistic view and not the	24	particularly when they are working to tight deadlines,
23	Page 17	23	Page 19
	145017		
1	case.	1	with dwindling resources in an age when advertising
			with dwindling resources in an age when advertising revenues are challenging. What is in the public
1 2 3	Some of our biggest stories, the Jeffrey Archer	1 2 3	revenues are challenging. What is in the public
2 3	Some of our biggest stories, the Jeffrey Archer case, for example, delivered no increase in circulation.	2	revenues are challenging. What is in the public interest is one of the fundamental issues, in my view,
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r			
1	The PCC works in preventing the publication of	1	I can be accused of looking at the press through
2	inaccurate, intrusive stories or pictures gathered in	2	rose-tinted glasses. Let me make it clear that, as
3	an improper way and it is my view it should be allowed	3	a public relations operator, I'm very much on the other
4	to proactively investigate the behaviour of the media in	4	site of the fence, poacher turned gamekeeper, they say.
5	big news stories like the disappearance of	5	But my experience is that 99 per cent of journalists do
6	Madeleine McCann.	6	act professionally, they are impartial, thorough and
7	I believe another pressure on editors and	7	work within the PCC Code of Conduct, and a vast majority
8	journalists as a whole is the inconsistencies of the way	8	of stories are accurate.
9	the law is operated or the laws that affect journalism.	9	Are journalists sometimes rude, aggressive and
10	When Princess Diana was front page news, editors in	10	unreasonable? Of course they are, but I've absolutely
11	the country were constantly being asked to refrain from	11	no idea how we legislate against human nature. One
12	publishing photographs, while their colleagues around	12	thing is clear, it is not possible to set up a truly
13	the globe were free to do as they wished. Some editors	13	independent regulatory authority appointed by the
14	did oblige and produced less attractive newspapers,	14	Government. If a newspaper were to criticise
15	others ignored it. The curious aspect of this situation	15	a government minister over a misdemeanour and he or she
16	is that Princess Diana was surrounded by bodyguards and		complained to the new regulatory authority and they
17	yet the paparazzi that pursued her were not arrested for	17	found against the newspaper, will the public truly
18	harassment nor for endangering her life through	18	believe that body has been impartial? I think not. It
19	dangerous driving.	19	will inevitably increase the pressures on editors to
20	The Palace complained about how the pursuit of the	20	give governments a wide berth, when surely their role is
21	Princess was overzealous. Editors should clearly have	21	to question and hold to account our leaders and
22	shown more restraint but why did the authorities not use	22	politicians.
23	the tools available to them to tackle the problem	23	As I said, I do not want to paint a paint a hearts
24	through the proper use of the law? I believe it would	24	and flowers view of newspapers. It is tough,
25	have stopped the practice overnight.	25	uncompromising, stressful and an extremely competitive
	Page 21		Page 23
1	Likewise, the Regulatory and Investigatory Powers	1	business. The laws of Government are inconsistent and
2	Act 2000 that governs phone hacking, are the sanctions	2	the PCC needs more clarity, more clout in what it does
3	for breaching it consistent with the public revulsion	3	and greater visibility when it does act, but none of the
4	shown over the Milly Dowler affair? I doubt it. But	4	above pressures, in my view, explains or offers
5	isn't this a police matter rather than press regulation	5	an excuse for illegal activity in the newsroom.
6	matter? Staff should not make the law whatever industry	6	Thank you.
7	they are in, full stop. Why are private detectives who	7	DAVID BELL: Thank you very much Phil.
8	are used by law firms, financial institutions and	8	Now, the third of our speaks is Richard Peppiatt,
9	newspapers not licensed when they work in such sensitive	9	a former tabloid journalist who left the Daily Star last
10	areas?	10	year in protest, I think, partly of what he regarded as
11	When I started 40 years ago, the news agenda in this	11	the Islamophobia of the newspaper. He is now
12	country was largely provided by news agencies, as	12	a freelance journalist, writer and campaigner on these
13	newspapers reduced their budgets, local papers folded	13	issues. So, Richard, over to you.
14	and news agencies went out of business. The pool of	14	Presentation by RICHARD PEPPIATT
15	stories was considerably reduced. That, of course, is	15	RICHARD PEPPIATT: Hi there. Thanks for having the
16	a pressure for editors and news gatherers but, in my	16	opportunity to be here today. I tried to consult widely
17	experience, there has been a benefit of the pressure to	17	with other journalists in the industry to get their
18	compete over fewer stories.	18	opinions too on the question I've been asked.
19	To secure an exclusive story these days, more than	19	I think that many people in the industry feel they
20	ever editors allowed the subjects of their stories to	20	can't speak openly about some of the things that are
21	approve the account before publication. That does not	21	going wrong and I'm going to try and do that.
22	mean they have control over the story but it does mean	22	Perhaps, I state the obvious to say that a truth
23	they can challenge inaccuracies and ensure absolute	23	telling function is intrinsic to the very notion of
24	probity when they are quoted in an article.	24	journalism, yet one thing I learnt early on in my career
25	I know there's a danger that, as a former editor,	25	is that telling the truth and not lying are very
1	Page 22		Page 24

1	distinct concepts. You can make true statements about	1	a big news story breaks, think Madeleine McCann
2	events and issues without ever even orbiting the true	2	Joanna Yeates, Rebecca Leighton. News editors sitting
3	account of what occurred.	3	hundreds of miles away are put under immense pressure to
4	In approximately 900 newspaper bylines, I can	4	come up with copy selling exclusives. They whip up
5	probably count on fingers and toes the amount of times	5	a feeding frenzy atmosphere around these crime scenes,
6	I genuinely felt I was telling the truth, but only the	6	where any information, however unverified, becomes
7	same amount can I say were outright lies. This is	7	fervently seized upon, in which victims' families are
8	because much of the skill of the journalist today is	8	hounded day and night for quotes, in which suspects
9	about finding facts, it is about knowing which ones to	9	become tried in newsprint before they even set foot
10	ignore. The job is about making the facts fit the	10	inside a police interview room.
11	story. This is because the story is almost pre-defined.	11	The PCC claim they reined in many of these excesses.
12	Laid out before you is a canon of ideological and	12	They must have been looking over the wrong Fleet Street.
13	commercially driven narratives and it's your job to	13	If editors really had no idea that the life-wrecking
14	fulfil them. The newspaper appoints itself as moral	14	stories that they printed about the likes of
15	arbiter and you must stamp their world view in all the	15	Robert Murat and Chris Jefferies weren't grossly
16	journalism that you do.	16	libellous, then reporters' heads would have rolled. Of
17	A scientist is to announce that ecstasy, they have	17	course, they didn't because there's an unspoken contract
18	found, is safer than alcohol, I know that my job as	18	that exists between newspaper and tabloid reporter. You
19	a tabloid reporter is to portray this man as a quack and	19	tell us what we want to hear and we won't question too
20	his research methods to be flawed. If a judge hands	20	much the veracity of that information or your methods.
21	down a community sentence to a controversial offender,	21	If there's any come back, we'll protect you. It's
22	I know my job is to make him appear lily-livered and out	22	a code of ammeter(?) and if you want to get on you abide
23	of touch. Positive peer reviews are ignored.	23	by it.
24	Sentencing guidelines are buried.	24	This is where the PCC has not only failed the public
25	The ideological imperative comes before the	25	but journalists too. The majority of reporters aren't
-	Page 25		Page 27
1	journalistic one. British justice is always soft, drugs	1	comfortable with constantly walking this conceptual
2	are always bad. This ideological imperative is bound to	2	tightrope between telling the truth and not lying and
3	a commercial one and it's founded on one premise. It is	3	certainly not with breaking the law. When the PCC won't
4	easier to sell people something that reinforces their	4	even enforce the first point of their code the press
5	beliefs and prejudices than to sell them something which	5	must take care not to publish inaccurate, misleading or
6	challenges their beliefs and prejudices.	6	distorted information is it any surprise that
7	Your success as a reporter is determined by how well	7	newspapers push the boundaries, hacking phones, bribing
8	you apply this philosophy to your own news judgment.	8	police, pursuing their own commercial and ideological
9	Pitch a story to your news desk about a peace conference		aims under the guise of journalism? Reporters are used
10	in Wembley attended by thousands of Muslims, you	10	as foot soldiers.
10	probably will get more sneers than you will paragraphs	10	Newspapers are in decline and the job pool for
11	in print. Pitch a story to them about three Muslim men	11	journalists is ever shrinking. Those entering the
12	standing outside a courtroom, shouting death to	12	industry can spend years working on casual contracts
13 14	infidels, you will probably be handed the front page and	13	without any security. Tabloid newsrooms are often
14	bought a pint.	14	bullying and aggressive environments in which dissent is
15 16	Typically, some of the worst excesses occur when	15	simply not tolerated. It's difficult to stand up and
10	stories are passed down the news chain rather than up.	10	walk out the door, knowing another opportunity is
17	News editors often assign stories to their reporters to	17	unlikely to be waiting around the corner.
18 19	look into. News editors, keen to appease their	18	I'm not attempting to absolve myself or others of
20	superiors with eye-catching news list dump the onus on	20	responsibility for our actions, I'm only trying to
20	reporters to stand up, sometimes fantastical hunches	20	contextualise them. Journalists aren't, for the most
21	(inaudible) and ill-informed assertions. The question	21	part, bad people but like all humans they adjust to
22	is not: do you have a story on X? The question	22	their environment and like in all competitive industry
23 24	is: today we are saying this about X, make it appear so.	23	those who adjust best goes furthest. You do it long
24 25	The ugliest manifestation of this culture comes when	25	enough you even start to forget that the framework in
25	Page 26		Page 28
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1	which you operate is intrinsically corrupted and	1	in good faith, unaware of the commercial and ideological
2	dishonest.	2	influences which are shaping what they read. Instead of
3	There's no better example of this current cynical	3	being told the truth they deserve, they are being told
4	approach to journalism than my former employer the Daily	4	whatever suits newspapers to tell them.
5	Star and their sister Express titles. Few would	5	As much as I resigned from the Daily Star over I saw
6	disagree that beneath their masthead has occurred some	6	as Islamophobic news agenda, my conscience was troubled
7	of the worst journalism in recent years. The	7	by another, perhaps more sinister, realisation. Their
8	xenophobia, the misleading front pages the endemic cross	8	hate mongering wasn't even genuine, it was a crude
9	promotion have set a new low bar for the industry, with	9	morally deplorable play on the politics of fear in
10	papers such as the Daily Mail happily stooping to join	10	pursuit of profit. They may be the worst offenders, but
11	them.	11	they're not alone.
12	The Daily Start and Express do not have the worst	12	Beyond the headline grabbing revelations of phone
13	journalists but Richard Desmond's chronic	13	hacking, this is the ethical rock which I urge the
14	underinvestment in journalism has allowed a corrosive	14	committee and Lord Justice Leveson look at, because it
15	culture to fester. I remember there being one shift	15	undermines real journalism, it perverts social debate,
16	where there was just myself and two other reporters	16	it divides communities, it makes victims of the many
17	throughout the whole of this national newspaper. In	17	journalists and public alike to line the pockets of the
18	that sort of situation, how can proper journalistic	18	few.
19	rigor occur?	19	Thank you.
20	News priorities are being warped to keep pace with	20	DAVID BELL: Thank you very much, indeed. We wanted to look
21	the changing media landscape and this is radically	21	at this issue of commercial competitive pressures from
22	transforming the required skill set for reporters.	22	three different angles, which I think we've done and,
23	Instead of being balanced, the demand is to be partial	23	before the coffee break, I would want us to come back,
24	and provocative. Instead of being accurate, the demand	24	if we may, to the first presentation and hold the issues
25	is to be first. You only need to look at how many	25	that were raised in the second and the third for the
	Page 29		Page 31
1	newspapers got their pants pulled down a bit with the	1	second part of this morning.
2	Amanda Knox trial to see that this demand to be first is	2	So if we may concentrate between now and 11 on the
3	trumping accuracy.	3	competitive pressures that Claire Enders outlined and
4	The Daily Mail printed colour from the courtroom,	4	the implications for the present and the future, that's
5	saying that the tearful families and that Amanda Knox	5	what we would like to do.
6	was led away, when none of this actually occurred. This	6	In order to make sure that everybody's contributions
7	was not the actions of a rogue reporter this was	7	are captured for the web, we have microphones and,
8	a decision taken by news executives who should know	8	therefore, if anybody wants to speak, it would be
9	better. They abandoned their responsibilities to	9	a great help if they could signal that and we will take,
10	journalism and instead chose to knowingly publish	10	if we may, the questions or comments in batches of
11	fiction.	11	three, which makes it easier to get the microphones
12	Capitalism, founded on self-interest, is trumping	12	around to everybody.
13	journalism, founded on public interest. Cold	13	If anyone who speaks could possibly say, to begin
14	calculations are being made. It makes no commercial	14	with, who they are and who they represent, that would be
15	sense to have your reporters spend a week investigating	15	a great help for us and also for the people who would be
16	a genuine public interest story when you can have them	16	watching this on the web, and because we anticipate lots
17	fill 10 times that space cannibalising from rivals and	17	of comments, if we could all keep them to two or three
18	news wires. It makes no commercial sense to have your	18	minutes at the maximum I think that would enable us to
19	reporters writing about someone else's products or TV	19	encourage more people to talk.
20	shows, when you can get free advertising from the	20	So on this question of the commercial competitive
21	writing about your own. It makes no commercial sense	21	pressures that Claire outlined, who would like to kick
22	not to use your reporters to dig up dirt on people you	22	off?
23	don't like and to puff up people that you do.	23	DIANE COYLE: Thank you.
24	The people caught in the cross fire here are the	24	My name is Diane Coyle, I'm the Vice Chair of the
25	millions of readers who buy tabloid newspapers every day	25	BBC Trust and an economist who used to work on The
	Page 30		Page 32

1	Independent for many years.	1	ELINOR GOODMAN: And has it had a big impact on staffing
2	I just wanted to add to Claire's very interesting	2	levels?
3	presentation the point that these pressures are both	3	ALAN EDMUNDS: Over time, of course it has, we've seen
4	long-standing, not specific to the UK and not specific	4	reductions in staffing; but I think still that we employ
5	to the press or the tabloids.	5	by far the largest amount, outside of the BBC, of
6	As far back as the 1990s when I was working at	6	journalists in our regions.
7	The Independent the price war had put the broadsheets	7	ELINOR GOODMAN: Thank you.
8	under commercial pressure and readers in this country	8	DAVID BELL: Yes.
9	had been used to very cheap papers for a very long time.	9	IAN HARGREAVES: Thank you.
10	The pressure applied across the borders as well,	10	Ian Hargreaves, from Cardiff University.
11	it's happening in the US and France and also to	11	Just to support what Alan was saying, I was struck
12	commercial broadcasters as revenues are shifting on	12	in Claire's charts, as I always am when I see them, that
13	line. And the BBC, of course, is committed to impartial	13	this is a business and economic story of readers,
14	and accurate news and it is a strategic priority, but	14	consumers, moving around from one kind of product to
15	the commercial broadcasters too are required by OFCOM to	15	another.
16	deliver impartial and accurate news.	16	What Claire did not say was that the British public
17	So I think the wider and longer perspective is very	17	is losing interest in being informed or losing interest
18	informative, showing that, actually, there has been	18	about joining in debates with strong opinions.
19	a very wide range of responses by media organisations to	19	I think it's very, very important that the
20	these technical changes and the commercial pressures.	20	Leveson Inquiry does not in any sense reach for the
21	Thank you.	21	argument that says the ethical issues which are the
22	DAVID BELL: Who would like	22	cause of this Inquiry can in some sense be attributed to
23	ELINOR GOODMAN: I think I would particularly be interested	23	the charts that Claire put on the screen.
24	in hearing from the regional press. I just wondered	24	ELINOR GOODMAN: Is that a broadly held view? It would be
25	whether Alan Edmunds from the Western Mail would like to	25	interesting to hear other peoples' views on that.
	Page 33		Page 35
1	comment on this extremely pessimistic scenario which was	1	DAVID BELL: I wondered if James Harding, who is here,
2			
-	forecast for the regional press, or indeed any of the	2	I think, because what The Times has been doing in terms
3	other newspaper groups here who have a regional	2 3	I think, because what The Times has been doing in terms of the web and print, whether you've any reflections you
			-
3	other newspaper groups here who have a regional	3 4	of the web and print, whether you've any reflections you
3 4	other newspaper groups here who have a regional interest. I thought he was here. Great.	3 4	of the web and print, whether you've any reflections you wanted to add to this competitive question.
3 4 5	other newspaper groups here who have a regional interest. I thought he was here. Great. ALAN EDMUNDS: I think the challenges of the regional press	3 4 5	of the web and print, whether you've any reflections you wanted to add to this competitive question. JAMES HARDING: Thank you very much and thank you for
3 4 5 6	other newspaper groups here who have a regional interest. I thought he was here. Great. ALAN EDMUNDS: I think the challenges of the regional press were summed up well by	3 4 5 6	of the web and print, whether you've any reflections you wanted to add to this competitive question. JAMES HARDING: Thank you very much and thank you for bringing us all together today.
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9 (Pages 33 to 36)

1	is where it originates from, how you get it and, when	1	speaking. But I think, as Ian Hargreaves and
2	you look at some of those charts, they don't fully	2	James Harding have just said, clearly from Claire's
3	reflect where we get our information from, how we how	3	analysis peoples' interest in news is still huge: people
4	we report it, how we gather news.	4	want news, whether it's from newspapers, magazines, the
5	Clearly, in her charts, she talked at some length	5	Internet, the radio or the TV, that demand for the news
6	about the way in which the FT Group has moved on to	6	is still absolutely huge. If you look at the tube any
7	a pay wall strategy. As you know, The Times has done	7	morning and you see the number of people reading the
8	the same thing, and it has transformed the fortunes and	8	free newspapers, even when they've allegedly heard all
9	the prospects of the newspaper, for the first time in	9	the news already on the Internet or the TV or read other
10	the better part of a decade we see ourselves moving into	10	forms of information, then I think that just is another
11	growth because people have the opportunity to buy us not	11	indication of how people are every enthusiastic about
12	just in print but on screen.	12	the news industry.
13	And so I just hope that the Leveson Inquiry, as it	13	So, to answer your point, George, I think that we
14	looks at newspaper behaviour, understands that it is	14	see at the Telegraph a fantastic opportunity on the web,
15	working with a very fast changing market.	15	because we can get more and more people to access our
16	Thank you.	16	brand; but at the same time the big challenge is how to
17	DAVID BELL: I don't think there's anybody here this morning		get people to pay for that.
18	from Associated Newspapers, is there? Yes, I would be	17	So we've moved away from a pay wall idea, and we are
19	very interested in your take on that because the	10 19	focusing very much on a choice. So if you are
20	Daily Mail website, I think, has been growing very fast	20	a subscriber you can get as well as your newspapers
20	too, hasn't it?	20 21	you can actually get the content of the web for free.
21	PETER WRIGHT: Yes, I am Peter Wright, the editor of the	21	If you don't want to pay for the newspapers, you are
22	Mail on Sunday.	22 23	being asked to pay for the website. So we're offering
23 24	Our website has grown exponentially and I think is	23 24	a choice of opportunities and that's the way we see
24	currently the second biggest newspaper website in the	24 25	things going.
25	Page 37	23	Page 39
1	world.	1	Going back to Ian Hargreaves' opening point,
2	We've taken a completely different approach from	2	although there are great commercial pressures, I think
3	News International. We don't have a pay wall, we don't	2	also we shouldn't confuse that with the ethics of the
4	intend to have a pay wall, and we are hoping that by	4	point of the debate. I don't think anyone here would
5	getting very substantial critical mass, the advertising	5	ever make an excuse that commercial pressures are
6	will follow.	6	changing the way we operate in terms of our integrity,
7	And I was gratified to see in Claire's charts that	7	in terms of our focus on accuracy, or getting things
8	it was up by something like 30/40 per cent this year on	8	right, because people want to believe I feel very
9	last year.	9	passionately about this and that what we produce is
10	GEORGE JONES: And I think we we have two editors here	10	accurate and true. That is what we stand for and we'll
11	from the Telegraph Group. I don't know whether	10	go find every way possible to ensure that we maintain
12	Ian MacGregor would like to speak or tell us how The	12	that.
12	Telegraph has been very successful, I think, you know,	12	Does that answer your question?
13 14	from my experience, they were one of the first to move	13 14	GEORGE JONES: Yes, it does.
14	into putting stuff on-line, and how you think you can	14 15	There's one other point I'd like. As an editor of
16	cope. I mean, do you think you're now going to be	15 16	a newspaper you operate in a very kind of regulated
17	bringing more and more on-line? Where do you think the	10	environment, with the PCC, you're now also operating on
17	balance is now coming down?	17	the web, which is, you know, exponential growth, under
18 19	IAN MACGREGOR: Hello, George, thank you for this	18 19	pressure from bloggers and other sources. I mean, how
19 20		19 20	do you view that in trying to kind of manage those two
	opportunity. I think this is an opportunity for us all, but may	20 21	streams? And do you find it much more difficult, as it
21	I think this is an opportunity for us all, but may	21 22	were, to kind of control things on the web or the
22	I just go back to the earlier point, and I'll come back		
23	to your point in one second. As others have mentioned,	23 24	competition and the pressures you're up against compared to working in the more traditional newspaper industry?
24	clearly the industry is facing great commercial	24 25	to working in the more traditional newspaper industry?
25	pressures. We are selling less papers, generally	25	IAN MACGREGOR: You know the industry as well as anyone
	Page 38		Page 40

10 (Pages 37 to 40)

1	George, you worked for the Telegraph for a long time,	1	likely to take place, is be encouraged by the
2	fantastic reputation. You know that the sources of news	2	Government, and I think the Leveson Inquiry has to look
3	these days are almost infinite, so that, for us, is	3	at what the Secretary of State's plans for local news
4	a great opportunity because we have more and more ideas	4	services is going to mean, for instance, to local
5	coming in. Equally, as you imply, we've got to be very,	5	newspapers, to the BBC, for instance, and what
6	very careful about how we use those sources of	6	difference that might make to the news environment
7	information, and how we have to check that information.	7	because they will be looking for advertising revenue
8	So I see that as genuinely an opportunity but you're	8	too.
9	right, we have to be very, very rigorous, we must never	9	ELINOR GOODMAN: I was interested, obviously, that there's
10	lose that attention to detail, it's crucial that we find	10	a sort of agreement of views has come across that the
11	ways of filtering out those sources of information,	11	competitive pressures aren't leading to a reduction in
12	filtering out that news and making sure that what we	12	standards and that it shouldn't be an excuse for the
13	print is right. And that applies to the website as well	13	kind of abuses we've seen. And particularly interested
14	as to the newspapers.	14	in what Ian Hargreaves said, because I've seen research
15	Of course, there is the comment issues as well. As	15	quoted from Cardiff University and I don't know how
16	you yourself know from the world of politics, it's	16	genuine it was which suggests how which indicates how
17	important to have a free and honest debate and that's	17	much more pressure there is on journalists in terms of
18	another side of this whole issue, which I could rabbit	18	just the fact there are less of them producing more
19	on about for a long time, but maybe	19	stories.
20	GEORGE JONES: But it's this point about the fact that you	20	Is that something you recognise, or is that just
21	are kind of operating by a sorry, I don't want to put	21	sort of one of the theories that goes around? I mean,
22	you too much on the spot but any further editors we	22	perhaps you'd like to come back on that, Ian, and then
23	have, some of you, that you're operating in a or by	23	it will be interesting to hear an editor's perspective
24	a certain degree of standards, but when you get onto the	24	on that.
25	web, which we know from Claire Enders, and that whole	25	IAN HARGREAVES: If it was from the Cardiff University, it
	Page 41		Page 43
1		1	
	electronic form is going to be a much pigger part of	1	follows that it was certainly accurate
$\frac{1}{2}$	electronic form is going to be a much bigger part of your role, how frustrated are you that you are playing	1 2	follows that it was certainly accurate ELINOR GOODMAN: the person who had done it.
2	your role, how frustrated are you that you are playing	2	ELINOR GOODMAN: the person who had done it.
2 3	your role, how frustrated are you that you are playing by sort of one set of rules but then there is a whole	2 3	ELINOR GOODMAN: the person who had done it. IAN HARGREAVES: It may have been misquoted in the telling,
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1	interested in peoples' views on it, is that the	1	room, but it's certainly not ours and I believe it's not
2	financial pressures means that reporters just simply	2	the Sun's or the Daily Mail's, so I completely reject
3	haven't got the same time they used to have to research	3	that view.
4	stories, and therefore the veracity of them is more	4	That having been said, yes, there's been great
5	questionable.	5	pressures, the last 15 years have been about disruption
6	Does your research suggest that is true? And is the	6	as technology moves in pace and increases its changes in
7	experience of editors here that that is so?	7	our industry. And that has been the big pressure for
8	UNKNOWN SPEAKER: Well, I'm not aware of research that shows	8	the editors now. Yes, there's pressure to get good
9	that is true in the way that you make that point, which	9	stories and sell the paper, but the main pressure is
10	is not to deny that those kinds of pressures exist and	10	managing your business as all these changes are
11	that they take new forms as new technological	11	happening around you, maintaining its profitability;
12	opportunities arise through which to challenge your	12	but, also, as I go back to, maintaining the integrity of
13	dishonesty.	13	the newspaper.
14	DAVID BELL: Over there.	14	Because again, to the point that Ian was making
15	JAMES CURRAN: I think the research you're	15	earlier, in this great new landscape where anything goes
16	DAVID BELL: Forgive me, could you just introduce yourself?	16	on the Internet, I believe there is an opportunity for
17	JAMES CURRAN: James Curran, Goldsmiths University of	17	established long-standing brands, whether it's The Times
18	London.	18	or The Sun or the Daily Mirror to actually be a place
19	I think the research you refer to came not from	19	where people can go where there is still information
20	Cardiff but from the Goldsmiths Human Research Centre.	20	that is trusted, so that you can go to one of our sites
21	And what we found, after interviewing over 150	21	or have it delivered to your phone, or however which way
22	journalists and doing ethnographies is that, because	22	you want to choose to consume your media and know what
23	there are fewer journalists, they are under pressure to	23	we are saying is the truth.
24	be more productive. And this is leading them, firstly,	24	I think that, as the consumer becomes more
25	to lift stories from rival websites and, secondly, to	25	sophisticated in choosing his and her lines of media,
	Page 45		Page 47
1	turn to tried and tested sources as a way of increasing	1	that that will be a great opportunity for us.
2	productivity and, thirdly, is leading to more	2	To be honest it's about holding on at the moment, as
3	office-bound scissors and paste journalism.	3	far as our business is concerned, until we can find ways
4	ELINOR GOODMAN: When you say "try and tested sources", what	4	of, you know, aggressively monetising these new
5	do you mean by that?	5	opportunities.
6	JAMES CURRAN: The argument often is that the web has	6	ELINOR GOODMAN: Can I pick you up on something you said
7	created an enormous plenitude of alternative sources,	7	You mentioned brand loyalty there. Is there less brand
8	and we found that counter-intuitively, because of the	8	loyalty now than there used to be to the main titles
9	effect of lost advertising, reduction and staff,	9	amongst themselves, and does that in turn increase the
10	journalists are turning to sources they know can deliver	10	pressure to use your front page to grab the sales that
11	good copy. So they are tending to turn to mainstream	11	you can get?
12	sources rather than alternative sources.	12	RICHARD WALLACE: No,no I think don't quote me on this
13	DAVID BELL: I wonder whether Richard Wallace or Tina Weaver	13	one but I think the opportunity to grab readers in
14	would like to add to this debate. From the Mirror	14	the mornings, there's about sort of 3 per cent movement
15	family. Yes.	15	in the market that us and The Sun and The Mail are
16	RICHARD WALLACE: I'm Richard Wallace. Good morning.	16	fighting about. So, yes, by and large people I mean,
17	Commercial pressures. Absolutely. The days when we	17	newspapers still touch half the population in some way,
18	had 30-odd reporters sitting on the ramp waiting for	18	shape or form every day. Now, that's a pretty
19	something to happen have gone, but part of the role as	19	significant number of people that are still interacting
20	an editor and a manager of newspapers these days is to	20	with us, who still come to us for news and increasingly
21	ensure that the quality and above all the integrity of	21	for opinion and analysis.
		22	So I'm sorry, I've forgotten your question now.
22	the titles and the traditions that we value and cherish	22	
23	are maintained.	22	ELINOR GOODMAN: It was that 3 per cent figure.
23 24	are maintained. Now, I must just say that Richard's presentation		ELINOR GOODMAN: It was that 3 per cent figure. RICHARD WALLACE: As, I said so there's a great brand
23	are maintained.	23	ELINOR GOODMAN: It was that 3 per cent figure.

12 (Pages 45 to 48)

1	a digital world, they're looking at new brands, you	1	and large, who understand for instance, if they are
2	know, and Wikipedia, can you trust that? Google, can	2	buying the Daily Star they are not buying it as a paper
3	you trust that? All those kind of new, groovy brands	3	of record.
4	that I think certainly for the mainstream audience	4	DAVID BELL: I think there is a question there.
5	they're very unsure of these and they keep reading and	5	STEVEN BARNETT: Thanks. I'm Steve Barnett, University of
6	hearing things, "Have I got my information?" There's	6	Westminster, and also the House of Lords Communications
7	an uncertainty. Whereas The Sun, The Mirror, The Times,	7	Committee, but this is in my personal capacity.
8	The Mail, you know, very mature, established brands	8	I wonder if it might be useful to try and think
9	where you know whether you like them or you don't like	9	about a longer historical perspective, perhaps even
10	them and you know where you are with them and you can	10	longer than Claire's charts, really, it took us back to
11	continue to choose to use them.	11	2002, and ask the question whether there hasn't always
12	ELINOR GOODMAN: You mentioned strong opinions. Do you think	12	been intense commercial pressure, in particular on the
13	that's going to be an increasing trend of the future?	13	country's press industry.
14	RICHARD WALLACE: I think it is now. That's why we have	14	We have, I think I'm right in saying, sort of one of
15	a such a rumbustious press, why we have I think the	15	the most, if not the most, competitive National Press
16	highest number of newspaper readers in the world.	16	markets in the world, and have done for decades, not
17	Because, again, when you read the Daily Mirror you know	17	just for the last ten years. So the pressure on
18	where we're coming from. Ditto with The Sun and the	18	particular and especially print journalists has
19	Daily Mail and, you know, that's part of the richness of	19	always been there. And I would like to urge the Inquiry
20	the industry that we have and it gives the consumer,	20	to look not just at commercial pressures, but at
21	above all, choice. So if they come for a point of view	21	newsroom cultures, and to ask whether there has been any
22	they know that there's something there to serve them.	22	change there.
23	And the thing is, we're not shy about saying that.	23	Now, like Ian, I wouldn't certainly wouldn't want
24	ELINOR GOODMAN: Do you think that where the future is going	24	to excuse any unethical or illegal acts on the basis of
25	to be more opinionated newspapers?	25	whether they are commercial or news room pressures; but
	Page 49		Page 51
1	RICHARD WALLACE: I think so, because often, if something	1	I do think it's important to ask the question: what is
2	terrible happened today, the television and the radio	2	it about this country, and perhaps the journalistic
3	can tell us "plane crashes, 50 dead, and here's some	3	culture of this country, in tabloid newspapers in
4	great pictures of it". What newspapers provide and will	4	particular, that produces a certain kind of journalism
5	continue to provide is why did that happen as the	5	and a certain kind of journalist? And how different has
6	analysis and sort of the back story on the whole thing.	6	that been over the years? Now, I'm on the Editorial
7	Certainly, as far as opinion is concerned, you know,	7	Board of the British Journalism Review, I have three
8	certainly sometimes when I speak to readers they say,	8	eminent colleagues around me. We have very robust
9	"Well, I bought your paper today." And I said, "Why?"	9	discussions at some of those editorial meetings about
10	And he said, "I wanted to know what to think about X."	10	the extent to which this is a historic tradition in
11	Because what we can do is help formulate their	11	British journalism. And can be divorced from the
12	views. And, as I said, if you have a certain world view	12	commercial pressures. And that, I think, is something
13	you can pick it from The Mirror, you can pick it from	13	that is worth looking at.
14	The Sun, you can pick it from a whole plethora of	14	I would also very much recommend a site which some
15	places. And that is very healthy.	15	old stages have started to call "gentlemen ranters.com",
16	ELINOR GOODMAN: At the risk of anticipating the discussion	16	which is a wonderful litany of some of the things that
10			
17	on Richard Peppiatt's thing though, if you're helping to	17	old Fleet Street hacks got up to in the 1940s, 50s and
17 18	on Richard Peppiatt's thing though, if you're helping to formulate views doesn't that mean you're inevitably	17 18	60s, and might lead some of you to think that actually
17 18 19	on Richard Peppiatt's thing though, if you're helping to formulate views doesn't that mean you're inevitably taking an increasingly selective view of the facts	17 18 19	60s, and might lead some of you to think that actually not much has changed.
17 18 19 20	on Richard Peppiatt's thing though, if you're helping to formulate views doesn't that mean you're inevitably taking an increasingly selective view of the facts because	17 18 19 20	60s, and might lead some of you to think that actually not much has changed. GEORGE JONES: I think James Cussack if I pronounced the
17 18 19 20 21	on Richard Peppiatt's thing though, if you're helping to formulate views doesn't that mean you're inevitably taking an increasingly selective view of the facts because RICHARD WALLACE: No, again, because I think, as always, the	17 18 19 20 21	60s, and might lead some of you to think that actually not much has changed.GEORGE JONES: I think James Cussack if I pronounced the name right from The Independent would like to make
17 18 19 20 21 22	on Richard Peppiatt's thing though, if you're helping to formulate views doesn't that mean you're inevitably taking an increasingly selective view of the facts because RICHARD WALLACE: No, again, because I think, as always, the reader, the consumer (or whatever we call them these	17 18 19 20 21 22	60s, and might lead some of you to think that actually not much has changed.GEORGE JONES: I think James Cussack if I pronounced the name right from The Independent would like to make a point.
 17 18 19 20 21 22 23 	on Richard Peppiatt's thing though, if you're helping to formulate views doesn't that mean you're inevitably taking an increasingly selective view of the facts because RICHARD WALLACE: No, again, because I think, as always, the reader, the consumer (or whatever we call them these days) is massively underestimated. We seem to think	17 18 19 20 21 22 23	60s, and might lead some of you to think that actually not much has changed.GEORGE JONES: I think James Cussack if I pronounced the name right from The Independent would like to make a point.JAMES CUSSACK: This is a slightly unusual request. It's a
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13 (Pages 49 to 52)

1 It's just a point that lan Hargreaves made. I'm in 1 is the point about pay walls, which is - 1 think it's a 2 the middle of doing, as a reporter, actually reporting 2 mistale to try and use the PT and the Wall Street 3 on this puritular stort, the phone hacking story, And 3 Journal, which are sources of the transcal information, and 4 when the Leveson Inquiry was announced it was a case of, 4 to imagine that that is going to be true general ows; 6 of control, chines all over the place, police involved, 6 commoditised world of information, and 7 (inaudible) undervord, and I think thers's danger 7 is the other thing that masks the obvious difference 8 that, if this Inquiry gets sidetracked away from that 8 from previous generations of Guardian editors, is that 10 leverson advances it gress into morths, loads of morths of 10 the appoint of the is in direct competition 11 Leveson advances it gress into morths, loads of morths of 10 this the other thing to hear in mind is that 16 DAVID BELL: Well, thank you for that. 16 10-15 years ago, "Vere al going to be in competition 17 We've chosen the topics for these seminars ove				
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4 when the Leveson Inquiry was amounced it was a case of. 4 in imagine that this going to be true generally of 5 well, I'n currently looking at a newspaper new	2	the middle of doing, as a reporter, actually reporting	2	mistake to try and use the FT and the Wall Street
5 well, I'm currently loaking at a newspaper newsmon valid 5 general news sources, which are in this large 6 of control, ethics all over the place, police involved, 6 commodified world of information. And that, of course, 7 is the other thing that makes the obvious difference is the other thing that makes the obvious difference 8 that, if this fingting gets sidetracked away from that 8 from previous generations of Gardian editors, is that 10 point, then you'll find that the conomics doesn' 10 this they this log time editors, is that 11 Levison advances it goes into momth, loads of momtho 11 with the so, so, you know, when poole used to say 12 Inquiry, thu you'll find that the conomics doesn' 10 projent skind, "Truiter is general news (and there yeas ago 13 play a major role, it's actually the ethics of that 13 with Google and Facebook", and when three years ago 14 newstown. And I would advise the faquity Board at the 15 news than you can possibly do", these were easy things 15 beginning not to miss that point. That's it. 15 news than you can possibly do", these were easy things 16 today and next week absolutely bearing that point in 18 market, the national newspaper market at	3	on this particular story, the phone hacking story. And	3	Journal, which are sources of financial information, and
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Page 54 Page 56	25		25	DAVID BELL: I think we're jumping ahead, actually, to the
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1	next subject after coffee, really.	1	voters or politically active. So these people are very
2	ELINOR GOODMAN: On the commercial pressures, there was	2	smart.
3	a fleeting reference to "free newspapers". How much,	3	Actually, a very good example of that is the fact
4	I wondered, has that put pressures on the standard of	4	that so few readers have been swept away by the
5	journalism within them, in the sense that, you know,	5	systematic campaigns against the BBC, for instance.
6	someone mentioned going on the tube. Well, my	6	Actually, a very large number of readers of quality
7	experience of going on the tube is and I count it	7	dailies adore the BBC and listen to Radio 4. So
8	every time now is sort of 9 out of 10 people are	8	actually they haven't been put off by, you know, the BBC
9	reading free newspapers rather than bought newspapers,	9	campaigns.
10	and often it seems to me they are just straight lifts	10	So there's actually quite a lot less influence than
11	from the papers, the morning papers, and presumably very	11	the newspaper proprietors might hope, but actually it's
12	little checking or first-hand journalism goes into that.	12	the politicians who are significantly influenced by
13	How does that affect the sort of profitability	13	these phenomena.
14	model, again? Claire.	14	ELINOR GOODMAN: Just a point of information. What has
15	CLAIRE ENDERS: Free newspapers were introduced some time	15	actually happened to the circulation of the News of the
16	ago, around 10/12 years ago. Metro is a very	16	World? Has it to what extent
17	significant title, and of course the Evening Standard	17	CLAIRE ENDERS: That's a very good question. It the
18	went free when the Lebadev Foundation took it over.	18	circulation of the News of the World has actually
19	The free newspapers have had a paradoxical effect.	19	vanished entirely to about a third, so that's about
20	On the one hand it is very salutary to know that the	20	700,000 readers dropped out completely; but that is so
21	young like free newspapers and will read them, but what	21	far. I mean, we may see that for instance, the
22	the young don't like to do is pay for anything, whether	22	Daily Mail and I'm sorry the Mail on Sunday and
23	it's music or newspapers. So free newspapers have in	23	the Star on Sunday did actually gain hundreds of
24	fact continued to accustom our young to the core act of	24	thousands of those readers for a brief period, but were
25	reading which they will find so helpful in their careers	25	unable to sustain them, and in fact found in their
	Page 57		Page 59
1	and in their lives. Whereas, they have actually put	1	research undoubtedly that they were too wordy and too
2	quite a lot of pressure on display advertising revenues	2	boring to keep the interest of the former News of the
3	for the nationals, and of course they have absorbed	3	World reader. I mean, the Mirror has done better and
4	readership; but I'm not really entirely clear that they	4	we'll see, but it's very much to the point that there's
5	have, as it were, cannibalised readership, I think	5	quite a lot of differentiation. And, indeed, in the
6	actually in a positive sense they have continued to	6	regionals, in fact regional newspaper readers tend to
7	introduce the young to reading, and in fact those young	7	drop out and actually they don't read another title. So
8	would not be buying would not be spending a pound	8	we do have a loss of readership, but I will dispute what
9	a day on newspapers anyway.	9	Mr Hargreaves said, I don't think the British public
10	Many of those newspapers, Evening Standard and the	10	ceases to wish to be informed. On the contrary, anyone
11	Metro, are the ones I know best, are extremely high	11	who saw my slides about reader consumption will say that
12	quality newspapers and they do in fact back-check and so	12	the British public spends most of its time staying
13	on. So it's very much to the point made by Mr Wallace,	13	informed.
14	which is that there is a lot less competition than you	14	DAVID BELL: I think there is one question there and we
15	think. Of course, you know, newspaper proprietors would	15	probably need to finish for coffee. In the middle.
16	like to believe that they can increase their market	16	I think that is Ian. Yes, there's a microphone just
17	share and so on, but actually there is a lot of	17	coming there.
18	self-definition in the readership segments and there is	18	IAN MACGREGOR: So sorry. Sorry to have two answers today
19	a lot of differentiation between the newspapers and	19	but just very, very quickly. Obviously, as the editor
20	their ethical stances, and their views on privacy, and	20	of the Sunday Telegraph and a huge passionate fan of
21	their views on the relationship between politics and the	21	paid for newspaper, just going to your point about
22	press. And I completely agree with him when he says	22	Metro, I was lucky enough to be appointed the launch
23	that people actually who read the newspapers actually	23	editor for the Metro going back, as you say and I
24	understand this, because to a large degree people who	24	can't quite remember, it might be 13 or 14 or 15 years
	read newspapers, pay for newspapers, are likely to be	25	ago and I think it's very, very important to say
25	Page 58		Page 60

4 practising journalist or editor knows it's not 4 this thing, I think George had one quick question he 5 a glamorous jok, we speed half our time checking facts 5 6 and just sitting ther reading bits of copy and bits or headline and every picture. And the 6 8 idea - and I'm sure it's the same now the idea that 8 9 things are just cut and pasted or just thrown in or not 10 10 checked is not true. 10 11 And I think as most of the people here have said 11 12 like Kichard or lan or james -1 think there's a danger 12 13 that this emphasis on competitive pressures might lead 13 14 to suggest that a short cut has been taken with some 14 15 sort of accuracy. 15 16 Think there's big issues to discuss about what is 16 17 in the public interest, but T ma passionate believer, 17 18 a I think most journalists are, in accuracy and just a 18 19 point of clarity, as you mentioned, with the hest of 19 14 to suggest that a short cut has been tawe share mathave 10 12				
3 that paper. And I am sure everyone here who's an active 3 DAVID BELL: Seeing as we are more or less out of time f 4 practising journalist or editor knows its not 4 this thing. I think George halo on equick question he 5 a glumorous job, we speed half our time checking facts 6 and just sitting there reading bits of copy after bits 6 6 and just sitting there reading bits of copy after bits 6 GEORGE JONES: I was just strunck by Phil Hall saying th 9 bits or headline and every picture. And the 8 didn't move sales at all. 10 checked is no true. 10 any research on the impact of exclusives? What 11 And I think as most of the people here have said 11 percentage of a newspaper-reading audience is there 12 like kichard or lam or James I think there's a danger 13 Tim not going to get the Guandian because: I like thei' 14 to suggest that a short cut has been taken with some 14 headline." Or is it they buy it because there's a free 15 sot of accuracy. 15 Tim the public interest, but ma passionate believer. 16 I think there's bi gisues to discus about what is 15 reactal publ	1	that, I'm sure it's the same now, but there was huge	1	different from the audience, say, for the Western Mail
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15anything wrong with that, you're providing a service.15again that there is that much substitution of fact or16So you're not pretending to be producing prize-winning16cannibalisation of facts actually possible at any one17journalism; if you are producing quality for that kind17time. And you know, people who read the FT, if they18of niche audience, then fine.18don't find the FT they are not going to switch to the19ELINOR GOODMAN: Can I just ask, the person from the Western19Sun. It's very much a very segmented audience, and so	13	going on in a non-political way, and people know you are	13	with the media overall engagement with the world.
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19 ELINOR GOODMAN: Can I just ask, the person from the Western 19 Sun. It's very much a very segmented audience, and so	17	journalism; if you are producing quality for that kind	17	time. And you know, people who read the FT, if they
	18	of niche audience, then fine.	18	don't find the FT they are not going to switch to the
	19	ELINOR GOODMAN: Can I just ask, the person from the Western	n 19	Sun. It's very much a very segmented audience, and so
20 Mail, whether he would like to comment on how he sees 20 it's very much a horses for courses thing.	20	Mail, whether he would like to comment on how he sees	20	it's very much a horses for courses thing.
21the role of free newspapers in the provinces.21So definitely we see some segmentation along each of	21	the role of free newspapers in the provinces.	21	So definitely we see some segmentation along each of
22 ALAN EDMUNDS: Metro has been very successful in most cases 22 these pools of readership, around these titles, around	22	ALAN EDMUNDS: Metro has been very successful in most cases	22	these pools of readership, around these titles, around
23 Metro is partnered with the regional papers to work 23 their opinions and their ways of being, and then we also	23	Metro is partnered with the regional papers to work	23	their opinions and their ways of being, and then we also
24together and they suit very different audiences. The24see that great news events lift all media.	24	together and they suit very different audiences. The	24	see that great news events lift all media.
	25		25	ELINOR GOODMAN: Thank you very much. Forgive me, we are
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16 (Pages 61 to 64)

1	going to be coming back at 11.30. There is a lot to	1	in this country. Let's never forget that. What goes on
2	talk about from the two presentations that were not	2	in the serious press, what used to be called the
3	about the competitive pressures but were about what they	3	broadsheet press, is very different from what goes on in
4	were about. So I look forward very much to a very	4	popular newspapers and I know that because I worked at
5	spirited debate about those.	5	the Sun and I worked with the Daily Mirror and I worked
6	The coffee is where everybody had coffee before we	6	at The Sunday Times, and watched the culture observed
7	started this morning, which is called the Caxton Lounge,	7	and enjoyed the culture, I ought to say, (inaudible)
8	which is on level 2, and we are going to start here	8	Alan and I did, really, in the Guardian.
9	again, if we may, at half past eleven.	9	So these are very different kinds of attitude
10	Thank you very much.	10	that and therefore different cultures. That's the
11	(11.07 pm)	11	first thing to grasp is the culture in a popular
12	(A short break)	12	newspaper is different. Closer to the kind of thing
13	(11.38 am)	13	you've heard from Richard Peppiatt, closer to the kind
14	QUESTIONS FROM THE FLOOR	14	of thing you've heard from Phil Hall and I'll try and
15	DAVID BELL: Welcome back. Thank you very much. The nex	t 15	join those two together, as quickly as I can.
16	session we will finish at 1 o'clock an then lunch is	16	It is the case that we shouldn't deny that
17	going to be downstairs where we just had coffee.	17	newspapers work on a very ridged hierarchy. I'm talking
18	I think I wanted to thank Claire very much for her	18	popular newspapers now. The word of the editor is
19	commercial presentation and those slides we're going to	19	absolute. What the editor wants the editor gets. But,
20	make available on the website but also, if anybody wants	20	of course, on that way up that sticky pole towards
21	hard copies, I'm sure we can provide them too because	21	editorship myself, I fondly believed that the editors
22	I think they were really very interesting.	22	word would be law. It is, but only in the newsroom
23	But we're going to shift the focus now a little bit	23	because above the editor is the proprietor and there is
24	to the second half of the subject of this morning's	24	no doubt mind you, I had a pretty dodgy proprietor
25	seminar, which is what exactly in a way this is	25	there is no doubt that the editor is the creature, to
	Page 65		Page 67
1	perhaps more for the people watching this on the web	1	a large extent, of the proprietor. No editor, working
2	than for everybody in the room because in this room you	2	editor, will ever want to tell you that, of course,
3	will understand it more what is the culture of the	3	because it's a kind of, I suppose, agreement, unwritten,
4	newsroom, if you like? What is driving the way in which	4	unspoken agreement, that you don't ever say that when
5	news agendas are set? Has it changed? What is it?	5	you are a serving editor.
6	I think that would be a good subject to kick off	6	Now, within the hierarchy, therefore, what the
7	this second session, and Professor Roy Greenslade, who	7	proprietor wants then comes down to the editor. This
8	of course has a lot of experience right at the sharp end	8	can be very general, it can be very specific, but most
9	of our business, but also is now a little bit stood back	9	importantly then, within the newsroom, the editor has
10	from it as a commentator, is going to just kick this	10	his sway and within his newspaper are many hierarchies
11	session off. Roy.	11	in which the news editor is a key player, perhaps the
12	ROY GREENSLADE: Do you want me to	12	features editor, perhaps some executive editor or
13	DAVID BELL: No, no, I think the microphone will be fine.	13	associate editor, someone holds the key to everything
14	ROY GREENSLADE: I want to say, I didn't know this until	14	and answers to the editor, and the reporters who are
15	it's awful to be pushed into the limelight in such	15	(inaudible) and the subs very important, by the way,
16	an august audience. Also, someone mentioned earlier the	16	the subs, in fiction making, in popular newspapers
17	gentlemen ranters.com website and it is true, if you	17	these people are all answerable to the people above
18	read that, you will see that we have been up to pretty	18	them. They are answerable to the editor and, therefore,
19	bad behaviour throughout history. But it was fun, it's	19	the ship rolls down and the ship gets pushed up and
20	always fun when it's 40 years ago, 30 years ago, and so	20	that's the important thing, that's never let that
21	on.	21	drift away, that's where Richard Peppiatt is right.
22	But the first thing one ought to say straightaway is	22	Now, let's look okay, that's fine, we understand
23	that and this is something which I think, when you	23	that goes on and, in generality, that doesn't
24	listen to Alan Rusbridger or James Harding and if you	24	necessarily cause necessarily cause any ethical
25	were to listen to Lionel Barber, there are two presses	25	problems and we ought to see this in perspective when we
	Page 66		Page 68

1 tik about ethics. Most of the contern — most of the 1 from there, fistening into messages, intercepting them 2 content of most popular newspapers on most skin of persons. Notwit's obtained, the 1 trying to get skories every time it happened. 3 unremarkable in terms of how it's obtained, the 3 But, of course, that was the pressure duar was 4 brought about whether it's grown worse, I think it 6 brought about by the methodology enployed to get at 5 moments and perhaps these — this is something we can 6 celebrities, initially. So the celebrity agends has 6 discuss about whether it's grown worse, I think it 6 definitely had an effect on the calture of newsmorsm and the samethor of newspapers and that wasn't the case 7 poor Chris, Efferise, the Analgel of Death description of 11 agenda has grown, a your will see that the newsmore 12 poor Rebecca Laighton, this leaping to judgmend, which 13 cult deny it — is that there is lintene pressure in newsmore sourd beat, in the conomics problem — going 17 spice of the fact that 1 agree that the odds, the great 15 of that going back to the conomestifion problem — going 18 the letter of the two' contempt, these thing or you most be fast now difty or yot the great stat of get 1 pressure, in addiftin, so you hase time, sp				
3 mmematable in erms of low if solutined, the 3 But, of course, that wis the pressum that was 4 methodology, and in terms of the content. But there are 4 brought about by the methodology employed to get at 6 discuss about whether it's grown wore, I thuik it 6 definitely had an effect on the culture of newsrooms and on the content of newspapers and that wasn't the case 7 fore in certain stories, and the McCann story is a very good crumple, once yong et a feeding frenzy on 7 Nut, the important thing is that as this celebrity agenda has 10 poor Chris defines, the Angel of Death description of 11 agenda has grown, so you will see that the mewsroom 11 poor Chris defines, the Angel of Death description of 11 agenda has grown, so you will see that the mewsroom 12 poor Chris defines, the Angel of Death description of 11 newsrooms because stafts have fallen. So that's bit 13 by the wy, of course, is also agains the spirit and 13 can't deny it – is that the newsroom 14 the letter of the law on content, interwayne move the methody on those 14 ascoop, and so on, even though those 15 spite of the fact that 1 agree that the odks, the great 15 of that going back to the competition with	1		1	
4 methodology, and in terms of the content. But there are moments and perhaps these - this is something we can discuss about whether it's grown worse, I think it has - there are moments when these things come to the fore in certain stories, and the McCan story is a very good example, once you get a feeding fremzy, once the younger. 5 celebrities, initially. So the celebrity agenda has definitely had an effect on the culture of newspapers in 1967 - 1 look younger. 10 Joame Yeates murch happened and the feeding fremzy, once the younger. 9 younger. But the important thing is that as this celebrity agenda has grown, so you will see that the newsroom culture has grown and then, added to that - and you curt (dwy i - is that there is interse pressure in happen. 10 Joame Yeates murch appened and the feeding fremzy on the letter of the law of contempt, these things do the letter of the law of contempt, these things do the letter of the law of contempt, these things do the letter of the law of contempt, these things do the letter of the law of contempt, these things do the letter of the law of and get splato for that ta gree that the odds, the great splato is coop doesn't ready move that many corpies, at this a always the case that there was that word to case it was always the case that there was that kind of the case of inserse, incertain kind is of the sectous pressure. Now that all been the case it was always the case that there was that kind of the sectous pressure, but it's grown orient interse, especially in the way and the as duick as law. There are landmark komment in the listory of the press that led to this. The 1963 Profumo affair is the begrinning, in my view, of theore intrusive reporting. By the law 1980 we dhe form 1991 onwards is obeyed that wowerd show the many stherey story, t			2	
5 moments and perhaps these - this is something we can fight of the description of the description of the content of newspapers and that wash the case when I started in national newspapers in 1967 - 1 look younger. 6 discuss about whether it's grown worse, I think it for on certain stories, and the McCarm story is a very some the prove the content of newspapers and that wash the case when I started in national newspapers in 1967 - 1 look younger. 10 poor Chris Efferies, the Angel of Death description of 10 But the important thing is that as thit solelebrity agenda has grown, so you will see that the newsroom culture has grown and then, added to that - and you culture has grown so you will see that the newsroom culture bas grown so you will see that the newsroom is spite of the fact that lagree that the odds, the great is spite of the fact that lagree that the odds, the great is spite of the fact that lagree that the odds, the great is spite of the fact that lagree that the odds, the great is spite of the fact that lagree that the odds, the great is spite of the fact that lagree that the odds, the great is spite of the fact that lagree that the odds, the great is spite of the fact that lagree that the odds, the great is spite of the fact that lagree that the odds, the great is spite of the fact that lagree that the odds, the great is spite of the fact that lagree that the odds, the great is spite of the fact that lagree that the odds is the spite is spite of the fact that lagree that the odds is the spite is spite of the fact that lagree that the odds is the spite is spite of the fact that lagree that the odds is the spite is spite of the fact that lagree that the odds is the spite is spite of the fact that lagree that the odds is the spite is spite of the fact that lagree that the odds is the spite is spite of the fact that lagree that the odds is the spi	3		3	-
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7 in sa - there are moments when these things come to the 7 on the content of newspapers and that wasn't the case 8 fore in certain stories, and the McCann story is a very 8 when 1 started in national newspapers in 1967 – 1 look 9 good example, once you get a feding frenzy, one the 9 Younger. 10 poor Chris Elferies, the Angel of Death description of 10 But the important thing is that as this celebrity 11 poor Rebecca Leighton, this leaping to judgment, which 12 art deny if is that there is intense pressure in 15 hypen. 12 culture has grown, a you will see that the advost and the secononics problem ading with those 17 spite of the fact that 1 agree that the odds, the great 15 of that going back to the competition problem going 18 spite of the fact that 1 agree that the odds, the great 17 got the sace of intense interal competition within 18 got the sace of intense interal competition within 20 Fleet Street, and a competition with neary you must be 18 got the sace of intense interal competition within 20 as ccop, and so on, even though thoses coops don't 21 first and you must be fast nowadays, and you, therefore, 21 attional stories that really move the marke	5	moments and perhaps these this is something we can	5	celebrities, initially. So the celebrity agenda has
8 fore in certain stories, and the McCann story is a very 9 good example, once you get a feeding frenzy, once the 9 9 good example, once you get a feeding frenzy, once the 9 9 10 Joanne Yeats murch bappened and the feeding frenzy on 10 12 poor Reheccal Leighton, this leaping to judgment, which 12 can' deny it - is that then is intense pressure in 14 the letter of the law of contempt, these things do 11 newsrooms because staffs hard fallen. So thaf's a bit 15 of thar socio doesn't these things do 14 newsrooms because staffs hard fallen. So thaf's a bit 16 Why do they happen? Heat many copies, it 15 of that going back to the competition problem - going 17 spile of the fact that lagree that the odds, the great 17 going to nerease staffs hard fallen. So thaf's a bit 16 Thist and you must be fast nowadays, and you, therefore, 21 actorally move that many copies, it 20 a scoop, and so on, even though those scoops doon't 22 get these kinds of pressures. Now, that's all been the 22 11 actorally move that many copies, it 23 pressure, but it's grown more intense, especially in 24 reastady was marginal difference t	6	discuss about whether it's grown worse, I think it	6	definitely had an effect on the culture of newsrooms and
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12 poor Rebecca Leighton, this leaping to judgment, which 12 culture has grown and then, added to that and you 13 by the way, of course, is also against the spirit and 13 can't deny it is that there is inense pressure in 14 the letter of the law of contempt, these things do 14 can't deny it is that there is inense pressure in 15 happen. 15 of that going back to the competition problem going 16 Why do they happen? Why do they happen? Because in 16 17 pressure, in ad competition with means you must be 18 got the pressure, from above to succeed, you've got the 19 is still a case of intense internal competition with means you must be 20 a scoop, and so on, even though those scoops don't 21 first and you must be fast nowadays, and you, therefore, 21 it's only the big stortes, the big international and 22 get these kinds of pressures. Now, that's all been the 23 a stordian stories that really move the market at all. So 23 a world in which you don't know if your exclusive is 23 to market at all. So 24 pressure, hut it's grown more intense, especially in 24 this is always a marginal difference that you're going 25 out.	10	Joanne Yeates murder happened and the feeding frenzy on	10	But the important thing is that as this celebrity
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Page 74 Page 76	25	-	25	newspapers are under, because I suspect most newspaper
		Page 74		Page 76

19 (Pages 73 to 76)

1	executives will agree with me that those organisations	1	conference, ten years ago would've not really amounted
2	pose a very substantial threat to the health and future	2	to a great deal in this morning's in the following
3	success of newspapers.	3	day's newspapers, but yesterday because of the Internet,
4	I'll give you an example of that, this morning.	4	because of blogging, because of the news channels, it
5	Newspapers are under, you know, huge and growing	5	became a huge story for about three hours yesterday,
6	pressure from the 24/7 news environment. Steve Jobs'	6	until the Prime Minister stood up and made his speech,
7	death announced at about half past midnight last night	7	which largely swept away the row over the credit card
8	made the later editions of newspapers. We probably sold	8	remarks. So the pressure is much greater, the demands
9	250,000 copies of the paper with Steve Jobs on it, but	9	are more intense and the answer is that people are doing
10	the extent we have to cover that story today meant that,	10	more and are working harder.
11	by 10.30 this morning, we had four stories on Steve Jobs	11	I think whether that has an impact upon standards is
12	on my Blackberry, we had an e-mail about Steve Jobs and	12	a matter for the given organisation. I think, if you
13	yet Google had a whole series of stories about	13	allowed standards to slip very quickly then what we call
14	Steve Jobs, two from us, some from the Guardian some	14	our brand would be very badly damaged and I think
15	from other news organisations, and the commercial	15	certainly people come to us and expect it to be
16	pressure that exists because of those search engines and	16	accurate, and they expect it to be correct and if they
17	the collapse in advertising that has attendant upon that	17	found there was a wide divergence between what they
18	hasn't really been touched upon at all.	18	found on line and what they found in the printed
19	I will stand corrected if there are Google	19	product, I think we would suffer very quickly, so we try
20	representatives here but there doesn't appear to be	20	hard to make sure that's not the case.
21	anybody on the list.	21	GEORGE JONES: One final point on celebrity journalism, do
22	DAVID BELL: You're right, I don't think there are. We have	22	you find that that is now an increasing or, sort of,
23	focused on that and you are completely right about the	23	kind of, area that you as editor of broadsheet newspaper
24	implications of that for the whole industry. I don't	24	now have to go in because you're being driven, as it
25	think there is anybody here from any of those search	25	were, from pressures down below?
	Page 77		Page 79
1	engines.	1	TONY GALLAGHER: No, is the short answer. I mean the
2	GEORGE JONES: Can I just come back. In terms of the	2	Telegraph, in the bygone era, was much mocked for its
3	journalists and now so it's the same journalist	3	obsession with Liz Hurley, so I'm not sure that it's
4	writing early in the morning to do your on-line version	4	a very recent development in terms of celebrity
5	that will then be writing in the newspaper. How		
6		5	coverage. We will cover celebrities on their merit,
	integrated now are you and how much, kind of, do you	5 6	coverage. We will cover celebrities on their merit, based upon the extent to which we think the readers are
7	integrated now are you and how much, kind of, do you		-
7 8		6	based upon the extent to which we think the readers are
	integrated now are you and how much, kind of, do you think that puts additional pressure on people that they	6 7	based upon the extent to which we think the readers are interested in the particular celebrity and, you know,
8	integrated now are you and how much, kind of, do you think that puts additional pressure on people that they have less time to work and develop sources? I was just	6 7 8	based upon the extent to which we think the readers are interested in the particular celebrity and, you know, I can instinctively, we tend to know what celebrities
8 9	integrated now are you and how much, kind of, do you think that puts additional pressure on people that they have less time to work and develop sources? I was just wondering if you could pick up that example and tell us	6 7 8 9	based upon the extent to which we think the readers are interested in the particular celebrity and, you know, I can instinctively, we tend to know what celebrities our readers are going to be interested in and we'll
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20 (Pages 77 to 80)

1	in distinguishes and Table 1. Second state of the	1	an an airte har ann ha i alle thards an main lle
1	individuals and I think, again, that cannot be	1	appreciates because, basically, there's very similar
2	overstated, working even within the same newsroom, let	2	structures, journalists, yes, of course, very
3	alone within different newsrooms and, perhaps, summed up	3	competitive by nature within organisations and also
4	best in the words of the late Terry Lloyd, who was	4	between other organisations, because you want to be the
5	killed in Basra in 2003, that before he went off to the	5	first with the news, you want to break it, and you also
6	Iraq war he was interviewed and he was asked: "How did	6	want to report it in the best way.
7	you feel being chosen to cover a war"? He said: "A lot	7	So there are huge, huge similarities and the
8	better than if I hadn't been chosen".	8	commercial pressures, in terms of pounds and pence and
9	The third point I make is about the attitude of	9	profits, don't somebody of my pay grade, that's not
10	journalists to the law and whether they somehow	10	what we think about. We think about getting the story
11	historically always thought they were a bit of a special	11	and getting it best. Of course, you want to get it
12	case. The purest example I can give is listening to	12	right and, to pick up something Richard Peppiatt said
13	police radios. It is not illegal to listen to a police	13	earlier, and I'd just be interested to know his back
14	radio, it is illegal to act on what you hear on a police	14	story and how long he worked at the Star, where he
15	radio. Journalists throughout the mists of time have	15	worked elsewhere, did he have any training, because his
16	been acting on what people heard on police radios	16	experience isn't my experience at any of the newspapers
17	believing that it didn't, sort of, apply to them and	17	I've worked for, or a trade magazine or a couple of
18	I wonder whether in fact, I know of one newsroom	18	years at a national news agency or three years on
19 20	where they exported that risk to an outside agent, who	19 20	a provincial paper, the Western Morning News down in
20	did the following up, and I wonder if there are kind of	20	Plymouth.
21	echos of that in phone hacking.	21 22	The whole thrust is you want to be truthful. That's
22 23	ELINOR GOODMAN: Back to journalistic pressures the competition between journalists. I am interested in	22 23	not to say you always get to the truth because that's difficult and mistakes are made, but I can only really
23 24	Kevin Maguire as someone at the sharp end, do you	23 24	speak directly about what I know, my own experiences and
24 25	feel do you get the same buzz out of breaking your	24 25	I've never written anything that I know to be untrue
23	Page 81	23	Page 83
	1 450 01		
1	story on the net as you do on a main edition, or is it	1	but, yes, of course, I've made mistakes that have to be
2	still regarded, the net, as a sort of a lesser breed,	2	corrected.
2 3	still regarded, the net, as a sort of a lesser breed, and, also, in terms of some journalists are now		corrected. ELINOR GOODMAN: What is interesting is your journey, as it
2 3 4	still regarded, the net, as a sort of a lesser breed, and, also, in terms of some journalists are now having to blog, are the requirements for accuracy as	2	corrected. ELINOR GOODMAN: What is interesting is your journey, as it were, through the various political spectrums. I mean,
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1	somebody who, shall we say, is not a natural	1	difficult to get a NUJ card and you were terribly
2	conservative voter, I have no problem reporting strikes	2	pleased when you managed to break into newspapers in
3	and I've had no problems with relations with trade union	3	local papers and what's interesting for me was to learn
4	people on the Telegraph, because news is news. It may	4	that there was a Code of Conduct and that the union
5	be different if you go into views. I don't think the	5	helped you understand how to do your job.
6	Telegraph would ever have employed me as a leader	6	Now, we found that we could stand up to our editor
7	writer.	7	if he asked us to do things or wanted us to run a story
8	DAVID BELL: There is a lady with her hand up there, please.		at a particular angle we didn't agree with and we could
9	ISABEL HUDSON: Isabel Hudson, I'm a partner at law firm	9	win because people stuck together.
10	Carter Ruck. We acted for Kate and Gerry McCann, who	10	Now, not only do we not have the privilege, if you
11	have been mentioned a few times in the context of where	11	like, of clothes shops and newspapers any more and many
12	media reporting has got way out of hand, and coming back	12	newspapers don't recognise the NUJ and no newspaper has
13	to the points about how much circulation is added with	13	ever accepted the Code of Conduct as a performance
14	an exclusive front page story and also the commercial	14	indicator for journalists, but there are fewer jobs.
15	and other pressures in the newsroom, we were told,	15	We've heard 40 per cent fewer jobs on the local press.
16	albeit, I have to admit, anecdotally that the Express	16	Back in the 1970s, you could pitch a story to a
17	and Express group were, by far, the worst offenders in	17	national newspaper and they might even pay you to check
18	the McCann's case, that if they put a front page story	18	it out before they even thought about running with it.
19	about Madeleine McCann, the circulation went up by	19	Now, most journalists are freelancers, they are
20	around 70,000.	20	desperate to earn a living, they're more likely to come
21	We were also told, in relation to the press who were	21	into the trade as freelancers or working for a news
22	camped out in Praia da Luz, as the story was developing,	22	agency and the news agencies make their money by,
23	that the pressures were such that journalists were	23	really, sort of, building up little local stories that can be sold to the nationals.
24 25	literally being told, unless you have a new story, a new angle by 4 o'clock today you're sacked.	24 25	
23	Page 85	23	Now, don't tell me that's not commercial pressures. Page 87
	1 460 00		1 450 07
1	Whether that's just editors, editorial pressure and	1	I think one of the big issues is the status you know,
2	mouthing off, I don't know, but there can be no doubt	2	the employment status of journalists themselves. If
3	that the pressures were immense and this led in the	3	you're out there trying to make a living on your own,
4	McCann case to stories literally being made up,	4	pitching either to a local news agency or the nationals,
5	literally fabricated, also stories being lifted out of	5	you're going to be looking for a story that will sell,
6	the Portuguese press where the standards are undoubtedly	6	and you're only going to have story bought if you can
7	lower than here. The British press would lift a story	7	turn up what you pitched with. That means that
8	from the Portuguese press and then the next day the	8	everybody is overselling their stories and it seems to
9	Portuguese press would re-report it as being clearly	9	me that is a whole area you need to look at.
10	a credible story because the British press had published	10	DAVID BELL: There was a gentleman behind you, I think,
11	it.	11	there.
12	Now, you know, in many ways, the McCann case is	12	CHARLES REISS: Charles Reiss, I was political editor of the
13	unusual and it's not a typical everyday case, but the	13	Evening Standard, but I just want to mention, in terms
14	depressing thing is that the Chris Jefferies and Rebecca	14	of pressure, I think we're getting two different
15	Leighton examples show that it's not an isolated case	15	narratives here and what Richard Peppiatt had to say was
16	and that lessons that should've been learnt haven't. So	16	undeniably powerful.
17	that's something I would urge the Inquiry to consider,	17	Simply speaking from first hand experience, in
18	whether it's commercial or other pressures, I don't	18	an early, early post I had at the House of Commons I was
19	know. I've been surprised at the amount of people	19	reporting for a number of papers including the Western
20	saying it's not commercial pressure, but that's not	20	Daily Press which had an editor who was a legend in the
21	something I can really comment on any more.	21	tiny space he occupied, and the very first conversation
22	DAVID BELL: Thank you very much. This gentleman behind	22	I had with him I had worked for the Labour Party, and
23	you.	23	what he said was "Mr Reiss, I know where you come from
24	MIKE JEMPSON: Mike Jempson from MediaWise. Again, when		and I don't want any of your pinko rubbish in my
25	I started out as a journalist in the 1970s, it was	25	newspaper."
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22 (Pages 85 to 88)

1	Now, that can fairly, I think, be described as	1	talking to a guy who was special adviser to the then
2	pressure. I could also say, with complete honesty, that	2	Culture Secretary, or whatever that job was called then,
3	it did not affect what I wrote nor did it get me the	3	and he was complaining about standards in the press and
4	sack. I do think pressure is there but I do think that	4	I said, "You know, it's not just the tabloids", and he
5	we shouldn't get too lily-livered about it and it can	5	said, "Oh no, the worst one is", and I knew what he'd
6	sometimes and it resisted.	6	say, and it was The Sunday Times, a paper at which, at
7	DAVID BELL: Thank you. I'm conscious that we've had quite	7	that time, Roy Greenslade was the number 3.
8	a lot of criticism, one way or another, of the Express	8	It has improved greatly but the I mean people who
9	Newspaper Group and I don't know if there is anybody	9	go back as far as Roy and I do will remember that when
10	here. Ed Riley, is he here? Anybody who wanted to	10	Murdoch was criticised after he took over the Sun for
11	respond to that, at all?	11	page 3 he said, "Look at the Daily Telegraph's page 3",
12	NICOLE PATTERSON: Hi. I'm Nicole Patterson, one of the	12	which was always full of some very insidious court case
13	lawyers for Express Newspapers. I'm not a journalist so	13	in great detail, which you couldn't possibly put in
14	my experience is somewhat limited, but what I do not	14	the Sun or the Mirror.
15	recognise, from what Richard Peppiatt was saying, is our	15	I am certainly not defending everything that's been
16	newsroom. It simply doesn't operate like that, and	16	going on in the tabloid press, never have done and
17	I think that we've all been in situations in all of our	17	I wouldn't do, but I would ask that a broader look is
18	lives where we've been asked not asked to do	18	taken at what goes on in the press generally and,
19 20	something, but we've perhaps seen a way that we could do something to bring a result in and we either choose	19 20	obviously, standards in the broadsheets are just as
20 21	a way or we decide to follow our consciences and do it	20 21	important as the standards in the tabloids.
21	a way of we decide to follow our consciences and do it another way.	21 22	One other thing, I would say, is that I think it was about 8 or 10 years ago, there was a conference on the
22	I think Mr Peppiatt was a freelancer and never had	22	press organised by the FT, and Roy was there, and
23	a staff job on either the Star or the Daily Express and	23 24	Will Hutton one session was on dumbing down of the
24	I'm not sure well, certainly, it isn't a newsroom	24 25	of the press and Will Hutton was on the platform used
25	Page 89	23	Page 91
	6		
1	culture that I recognise and I do have some colleagues	1	the expression that the tabloids had actually dumbed up
2	with me, perhaps they could give more of a flavour of	2	and, certainly, the Mirror did, after 9/11 dumbed up
3	it. But the pressures are simply, as far as I can see	3	so far that it lost a number of sales by being up market
4	it, these days, they're time pressures more than	4	of the Guardian.
5	commercial pressures, simply the pressure to produce	5	But the broadsheets if you compare the
6	endless amounts of information that we seem to perceive	6	broadsheets now, and the sort of things that they run,
7	the public as wanting. Whether the public actually do	7	with the broadsheets of 15 or 20 years ago they have
8	want it, I don't know.	8	definitely, definitely, I think, moved down market.
9	We're all sitting around tweeting and all that kind	9	DAVID BELL: I wonder if Mark Damazer is here. Is he here?
10	of thing, we seem to build this momentum of stuff that	10	I might be interested, from the point of view of the
11	we put out there, believing that people want it and want	11	attitude of the BBC, to all of this.
12	it and want it and whether that actually is the case or	12	MARK DAMAZER: I am now at St Peter's College Oxford and
13	not, I don't know.	13	anything I say does not represent a BBC official
14	DAVID BELL: Yes? DAVID SEVMOUP: David Saymour, Lwas political aditor of the	14 15	position, but I thought I'd reflect on how the BBC has
15 16	DAVID SEYMOUR: David Seymour, I was political editor of the Mirror group and I was offered a job and, in fact,	15 16	arrived at where it arrived at by going back and taking
10	I worked for the Daily Mail as leader writer for a few	10 17	a 20-year view of it. When John Birt came, there was a very self-conscious
17	brief but happy months.	17 18	move towards a puritan and austere newsroom culture, in
18 19	I'd like to take up the thrust of what	10 19	which celebrity stories, in general, were downplayed and
20	Roy Greenslade was saying and which Kevin Maguire	19 20	stories involving affairs and infidelities of public
20	touched on, but I wouldn't like to see the Inquiry go	20 21	figures were downplayed as well. So we began to carve
21	down the line that Roy was saying, which seemed to be	21 22	out a space that was quite distinctive when, in fact, we
22	tabloids bad, broadsheets good. I would say	22	were serving an audience both of broadsheet and tabloid
23	I remember about 20 18/20 years ago, I was at	23 24	readers.
25	a Conservative Party conference at a reception and I was	25	The obvious thing about the BBC is they have paid
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23 (Pages 89 to 92)

1	the same, tabloid and broadsheet alike, and they are all	1	completely detached from what everybody else was doing,
2	expecting to get something back from the BBC. So the	2	that I knew in my gut that it was wrong, and sooner or
3	BBC's role was not to become the mean average of	3	later, of course, the policy was reversed.
4	everybody else's newsroom, which remains a great	4	I say this only to make a couple of obvious points.
5	temptation. If you don't impose your own culture in	5	One is the BBC must plough its own furrow and there is
6	a newsroom, however it's done, you tend just to be	6	no right answer to this. The tabloids sometimes are
7	swimming in the same pool as everybody else, and if you	7	faster and better at getting these kind of stories than
8	are the BBC and you want to be universally popular, you	8	the BBC can ever do, and there is a price to be paid for
9	just take an average position and that would obviously	9	having a culture which is more austere than most people
10	be palpably the wrong thing for the BBC to do.	10	that you are around and it is in no way perfect, but
11	So as these stories went along in the 1990s,	11	imperfectly executed as that John Birt and
12	David Mellor, Tim Yeo, Paddy Ashdown, the BBC was	12	Ian Hargreaves, was a part of that, on my left here
13	reliably late, it was reliably pushing these things down	13	imperfectly executed as that culture is and was, it
14	the running order, taking less prominence than the	14	remains, in my view, fundamentally, the right place for
15	admirable ITN, never mind about the newspaper industry	15	the BBC to be and if it means being slower and less
16	as a whole, and it was done in less detail, and there	16	detailed and giving less prominence to all kinds of
17	was real anxiety in the newsroom about that. The troops	17	things appearing elsewhere in newspapers and other
18	felt that we were out of touch and me were projecting	18	broadcasters, so be it, because the price for the BBC
19	a much more establishment and chillier image than most	19	and the price the BBC has to pay is not to be the mean
20	newspapers and our broadcast rivals and there's some	20	average of everybody else's news cultures.
20	truth in that.	21	ELINOR GOODMAN: That has nothing to do with the regulatory
22	But I think it was probably the right thing to do	22	framework?
23	and admirably high-minded. It also went wrong and	23	MARK DAMAZER: Not at all, it derives from the BBC's
24	that's the price you pay for that degree of austerity.	24	privileges, funding and sense of itself which is not a
25	Just to rattle off some examples, when Andrew Morton	25	state broadcaster, it's a licence-fee funded broadcaster
	Page 93		Page 95
1	wrote the book on Diana, before it became clear that he	1	and the BBC, as it were, has an obligation to
2	was the primary source, I would say, in the BBC's	2	seriousness it's an old-fashioned word but I think
3	leading interview programmes, we were somewhat sniffy	3	it's the appropriate word and, of course,
4	about it and felt that it couldn't possibly be right	4	occasionally it's too priggish and too puritan, and can
5	until it turned out to be the case that it was right.		
		5	be, when it goes really wrong, ridiculous but it is the
6	It got worse, I think, with the Mandelson case,	5 6	be, when it goes really wrong, ridiculous but it is the the place fundamentally for the BBC to be located.
6 7	-		
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1	think that we moved by one jot everybody else's newsroom	1	and when a story is offered to us or presented to us,
2	culture in the doing of it.	2	one of the first things I ask myself is: if I if
3	DAVID BELL: Yes.	3	I were the person at the centre of this story, how would
4	PETER WRIGHT: Peter Wright, Mail on Sunday. I'd like to	4	I be explaining this set of actions? You have to run
5	DAVID BELL: This is Peter Wright, Mail on Sunday.	5	through both in your own mind and with your news desk
6	PETER WRIGHT: Peter Wright, Mail on Sunday. I'd like to	6	and your reporters what other complexions can be placed
7	endorse a great deal of what Mark Damazer has just said.	7	on a particular set of circumstances, before coming to
8	We all as news organisations serve particular audiences	8	a view that what has been presented to you does amount
9	who have particular interests and particular	9	to fraud or dishonesty or hypocrisy and you can never
10	expectations and whether you are the Daily Star or	10	begin from an assumption that something is wrong or
11	the Independent or the BBC or the Mail on Sunday, you	11	right, you always have to examine it.
12	have to make a judgment about what people who are likely	12	ELINOR GOODMAN: What I meant was, really picking up on
13	to consume your news are going to be interested in, and	13	Richard Peppiatt's point, that the reporter is sent out
14	it is not intrinsically better to be writing about the	14	to get a particular angle on a story which matches the
15	crisis in the euro zone than it is to be writing about	15	set of attitudes of that newspaper.
16	last night's big football match. To many, many people,	16	PETER WRIGHT: Well, you never send a reporter out to go and
17	last night's big football match is more important in	17	prove something. You send them out to go and examine if
18	their lives than the euro zone is, and you	18	something is true. You often, very often, have to start
19	What is important is that you do this in a way that	19	from a hunch or a gut feeling about a set of events, of
20	is balanced and is fair, and I would take issue with	20	which you only have partial knowledge, but the job of
21	Richard Peppiatt. I've worked in newsrooms for more	21	the reporter is to go out and find out what is really
22	than 30 years, and there is always a tension between	22	going on.
23	editors and news editors on the one hand and reporters	23	We were talking earlier about the McCann case and
24	on the other hand and, if you are an editor or a news	24	we're a mid-market paper, it's a story that was of great
25	editor, you go home every night asking yourself why your	25	interest to our readers, I read what was being reported
	Page 97		Page 99
1	reporters don't come up with more stories and why they	1	in daily newspapers, and I personally felt that a lot of
2	can't stand up stories which have come in as tips, and	2	it didn't quite ring true, and we sent a former Observer
3	equally reporters go home every night thinking, well,	3	journalist out to Portugal to spend a week there to take
4	somehow or another I didn't make it work today and if	4	a totally fresh look at this and he filed a long and
5	I don't make it work tomorrow they're gonna fire me.	5	carefully researched report which raised a lot of
6	In fact, that doesn't happen, and you do have to	6	questions about the way the Portuguese police were
7	you do have to as an editor not only push and goad	7	approaching the case and the way they were briefing
8	reporters but you also have to rein them in and I know	8	Portuguese newspapers in order to build a case against
9	that I spend just as much of my life telling people that	9	the McCanns.
10	they are looking at something too narrowly or they are	10	As far as I'm aware, the Portuguese police were
11	investing too much in a story as I do trying to	11	giving very little information, indeed, to the British
12	encourage people to go and look more deeply and find out	12	press, which is why they ended up relying on the
13	more about things which I instinctively think are going	13	Portuguese press who it turned out were being
14	to make good and interesting stories in the paper that	14	misbriefed.
15	weekend.	15	GEORGE JONES: One point I several contributors have
16	There really although the subject matter of	16	talked about and it follows on from the McCann case
17	different news organisations may be very different, in	17	the quotes "feeding frenzy" that happens, and we've
18	my experience, the way we go about it is very similar.	18	had a couple of recent cases, was it the Angel of Death
19	Thank you.	19	and also the Jeremy Yates case. I was wondering whether
20	ELINOR GOODMAN: Can I just pick you up on what you said		any lawyers or editors in the audience how
21	about the objective is to be balanced and fair. To	21	constrained do they feel by the law of contempt? Do
22	what extent is that within the prism of a given set of	22	they feel that it's hazy and fuzzy and that they can
23	beliefs on the Mail about certain issues or what people	23	push the boundaries, or do they feel that it is
24	think?	24	something which actually binds them?
25	PETER WRIGHT: Well, we always try to be balanced and fair,	25	I was just wondering if the practitioners, they Page 100
_	Page 98		$D_{a,a,a} = 1(N)$

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1	could give us a view on how that actually how they	1	"Why didn't you give the respondent more time?" So
2	feel that operates.	2	I think these are improvements in some of the things
3	I don't know whether anybody yes.	3	that are going on, and I feel generally very optimistic
4	GILL PHILLIPS: Gill Phillips from the Guardian.	4	about standards. Obviously, phone hacking is an
5	The law of contempt is quite vague because that's	5	egregious example. Generally, I feel standards are
6	the way it's worded, but I think most legal	6	rising across the media and I feel pretty positive about
7	practitioners know where the boundaries lie and we know	7	it.
8	when someone is arrested that you have to be very	8	ELINOR GOODMAN: You make the point that people could be
9	careful about what you're saying. I mean and there	9	held to account more quickly because of the Internet,
10	will be arguments with a news desk about whether	10	but isn't it equally the truth that blogs are breaking
11	a particular fact is the right or the wrong side, and	11	stories which are not subject to the same standards as
12	whether a set of facts may be the right or the wrong	12	a newspaper would story would be, and that that in
13	side. I think there is pressure when one newspaper	13	itself creates a kind of pressure because these stories
14	publishes one fact that the lawyer has told their	14	will be swimming around in the blogosphere and people
15	newspaper they can't, for the news desk the next morning	15	are saying, "Why can't we run it?"
16	to say, "Well, can we put it in now?" Those are all	16	JOHN WITHEROW: Well, they may be, but I still think
17	judgment calls; the reality is over the last ten or	17	a newspaper will go and check that story and, if it
18 19	fifteen years there have been very few attempted prosecutions for contempt. The new Attorney General has	18 19	isn't true, they won't publish it. You know, newspapers as many of the speakers here have said
19 20	taken what appears to be a slightly more stringent	19 20	take, getting stories correct and accurately very, very
20	approach. And, at the end of the day, the directiveness	20 21	seriously. And I think there's going to be a merit in
21	of it comes from him.	21	newspapers on the Internet saying "We are regulated by
22	And certainly, as I say, in the last ten or fifteen	22	the PPC" or "We abide by that code" compared to bloggers
23	years there's been very little pressure. The Attorney	24	or other sites that don't. And we say, actually, you
25	General would put out guidelines which had no legal	25	come to us because we are more reliable. And it's one
25	Page 101	20	Page 103
1	effect, which probably confused rather than helped.	1	of the merits, I think of the Times and the Sunday Times
2	So I think that the boundaries are clear. The law,	2	being behind the pay wall that we say the quality of the
3	again, is there as the backstop and if the law doesn't	3	information we publish, we put a lot of resources into
4	enforce the law then so be it.	4	this, and we believe this is as accurate at we can make
5	GEORGE JONES: Is John Witherow here? Would you like to	5	it; therefore, we believe it's worth paying on.
6	add anything to that, or any of this, actually?	6	ELINOR GOODMAN: May I ask, how early on in the procedures
7	JOHN WITHEROW: Not on contempt, particularly, because it's		does the lawyers become involved? I mean, on a tabloid
8	not something, as a Sunday newspaper, we are confronted	8	paper are you is the lawyer very much in the newsroom
9	by a huge amount at the time. But I'd like to make	9	or where do they come in? At what point do people start
10	a few general points about some of the earlier matters	10	talking to the lawyers? To quote a broadsheet, it used
11	that came up. It seems incongruous at a meeting like	11	to be very much the end of the process that you got to
12	this which has been brought about by phone hacking, but	12	the journalists.
13	I would argue that over time I believe journalism is	13	JOHN WITHEROW: If it is a particularly controversial story
14	getting better, that reporters are more reliable, held	14	the lawyers would be brought in early on to discuss it,
15	to account more by changes that are a first built on the	15	the merits of it, how do we approach it. The more
	to account more by changes that are going both on in the	16	min of the mill stories they will as the
16	law and also by technology.	16 17	run-of-the-mill stories, they will go through those
17	law and also by technology. The very fact that, when you print something, you	17	towards the end of the week in the normal practice.
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 17 18 19 20 21 22 23 	law and also by technology. The very fact that, when you print something, you can be held to account very quickly by the Internet, I think is raising standards. And I think this is happening right across the board. That the law is changing, that we now if we're doing a story on a Sunday newspaper we will go to people several days before we publish to give them more	 17 18 19 20 21 22 23 	towards the end of the week in the normal practice. GEORGE JONES: Could I ask in terms of investigative journalism whether you, as the editor of The Sunday Times I think one of your distinguished predecessors, Harold Evans, has sort of made a lot of comments about the state of journalism today. Do you find that the competitive pressures mean that you can spend less time

26 (Pages 101 to 104)

1	rather than the big deep investigations that your paper	1	at some level and I think this was borne out by
2	has been famous more?	2	events subsequent to the initial phone hacking
3	JOHN WITHEROW: No, we don't, actually. We put a lot of	3	investigations to some extent, not only the police
4	resources into investigative journalism. We have	4	investigations but also the political response to the
5	probably the most experienced news room we've had for	5	phone hacking which took place during the last decade,
6	many years now, people with a lot of experience in	6	bore out the perception among journalists that they were
7	investigations. When Harry talks about it it was	7	not going to face the consequences for that.
8	a great time for the Sunday Times in the sixties and	8	So I would hope that this Inquiry can at least
9	seventies, but nobody else was doing that sort of	9	examine these hypotheses and maintain the sufficient
10	journalism, and he in The Sunday Times stood alone,	10	breadth in its analysis to consider whether that may
11	which is why it stood out so much. There is far more	11	have been the case.
12	investigative journalism going on now, and I think even	12	BRIAN CATHCART: Brian Cathcart, Kingston University.
13	the dailies, who are constrained by time and events, are	13	Two points. One is, whatever about the sort of
14	doing much more investigation than they used to have	14	broader picture in the newspaper sector, there's no
15	even a decade ago.	15	correlation between the phone hacking at the News of the
16	And to me it is a positive development for a Sunday	16	World and money. One thing we've learned is that money
17	newspaper it just raises the bar and we have to find	17	was flowing in all sorts of directions; these people
18	other means and other stories to investigate and try and	18	were paid extremely well, they, you know, they had slush
19	move it on and do a separate agenda.	19	funds and they even, when they went to jail and came
20	DAVID BELL: The gentleman there with yes.	20	out, they were paid very well again.
21	DAMIAN TAMBINI: Hello I'm Damian Tambini any from Londor		The other point is a more general one and it's about
22	School of Economics, media policy project.	22	this correlation between competitive pressures and
23	I'd like to comment on some of the general	23	standards. And I think it might be a useful thing if
24	considerations that have been taken this morning, and in	24	the Leveson Inquiry established what the pattern is of
25	particular a narrative that appears to be behind the way	25	staff output on these papers. How much of what is
	Page 105		Page 107
1	the debate has been structured, and it seems to be	1	produced in, say, the Daily Mirror or the
2	taking hold and it runs something like this. That the	2	Daily Telegraph is actually produced by staff writers,
3	pressures, competitive pressures, on the media and	3	and how much is by people on contract, and how much by
4	we've seen ample evidence of those this morning are	4	be people very casually employed, occasionally, twice
5	in some way, if not excusing, at least helping to	5	a year or something like that? I think that would give
6	explain the collapse in standards which appears to have	6	you an interesting picture about levels of, first of
7	taken place. We could comment on those, it seems the	7	all, of levels of impact of internal standards; these
8	most intense pressures actually came after, a lot of the	8	people may have only fleeting contact with the
9	phone hacking seems to have taken place earlier in the	9	organisation. And, secondly, about the ability of the
10	last decade; but I think logic would demand that, if	10	reporters, these freelance reporters, to impose any of
11	what we're trying to do is explain what went wrong, we	11	their view on the user on the paper. If you're a very
12	need at least to give some consideration to some other	12	casual employee you have no power.
13	hypotheses. One might be, for example, the technology	13	DAVID BELL: I wonder, is Lloyd Embley from The People here?
14	is changing. Voice mail is but one of many new	14	Would you like to respond that?
15	technologies which mean that as citizens, as people, we	15	LLOYD EMBLEY: Well, I can't speak about the Daily Mirror at
16	leave more traces, there are more opportunities, without	16	the moment. I used to work there, of course, but I've
17	breaking windows, without doing anything which is more	17	only been at The People for three years.
18	likely to be seen as a crime, journalists can access	18	In terms of staffing numbers, The People is very
19	private data about individuals.	19	low, The Mirror has more staff. We use freelancers, yes
20	But I think we also need to give consideration to	20	we use freelancers; but the process of what a freelance
21	another hypothesis which I don't think we've we've	21	writes is the words go through so many processes
22	really touched upon today, and I don't see it really in	22	between that point and the point that the reader gets
23	the programme for the future seminars, which is that	23	the words that nobody would be able to impose their own
	compating of a gulture of impunity might have existed in	24	view if they were a freelance. That's not possible.
24	something of a culture of impunity might have existed in		
24 25	newsrooms, but if something changed it was a sense that, Page 106	25	I've got a few points of possible seeing as I've Page 108

1	scribbled them down I might as well make them now	1	doesn't mean it has to come from one particular
2	about some of the things that have been said. Brand	2	direction or another. You may or may not be aware that
3	loyalty was mentioned in terms of people the amount	3	The People, for example, is politically independent. So
4	of people out there who float in the buying market.	4	we carry very lots of opinion but it's from various
5	I was at a Focus Group about 18 months ago, and I was	5	different voices.
6	behind a two-way mirror, I was sitting above a butchers	6	ELINOR GOODMAN: Can I pick you up on the point you made
7	shop in Sale, which is quite a strange experience, and	7	about freelancers and slightly picking up what
8	there were ten people in the room and a couple of them	8	Richard Peppiatt has said. You say that you go through
9	were Daily Express readers. And one was sitting there	9	their stories with, if anything, more rigor than if it
10	and she said, "I read the Daily Express, I've read it	10	was a Star story; but you could argue that the
11	for 20 years. I hate it, but I still buy it. I've	11	freelancer's living depends on get in that story and
12	tried the mail. That's a bit better, but I still buy	12	getting a story into the newspaper. So isn't the
13	The Express, and my dad bought it." This is brand	13	freelancer under more pressure than a staff person under
14	loyalty, this is what we're talking about. I'm a bit	14	those circumstances. And that, therefore, the
15	sad, I go down to Sainsburys on a Sunday morning and	15	temptation to embroider things might be greater because
16	watch people buying their newspapers. Most people buy	16	(inaudible) they won't get (inaudible).
17	them because of the name; brand loyalty is the key sales	17	LLOYD EMBLEY: I think in the case, certainly, of ourselves
18	driver. And that sort of goes on to perhaps what Phil	18	at the People, our use of freelancers, whenever we do
19	was saying in terms of "exclusives" and the question	19	use them, is normally because we of financial
20	we're talking about here in terms of pressures in terms	20	constraints, et cetera, et cetera, we've employed them
21	of impact on our journalism. Exclusives really don't	21	to do a specific job.
22	move the dial at all. Let's think about the cricket,	22	RICHARD PEPPIATT: I think we shouldn't confuse between
23	the cricketers, the News of the World expose which we	23	a freelancer and a casual reporter. Because there's one
24	all agree was a very, very good story. Their sale that	24	thing being a freelancer offering things up to a papers.
25	week went down 6,000 copies on the previous week, and	25	It's another thing being a casual reporter who turns up
<u> </u>	Page 109		Page 111
1	yet I'm sure there was a loft of pride in the News of	1	on a day by day basis and works pretty much as a normal
2	the World newsroom that that story was picked up around	2	reporter. I think that Nicole from The Express has been
3	the world. As a commercial venture perhaps it wasn't	3	a bit disingenuous to say I was just a freelancer. I
4	great because they lost £6,000 worth of revenue, but	4	worked there for two years, I had over 800 by-lines. I
5	they certainly would've felt it as a negative, I'm	5	think that's pretty prolific for someone who was just an
6	certain.	6	occasional hack sort of calling in a story. I went on
7	Culture in the newsroom. Richard Peppiatt. I've	7	numerous international jobs for them; I was one of the
8	never worked with Richard. That is not something	8	main reporters there.
9	I recognise in the slightest. I applaud that you stood	9	As for Kevin Maguire sort of quite rightly asking,
10	down over the question of Islamophobia. As someone	10	you know, "What are your qualifications?" I went to
11	whose father-in-law is a Muslim and I have two children	11	university, I did my NCTJ, I worked at the Mail on
12	who are(inaudible) Pakistani, I do applaud that and	12	Sunday for a while, as Peter Wright may not be aware,
13	I have sensed that there is a little of that at The	13	I spent three or four months working there on a casual
14	Start, possibly. But certainly at my time at The People	14	basis. I worked at news agencies, national news
15	and before at The Mirror under both Richard and Piers	15	agencies, and then I ended up at the Daily Star. So
16	my role as night editor and assistant editor, I was very	16	I understand there is some flack about my background,
17	very clear that, for example, very simplistic, but the	17	but certainly I feel that I am qualified as a journalist
18	word "Muslim" should never be used in a pejorative way.	18	and I'm not sort of someone off the street who sort of
19	"These people are fanatics", there is a list, but Muslim	19	wandered into the profession.
20	should not be used in that way. And, Richard, I can	20	DAVID BELL: The gentleman there who hasn't spoke before.
1			Yes.
20	assure you that doesn't happen at our titles.	21	
	•	21 22	IVOR GABER: Thank you. Good morning. Ivor Gaber from the
21	assure you that doesn't happen at our titles.		IVOR GABER: Thank you. Good morning. Ivor Gaber from the City University and Bedfordshire University.
21 22	assure you that doesn't happen at our titles. Challenge I stop or shall I keep going? Oh, the point about opinion is quite an interesting one. Yes, opinion is important in newspapers. There	22 23 24	IVOR GABER: Thank you. Good morning. Ivor Gaber from the City University and Bedfordshire University.I just wanted to pick up at underlining and throw a
21 22 23	assure you that doesn't happen at our titles. Challenge I stop or shall I keep going? Oh, the point about opinion is quite an interesting	22 23	IVOR GABER: Thank you. Good morning. Ivor Gaber from the City University and Bedfordshire University.

28 (Pages 109 to 112)

1	which hasn't received much attention, which is one of	1	STEVEN BARNETT: Steve Barnett, University of Westminster
2	the aspects which came up in the last few months is the	2	If I branch off into something for this afternoon, but
3	relationship between the media and the political class,	3	just bringing some of the points back, if you like, to
4	if you like, and particularly between proprietors and	4	the very first point that Roy was talking about and the
5	journalists, or proprietors and politicians, forgive me.	5	difference in terms of news values in the newsrooms.
6	It seemed to be very significant, it came up from the	6	I would urge the Inquiry not to make the mistake that
7	freedom information revelation that over since	7	the Calcutt Committee made 20 years ago, which was to
8	the May 2010 the Prime Minister or his senior	8	confuse the news values in newsrooms in terms of what's
9	lieutenants had met Mr Murdoch or his senior lieutenants	9	important and the techniques and the practices of
10	once every two weeks. I'm sure one topic of	10	journalism. Because there is absolutely nothing wrong
11	conversation with BskyB, but another topic of	11	with tabloid journalism, i.e. news values which says
12	conversation with bskyb, but another topic of conversation might well have been these general issues	12	sport is important, celebrities are important, big crime
12	about press ethics and behaviour.	13	stories are important. People want to read about those
13	Now, I note from the seminars that this is not being	14	and that's why they matter.
14	covered, at least not at this stage. It seems to me	15	And although it's interesting, the oral evidence to
15 16	that that issue that Damian ran of that sense of	16	that committee was never made public. (inaudible) wrote
		17	a very good book where he interviews people and gets the
17	impunity that journalists might have felt because		
18	having been a working journalist for many years it	18	favour of what was said, and Kelvin Mackenzie clearly
19	doesn't come down to that level but senior	19	made a big impact by saying, "Don't condemn us because
20	executives, in particular proprietors might have felt,	20	we're brash and noisy and we like stories about
21	because they knew either that they had access to	21	celebrities." And that made an impact on that Inquiry.
22	politicians and ministers to explain what was going on,	22	I think that is a completely different set of issues to
23	or more because, as we know, as revealed by members of		what actually goes on in the newsroom and the methods
24	the Culture, Media and Sport Committee, that politicians	24	and practices that journalists use to get those stories.
25	felt reluctant to attack some newspapers because of fear	25	I think where I might disagree with Roy, and I think
	Page 113		Page 115
1	of retribution.	1	others have picked up on this, is the #extent to which
2	I think that's an area that needs to be examined,	2	that is clearly rife in some newsrooms; but it is
3	and I hope that the seminar and of course the Inquiry	3	certainly around in some of the broadsheet newsrooms as
4	itself will look into that.	4	well. You only have to look at the report by the
5	DAVID BELL: The judge will correct me if I get this wrong,	5	5 1 5
6	j 8 8 8	5	Information Commissioner, Operation Motor Man, the
	but in fact it is absolutely the intention of the		Information Commissioner, Operation Motor Man, the number of journalists and the number of publications who
7	but in fact it is absolutely the intention of the Inquiry to do exactly what you are suggesting. We have	6	number of journalists and the number of publications who
7 8	Inquiry to do exactly what you are suggesting. We have	6 7	number of journalists and the number of publications who bought, probably illegally, private information on all
8	Inquiry to do exactly what you are suggesting. We have started at this point, but those issues that you are	6 7 8	number of journalists and the number of publications who bought, probably illegally, private information on all sorts of people, not just celebrities. I've never met
8 9	Inquiry to do exactly what you are suggesting. We have started at this point, but those issues that you are raising are certainly within our remit, and in due	6 7 8 9	number of journalists and the number of publications who bought, probably illegally, private information on all sorts of people, not just celebrities. I've never met Richard Peppiatt, but I have to say I found his evidence
8 9 10	Inquiry to do exactly what you are suggesting. We have started at this point, but those issues that you are raising are certainly within our remit, and in due course we will definitely get to them. So I think you	6 7 8 9 10	number of journalists and the number of publications who bought, probably illegally, private information on all sorts of people, not just celebrities. I've never met Richard Peppiatt, but I have to say I found his evidence this morning extremely compelling, and if I could add
8 9 10 11	Inquiry to do exactly what you are suggesting. We have started at this point, but those issues that you are raising are certainly within our remit, and in due course we will definitely get to them. So I think you shouldn't be concerned about that.	6 7 8 9 10 11	number of journalists and the number of publications who bought, probably illegally, private information on all sorts of people, not just celebrities. I've never met Richard Peppiatt, but I have to say I found his evidence this morning extremely compelling, and if I could add one other book to your reading list, there is a book by
8 9 10 11 12	Inquiry to do exactly what you are suggesting. We have started at this point, but those issues that you are raising are certainly within our remit, and in due course we will definitely get to them. So I think you shouldn't be concerned about that. Claire.	6 7 8 9 10 11 12	number of journalists and the number of publications who bought, probably illegally, private information on all sorts of people, not just celebrities. I've never met Richard Peppiatt, but I have to say I found his evidence this morning extremely compelling, and if I could add one other book to your reading list, there is a book by Sharon Marshal who spent ten years working on the Red
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8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	Inquiry to do exactly what you are suggesting. We have started at this point, but those issues that you are raising are certainly within our remit, and in due course we will definitely get to them. So I think you shouldn't be concerned about that. Claire. CLAIRE ENDERS: I wanted to address the issue of casualisation of the workforce, because this is also a phenomenon that has actually occurred in magazines over the last 20 years and is very very common indeed in all forms of publications. The other point I wanted to make is that it's not impossible to forget, but it is worth remembering, that it was in 1992 that Prince Charles's phone was hacked and that was really one of the hey-days of the industry. I really don't think that the commercial pressures coming from digitalisation and casualisation of labour	6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	 number of journalists and the number of publications who bought, probably illegally, private information on all sorts of people, not just celebrities. I've never met Richard Peppiatt, but I have to say I found his evidence this morning extremely compelling, and if I could add one other book to your reading list, there is a book by Sharon Marshal who spent ten years working on the Red Tops called Tabloid Girl. She doesn't name names, but she has a number of pretty hairy, scary stories, all of which are true. And it's worth reading that to get a feel for what actually goes on in some of those tabloid newsrooms. DAVID BELL: Roy. ROY GREENSLADE: I don't want to go back over and answer what other people have said. I just want to say that no one has addressed this business about the pressure on the editor. And Phil Hall didn't tell us, for instance, about how he came to depart from the News of the World.

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		1	
1	the major causes of his being required by his proprietor	1	DAVID BELL: I wonder if there are any there are one or
2	to leave the paper.	2	two editors we haven't heard from. I don't know if
3	DAVID BELL: Does Phil want to do that?	3	Tina Weaver is still here. Whether you'd like just
4	PHIL HALL: Chairman, first maybe Roy can tell us how he	4	in general terms.
5	fixed the spot the ball competition when he was editing	5	TINA WEAVER: Hello. Tina Weaver. Editor of the Sunday
6	the Daily Mirror. Tell us, Roy.	6	Mirror. Thank you, Jeremy.
7	ELINOR GOODMAN: The middle.	7	With regards headlines, particularly in a tabloid
8	ROY GREENSLADE: Well, I'd like to sell as many books as	8	paper, it is particularly difficult. Sometimes you are
9	possible. The full explanation is in my book best	9	reflecting a 2,000 story in three words, and I challenge
10	selling Maxwell's Fall. It is the episode in journalism	10	most of you to come up with a sort of punchy, accurate
11	I absolutely, absolutely feel terribly sorry about. It	11	headline out of those circumstances.
12	is, however, something that I unilaterally revealed	12	But by and large I think most headlines do reflect
13	that, on behalf of my proprietor Robert Maxwell, I fixed	13	what's in the copy, and you add to it with a sub-deck,
14	a game offering a million pounds to anyone who could	14	if there's a demand a lot of them try and incorporate
15	spot the ball and ensure that no one won. I am "mea	15	that in the sub-deck. So relatively I think they do.
16	culpa, mea culpa, mea culpa", and now that I've told the	16	And actually I also sit on the PCC with Jeremy and most
17	truth, will Phil?	17	of the complaints we've had over headlines haven't
18	PHIL HALL: The truth is, Chairman, that the proprietor and	18	really been upheld because, on close analysis, it's
19	the Chairman of News International thought there was	19	turned out they have been accurate.
20	a more suitable editor of the News of the World than	20	ELINOR GOODMAN: (inaudible).
21	myself, and it was as simple as that. They chose	21	TINA WEAVER: Not really, no. I think the subject matter
22	Rebekah Wade, as she was then, Rebekah Brooks ahead of	22	sells a story more than a headline. A good blurb with
23	me. They made their choices for whatever reasons were	23	an intriguing line in it often encourages readers to
24	never explained to me and it was as simple as that.	24	buy. I mean, in the Sunday market I think readers are
25	DAVID BELL: Yes.	25	perhaps more promiscuous than in the daily market, and
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1	JEREMY ROBERTS: Thank you. Sorry to come back to somethin	σ1	a good front page story which appeals to our readership
2	a bit more mundane. By name is Jeremy Roberts, I am	2	will easily put on sort of 50,000 copies in one week.
3	a relatively new member of the PCC, so I am on a pretty	3	DAVID BELL: The gentleman there.
4	steep learning curve.	4	IAN NICHOL: Hello. I'm Ian Nichol, and I'm afraid I'm
5	DAVID BELL: What is your name?	5	another person from the PCC.
6	JEREMY ROBERTS: Jeremy Roberts.	6	Just one point which came up earlier, the question
7	Just to pick up the point Roy made about the	7	of popular papers getting more complaints coming to the
8	pressures on editors. There's a particular point that	8	PCC. That's true because they are more popular, more
9	I don't think we touched on this morning which might	9	people read them, and therefore we do, it's fair to say,
10	have something to do with commercial pressures and that	10	have more complaints in that area. I don't think that's
11	is headlines and sub-headlines. We've all been told,	11	a point you can conclude too much from.
12	and you will know better than me, whether it's true that	12	The one example of headlines that the PCC did
13	headlines sell newspapers, and quite a significant	13	come down quite hard on was Muslim only loos from
14	number of the complaints that we get at the PCC seem to	14	a certain Richard Peppiatt.
15	be about headlines, which it is suggested give	15	GEORGE JONES: I just wondered if I could I see
16	a completely false impression but no doubt are designed	16	Jonathan Grun from the PA there. I just wonder,
17	to sell the newspaper.	17	Jonathan I don't want to put you in a difficult
18	And a typical situation is, when you read the	18	spot but as you in a way served the regional
19	article in full, you get a very different picture from	19	newspapers and you served the national newspapers and
20	that which you get if you just look at the headline.	20	you provide basically the up and coming journalists of
21	And I wondered whether presumably this is	21	most editors in this room as soon as you bring them on
	a matter of editorial responsibility rather than down to	22	and train them they get poached and go off to what we
22			
23	the reporter whether anybody thinks that commercial	23	used to know as Fleet Street, whether there are any
23 24	pressures may have something to do with the way	23 24	threads that you feel you can draw from here, whether
23			-

1	you are getting heavier or you're going to have to kind	1	I think we've really come to the end. I think it is
2	of cut corners or be quicker. I was wondering if you	2	one o'clock. Since we have another seminar starting in
3	could tell us your take on it.	3	a little bit less than an hour probably it is best to
4	JONATHAN GRUN: Yes. Actually, it's nice to be here today	4	draw this to a close.
5	and actually be here with some of my former colleagues.	5	I remember the editor, the news editor of the Oxford
6	Ian, for example. Kevin, who have all, I hope,	6	(inaudible) saying, "You should never refer to anything
7	graduated from the PA school of excellence.	7	as the 'biggest' or 'the best' because would turn up and
8	No, I think, from the Press Association's point of	8	say, 'You're wrong, I'm bigger' or 'I'm better'."
9	view, we are trying to provide our customers with the	9	But I think I can't remember an occasion when we
10	content that they are looking for. We operate we	10	have gathered together in one place so many editors and
11	pursue stories energetically, aggressively, but of	11	so many people from right across the whole of the
12	course our customers have to be able to use a PA story	12	British press, which is exactly what we wanted to do, to
13	without making any further checks. So, therefore,	13	have, as the judge said at the beginning, the broadest
14	editorial standards, integrity, are central to what we	14	possible expression of views. And we want to continue
15	do.	15	that for the rest of these seminars because we think
16	But it would be really foolish of me to try and set	16	it's incredible important before the Inquiry if you like
17	up the PA as some kind of editorial paradigm. Every	17	gets into its stride in terms of what it's doing have
18	editor here, Alan, Ian, Dominic, behind me, all of us	18	this kind of debate.
19	would all of them would subscribe to the same	19	So, on behalf of all of us, I want to say the
20	editorial ideas ideals that we try to foster at the	20	biggest possible thank you. And as Elinor has just
21	PA. All of us want to be first with a story. But,	21	written down here, we very much hope that everyone will
22	first of all, all of us want to be sure that the story	22	stay this afternoon because this afternoon's topic takes
23	is right.	23	on from this, but is also very very important. And we
24	And, of course, Elinor made the point about the	24	very much hope everybody will be able to stay this
25	pressures that are on all of us because of on-line	25	afternoon.
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1	that's absolutely right, but my own belief is that, when	1	Meantime, lunch is downstairs where the coffee was,
2	a big story breaks, there's so much rubbish swirling	2	and we look forward to seeing everybody back at
3	around on-line from bloggers, from people who are,	3	two o'clock. Thank you all very much.
4	effectively, able to put anything up on-line, that the	4	(1.04 pm)
5	mainstream, self-regulated media is a place that	5	(The short adjournment)
6	increasingly people will want to turn to for material	6	(2.00 pm)
7	that they really can trust.	7	THE RIGHTS AND RESPONSIBILITIES OF THE PRESS
8	Certainly at the moment the landscape that we're	8	INTRODUCTION
9	in and I thought Claire Ender's presentation was	9	SIR DAVID BELL: Ladies and gentlemen, good afternoon.
10	excellent it painted a picture of sort of tectonic	10	For those of us who weren't here this morning, some
11	shifts that are taking place in the landscape that we	11	of what I am going to say is going to sound repetitious
12	are operating in. None of us have a Sat Nav to navigate	12	so I'll say it very quickly. The first thing is to
13	ahead. The it's both a scary situation, but	13	welcome everyone. My name is David Bell and along with
14	an exciting one.	14	Elinor and George we are chairing this discussion this
15	Lots of editors have talked about the exiting	15	afternoon. We are going to follow the same format that
16	opportunities that are being presented to us. But	16	we followed this morning, and the goal, for those of us
17	despite all of those tremendous commercial pressures,	17	who weren't here this morning, is for us to collect as
18	I would want to echo the same message that has been	18	broad a spread of views and opinion about the issues
19	given by almost every other speaker this morning, that	19	we're debating as we possibly can.
20	we should it would be wrong to to draw	20	As Lord Justice Leveson said this morning, having
21	a connection between commercial pressures and editorial		a seminar of this kind does break new ground. I think
22	standards. I believe that all of the editors here	22	this morning worked very well in terms of a very broad
23	genuinely believe in pursuing the highest editorial	23	range of views and debate and we want to repeat that
23	standards.	24	this afternoon and then in future seminars.
25	DAVID BELL: Thank you very much.	25	So when we get to questions, it would be a very
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1	great help if everybody, in addition to saying who they	1	normal checks and balances in civil society didn't work.
2	are, could actually stand up, because it makes it much	2	Those 18 months were telling because the only reason
3	easier for the camera to pick everybody up if they're	3	the full story came out was down to a free press, and
4	standing up. As I said this morning, the whole of this	4	I'm going to be immodest enough to single out
5	event will be on the web in video, some of it probably	5	Nick Davies and the Guardian as the single most
6	nearly already is, the rest of it will follow, and there	6	important force in ensuring that so much was eventually
7	will be a full transcript.	7	uncovered. Other journalists did, in time, join in and
8	Finally, for those who weren't here this morning, we	8	what those reporters did peel, away at the evidence,
9	are very keen if you feel that there's something you	9	accumulate facts, ask questions, cultivate sources, look
10	wanted to say and didn't have a chance to say or wanted	10	at documents, talk to people who were involved, win
11	to say at greater length than you've had a chance to	11	trust, ignore threats, verify information, report
12	say, that you do send it to us. There is a space on the	12	accurately, is as good an illustration as you could have
13	website to receive that and we are very, very keen to	13	for the importance of a free press.
14	receive as many different views as possible.	14	Now, it's for others to answer the question about
15	So this afternoon we are talking about rights and	15	the dogs that didn't bark, why other institutions in our
16	responsibilities of the press and we have three speakers	16	society didn't function effectively over 18 months, but
17	and the way that we are going to run it, as I said this	17	the saga tells you much about the need for
18	morning, they will all speak one after the other, and	18	an institution, an estate, a profession, a trade
19	then we will return to the topic that Alan Rusbridger	19	we'll never probably quite agree what to call it that
20	was talking about, for a discussion before we have tea.	20	exists independently of the other main centres of power
20	Then after tea, which will be around about 3.30, we will	20	in society.
21		21	•
	then focus on the points that have been made by the		The press is sometimes called the fourth estate and
23	other two speakers, Trevor Kavanagh and Brian Cathcart.	23	that is probably too grandiose a concept for most
24	So we're going to kick off with Alan, I don't think	24	journalists' tastes but it does suggest an important,
25	he needs any introduction, but there are tiny Page 125	25	coherent and independent force in society. That Page 127
1	biographies of all of us in the paper that you have been	1	apartness is crucial. The press doesn't share the same
2	given with the pack. So it would help to identify us	2	aims as Government, the legislature, the executive,
3	a bit. With great pleasure I ask him, Alan, to come.	3	religion or commerce, it is or it should be an outsider.
4	Presentation by ALAN RUSBRIDGER	4	Stanley Baldwin didn't intend it as a compliment
5	ALAN RUSBRIDGER: I've been asked to speak about the	5	when he said of the newspapers in 1931 that they had
6	importance of the free press and I think anybody who	6	power without responsibility but, in fact, that lack of
7	wants to know why free press matters could do worse than	7	responsibility is one of the aspects in which the press
8	study the story of how the phone hacking scandal at the	8	is different. Of course, the press must be responsible
9	News of the World was uncovered, looking both at the	9	for its own standards and ethics but it's not the job of
10	dogs that barked and those that didn't.	10	journalists to run things, they are literally without
11	It took almost exactly two years for the story to	11	that responsibility. They don't have to respond to
12	unravel, and for the first 18 months, not very much	12	a party whip make compromises that are necessary in
13	happened. The police added two more cursory	13	politics or answer to shareholders, they are not bound
14	investigations to their original inadequate probe in	14	by confidentiality agreements as lots of people in
15	2006. Parliament did its best and some individual MPs	15	public life are. They are careless of causing
16	did very well indeed, but it struggled to flush out the	16	inconvenience or embarrassment, they don't have to win
17	truth. Politicians from Prime Ministers down have since	17	votes. They can write things, say, about the economy or
18	admitted to everything from pragmatism to fear, as	18	the environment which may need saying but which are
19	an explanation for their inaction or general complicity.	19	unusable by politicians. They come from a different
20	The regulator produced a lamentable report, which	20	place.
21	portrayed an inability or lack of will at getting at the	21	This freedom is a fundamental one. There are plenty
22	truth, a report that has since been withdrawn, and, with	22	of writers, jurists and political philosophers who
23	notable exceptions, much of the media showed little	23	consider it the first and foremost of our freedoms. The
24	initial inclination to shine a bright line on	24	American First Amendment is probably the most robust
25	a particularly glaring abuse of Parliament. So the	25	expression and enshrinement of the primacy of free
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	5		6

1	speech in an open society.	1	amateur creators of content from another.
2	So that's the ideal, but in a British context it's	2	Countless blogs, platforms and websites reproduce
3	probably worth asking how free is our press and, even	3	some of the functions of newspapers, though very few
4	more fundamentally, what is the press? Many journalists	4	aspire to replicate the entire bundle form of
5	and lawyers would argue that the press in the UK is	5	a newspaper, if only because the economic model is so
6	relatively, but only relatively, free. It's not clear	6	unpromising. This digital disaggregation or
7	that the situation has improved notably since Harry	7	fragmentation of a newspaper has, of course, severe
8	Evans, unable to publish the full truth about the	8	economic consequences but it also brings into question
9	thalidomide scandal, bemoaned what he called Britain's	9	the hitherto distinct role of the press. Many of these
10	half-free press in the mid-1970s.	10	new digital forms of information sharing are based on
11	In 2009, Index/PEN commission into our defamation	11	a completely different idea of what the media is or who
12	laws concluded the law as it stands is hindering the	12	should take part in it. This revolution in technology,
13	free exchange of ideas and information. The 2011 global		considered by many to be the most significance since the
14	press freedom rankings placed the UK in joint 26th	14	invention of movable type in the 15th century allows
15	place.	15	virtually anyone to create and share their news and
16	Another measure of freedom and that's been touched	16	opinions.
17	on this morning is whether reporters are genuinely free	17	21st century media, in many respects, marks a sharp
18	to follow any story they wish, regardless of	18	break with what went before. A world in which
19	proprietorial, managerial editorial or commercial	19	a relatively restricted group of people benefited from
20	pressures or influence.	20	having a platform to address a mass audience. Gone are
21	Yet another measure of freedom is economic freedom	21	the days when the freedom of the press was limited to
22	and this, again, has been touched on this morning. It's	22	those who owned one.
23	no secret Claire Enders was talking about it this	23	The courts are already grappling with the
24	morning that newspapers face a kind of existential	24	implications of enforcing rules of one jurisdiction on
25	threat due to a combination of technical and economic	25	an internationally available medium, which may be well
	Page 129		Page 131
1	factors. Digital disruption comes in many forms, it	1	based elsewhere or nowhere.
2	sucks revenues out of print, it challenges the very idea	2	The British footballer impotently trying to protect
3	of what a newspaper is or what journalism does. The	3	this privacy in London is part of the same tide that
4	sort of expensive and time consuming journalism that	4	allows a digital citizen of Syria or Zimbabwe to exploit
5	Nick Davies does is threatened in many news	5	the free press jurisdiction of other countries in order
6	organisations by the quite understandble need to cut	6	to publish necessary truths.
7	costs. Nick Davies is very unusual in that respect, he	7	In London last week Carl Bernstein, the legendary
8	is remarkably free.	8	co-author of Watergate talked about the parallels
9	What is the press? Until recently, it would've been	9	between the story on which he and Bob Woodward worked in
10	self-evident what the press was. This is the 1947-1949	10	1972 and the work of Nick Davies nearly 40 years later
11	royal commission on the press and that had no problem in	11	and he used this phrase, "The best obtainable version of
12	understanding what the press was, it described it as the	12	the truth", to describe what journalists at their best
13	chief agency for instructing the public on the main	13	seek to obtain.
14	issues of the day, the main source from which	14	Bernstein's definition combines a nobility of
15	information, discussion, advocacy reached the public.	15	ambition with the implication that journalism, by its
16	So whether or not the press remains the chief agency	16	very nature, may often fall short. We shouldn't
17	of instruction today, it would be very rare to find	17	overclaim for what a free press can do. My own
18	a newspaper that existed only as a printed product.	18	favourite description of journalism was coined by the
		10	late sage of the Washington Press corps David Broder.
19	Increasingly, the press encompasses digital forms of	19	face sage of the washington riess corps David Droder.
19 20	Increasingly, the press encompasses digital forms of journalism that will include moving images, data, sound,	19 20	He described a newspaper as follows:
20	journalism that will include moving images, data, sound,	20	He described a newspaper as follows:
20 21	journalism that will include moving images, data, sound, often published around the clock on a variety of	20 21	He described a newspaper as follows: "It is a partial hasty incomplete, inevitably
20 21 22	journalism that will include moving images, data, sound, often published around the clock on a variety of platforms. The further the press moves from its	20 21 22	He described a newspaper as follows: "It is a partial hasty incomplete, inevitably somewhat flawed and inaccurate rendering of some of things that we've heard about in the last 24 hours, distorted, despite our best efforts to eliminate gross
20 21 22 23	journalism that will include moving images, data, sound, often published around the clock on a variety of platforms. The further the press moves from its traditional and historic form, the more it sails into	20 21 22 23	He described a newspaper as follows: "It is a partial hasty incomplete, inevitably somewhat flawed and inaccurate rendering of some of things that we've heard about in the last 24 hours,

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1	possible for you to lift it from a doorstep and read it	1	strength of the press as a whole.
2	in about an hour."	2	But there's a quieter, less glamorous side to our
3	He added:	3	trade, which is also vital and which is not easily
4	"If we labelled the product accurately then we could	4	replicated by social media or bloggers. It's the simple
5	immediately add 'But it's the best we could do under the	5	craft of reporting, recording things, asking questions,
6	circumstances and we'll be back tomorrow with	6	being an observer, giving context. It's sitting in
7	a corrected and updated version."	7	a Magistrates' Court reporting the daily tide of crime
8	That seems to always get a laugh of recognition.	8	cases, the community's witness to the process of
9	That's what a newspaper is.	9	justice. It's being on the front line in Libya trying
10	But the imperfections of the press are not the point	10	to sift conflicting propaganda from the reality. It's
11	when considering its freedom. A free press is anyway	11	reporting the rival arguments over climate change and
12	not there for the benefit of a group called journalists.	12	helping the public to evaluate where the truth lies.
13	It's primarily there for the benefit of ordinary	13	So I just want to end by saying totalitarian
14	citizens. The freedom belongs to them, freely to	14	governments can never allow a free press and to say that
15	receive reliable and timely information about their	15	our own relative freedom has been fought for for over
16	society. Free press is just a part of a larger right of	16	400 years and there's never a moment when freedom can be
10	free expression, which is something to be jealously	17	considered won. When people talk about licensing
18	preserved and guarded, regardless of the abuses of those	17	journalists or newspapers, the instinct should be to
18 19	freedoms by or on behalf of a small number of people	10 19	refer them to history. Read about how the licensing of
20	calling themselves journalists.	20	the press in Britain was abolished in 1695 and look at
20 21	We meet at a time and Claire Enders' presentation	20 21	the arguments why, they are remarkably similar to the
	-	21 22	
22	gave you some flavour of that this morning when, for	22 23	arguments today. Read about how Wilkes and Cobbett and Locke and Milton and Moore and Junius and countless
23	the first time since the Enlightenment, it's possible to	23 24	
24 25	imagine society's towns cities and even countries	24 25	anonymous writers, lawyers and printers, and their
25	without any agreed or verified forms of the truth. As Page 133	23	arguments and battles for the comparative freedoms of Page 135
1	journalists, we would like it to be self-evident that	1	the press that Britain enjoys today.
2	what we do is as crucial to democracy as a water supply	2	Remember, finally, how the freedoms won here became
3	or a fire service but surveys showed that this is not	3	a model for much of the rest of the world and be
4	a widely held view and ought to be a matter for	4	conscious how the world still watches us to see how we
5	self-reflection.	5	protect those freedoms.
6	Since Watergate journalists often like to cite big	6	Presentation by TREVOR KAVANAGH
7	campaigning investigations to demonstrate why what we do	7	SIR DAVID BELL: Thank you very much, indeed, Alan. Now, it
8	matters. It's we, the free press, who exposed phone	8	gives me great pleasure to ask Trevor Kavanagh to make
9	hacking, MP's expenses, illegal rendition, the truth	9	the next presentation. He was the formidable leading(?)
10	about the death of Ian Tomlinson, match fixing in sport,	10	editor with the Sun and is very experienced in our
11	World Cup votes for sale, chicanery in the arms trade,	11	trade. So a great pleasure to have you, Trevor.
12	cash for questions, and so on.	12	TREVOR KAVANAGH: Good afternoon and thank you very much for
13	That work of the investigation is, indeed, vital	13	inviting me along.
14	evidence of the importance of the free press. As vital	14	Brian Cathcart and I have been asked to describe the
15	is the institutional muscle of the press that stands	15	difference, and there is one, between the public
16	behind a reporter engaged in this kind of work.	16	interest and the interest of the public, and my starting
17	Reporters need to know that they will be protected from	17	point is that everything under the sun is of interest to
18	the threats and immense costs that are often involved	18	the public, one way or another, from a local fate to
19	when people seek to stop daylight being thrown on their	19	a sex and lies political scandal or the top secret
20	affairs. Our Moscow correspondent, for example, could	20	location of a nuclear device.
20	not be free to work in Russia without the solidity of	21	One may be simply interesting while the others bump
21	the Guardian behind him. The widespread defence of the	22	up against and occasionally collide with the sometimes
22	sanctity of journalists' sources, when our reporter,	23	contentious definition of the public interest.
23	Amelia Hill, was recently threatened with the Official	24	Frequently, the latter are stories that someone wants to
24 25	Secrets Act, was another example of the institutional	25	conceal but are too big to hide. The distinction, in
23	Page 134		Page 136
	rage 154		Page 150

34 (Pages 133 to 136)

r			-
1	any case, is subjective to say the least. All news	1	national figures.
2	should and with certain exceptions, to which I shall	2	If people seeking our votes or our cash for, say,
3	return in a moment, be judged on the public's all	3	personalised football shirts, it is surely right that we
4	encompassing right to know. The only point at which the	4	should know if they are masquerading as something they
5	two definitions collide is when a story is deemed not to	5	are not. Editors, subeditors and reporters know the PCC
6	be in the public interest and therefore not for the eyes	6	rules by heart and, I can assure you, do everything
7	of ordinary folk.	7	possible to observe them while getting as close as
8	Another word for this is "Censorship". Freedom of	8	possible to a story that deserves to be told. Sometimes
9	speech is hard won, a hard won centuries old principle	9	they make mistakes, but considering the number of
10	which did not arrive with the last shower with the Human	10	stories and the number of editions, not that many.
11	Rights Act. It is, by its nature, in the public	11	We have certainly come a long way since those 1980s
12	interest. It is a freedom that, on occasions, has been	12	frontier days when caution was sometimes thrown to the
13	abused and misused, sometimes, but not always, by the	13	wind. Roy Greenslade will remember vividly.
14	media.	14	However, these comparatively clear waters have been
15	It remains one of the foundation stones of democracy	15	muddied by the arbitrary interpretation, some would say
16	and is enshrined as such in the American constitution.	16	misinterpretation, of two articles of the Human Rights
17	The public interest could be narrowly defined by	17	Act: the right to a private life and the right to free
18	judges or it could, and I believe should, be as wide as	18	expression. Increasingly, it seems, one appears to
19	possible. Without free speech we cannot have a free	19	trump the other. So it was refreshing last week to see
20	society. Once lost, it would be almost impossible to	20	this remorseless trend halted, even briefly, when
21	restore. As with any legal principle, exceptions should	21	Mr Justice Nichol rejected womaniser Rio Ferdinand's
22	be narrowly and clearly construed. In the	22	attempt to gag and punish the Sunday Mirror for its
23	United States, for instance, one is not allowed to shout	23	kiss-and-tell exclusive about his infidelities.
24	"Fire" in a crowded cinema or theatre. Apart from such	24	To any sensible reader, this story about the captain
25	carefully defined exceptions, everything else is	25	of the nation's football team was as much in the public
	Page 137		Page 139
1	permissible, even when considered in bad taste.	1	interest as it was of interest to sports fans. Yet the
2	Without such freedom would we have known about	2	judge admitted he had been forced to "grapple with the
3	President Clinton's interesting relationship with	3	tension between the two clashing articles, 8 and 10, of
4	Monica Lewinski? Surely, as much a matter of public	4	the European Convention on Human Rights".
5	interest as the President's intimate but routinely	5	With what seemed like some reluctance, he ruled in
6	published medical reports.	6	favour of free speech and against Ferdinand's false
7	But for the circumstances beyond the control of	7	account. There was a hint of disdain towards tabloid
8	their own supine media, would the French public have	8	newspapers, generally, not just for unseemly
9	learned about the conduct of Dominique Strauss Khan,	9	kiss-and-tell stories, but for the kiss-and-sell. Yet,
10	widely known to the chattering classes, but deemed	10	I will argue later news is a saleable commodity just as
11	unsuitable for those who might be allowed the privilege	11	any other is. Newspapers are commercial, competitive
12	of voting for him as president. The French people are	12	businesses and not a public service. Judge Nichol's
13	indeed a little cross about being kept in the dark by	13	verdict will have delighted all newspaper editors, even
14	an establishment omerta and the embarrassed French media	14	those of the Guardian and Independent, who seem
15	is now shuffling all too slowly towards acting more in	15	perpetually to be holding their noses about stories like
16	the interests of their readers than in the interests of	16	that. It was, I hope, a turning point for everyone who
10			
17	public officials.	17	believes the freedom of the press is being deliberately
	In Britain, there is a number of those narrowly	17 18	believes the freedom of the press is being deliberately and systematically eroded.
17 18 19	In Britain, there is a number of those narrowly construed exceptions laid down by the Press Complaints		and systematically eroded. I have been asked to pose some questions for
17 18 19 20	In Britain, there is a number of those narrowly construed exceptions laid down by the Press Complaints Commission in its Code of Conduct, for instance, on the	18	and systematically eroded.
17 18 19 20 21	In Britain, there is a number of those narrowly construed exceptions laid down by the Press Complaints Commission in its Code of Conduct, for instance, on the identity of children or the incitement to hatred. The	18 19	and systematically eroded. I have been asked to pose some questions for
17 18 19 20 21 22	In Britain, there is a number of those narrowly construed exceptions laid down by the Press Complaints Commission in its Code of Conduct, for instance, on the	18 19 20	and systematically eroded. I have been asked to pose some questions for subsequent debate here. Here is one: should perverse rulings be allowed incrementally to lay the ground for an irreversible privacy law, introduced by unelected,
17 18 19 20 21 22 23	In Britain, there is a number of those narrowly construed exceptions laid down by the Press Complaints Commission in its Code of Conduct, for instance, on the identity of children or the incitement to hatred. The PCC has clear rules on stories involving infidelity and impropriety and the invasion of privacy but it is surely	18 19 20 21	and systematically eroded. I have been asked to pose some questions for subsequent debate here. Here is one: should perverse rulings be allowed incrementally to lay the ground for an irreversible privacy law, introduced by unelected, unaccountable and, in some cases, unqualified judges,
17 18 19 20 21 22 23 24	In Britain, there is a number of those narrowly construed exceptions laid down by the Press Complaints Commission in its Code of Conduct, for instance, on the identity of children or the incitement to hatred. The PCC has clear rules on stories involving infidelity and impropriety and the invasion of privacy but it is surely in the public interest that we all should have access to	18 19 20 21 22 23 24	and systematically eroded. I have been asked to pose some questions for subsequent debate here. Here is one: should perverse rulings be allowed incrementally to lay the ground for an irreversible privacy law, introduced by unelected, unaccountable and, in some cases, unqualified judges, who do not represent this country, its people or its
17 18 19 20 21 22 23	In Britain, there is a number of those narrowly construed exceptions laid down by the Press Complaints Commission in its Code of Conduct, for instance, on the identity of children or the incitement to hatred. The PCC has clear rules on stories involving infidelity and impropriety and the invasion of privacy but it is surely	18 19 20 21 22 23	and systematically eroded. I have been asked to pose some questions for subsequent debate here. Here is one: should perverse rulings be allowed incrementally to lay the ground for an irreversible privacy law, introduced by unelected, unaccountable and, in some cases, unqualified judges,

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7	themselves why. Why, for instance, have the	7	a quarter of a century, and I know neither of them will
8 9	conservatives reneged on their election promise to	8	demur if I recall their occasionally disparaging view of
9 10	replace the perverse Human Rights Act with our own Bill of Rights? Coalition with the Liberal Democrats is not	9 10	what George summed up this morning as "the tabloids from down below".
11	an acceptable excuse.	11	It was an alarming moment for those who fear this
12	So unaccountable and unknown, non-British officials	12	Inquiry is a Trojan Horse with an agenda. Am I paranoid
13	in Strasbourg undermine what is in Britain's public	12	in wondering if I was invited on as an acceptable face
14	interest and what should or should not be of interest to	14	of a form of journalism which is otherwise concealed in
15	the British public.	15	the pale pink pages of the Financial Times. In any
16	Lord Justice Leveson will not need me to remind him	16	event, I would like to use this opportunity to plead on
17	of Lord Hoffmann's scathing criticism of the Strasbourg	17	behalf of the tabloids and those gutter snipes who work
18	judges but other members of this Inquiry may wish to	18	for them in the netherworld.
19	re-read his lecture to fellow judges on the judicial	19	Having been with the Sun for 30 years, 23 years as
20	studies board in 2009. He said the European Court:	20	political editor, I wish to record my admiration for the
21	"Has been unable to resist the temptation to	21	sheer professionalism of gifted colleagues, both at
22	aggrandise this jurisdiction and impose uniform rules in	22	Wapping and among our rivals on other tabloids. They
23	member states. It considers itself the equivalent of	23	include the finest creative professionals in the
24	the Supreme Court of the United States laying down	24	business: reporters, subeditors and editors, men and
25	a federal law of Europe."	25	women who could adapt just as successfully to any other
	Page 141		Page 143
1	He went on:	1	paper. The reverse is not always the case.
2	"There is virtually no aspect of our legal system	2	It is the tabloids that drive the daily news agenda.
3	which is not arguably touched at some point by human	3	The Sun, for instance, breaks major world exclusives,
4	rights, but we have not surrendered our sovereignty over	4	politics, sport, the Monarchy and the city, which are
5	these matters. We remain an independent nation with its	5	not just interesting but in the public interest. They
6	own legal system, evolved over centuries of	6	are followed up without question by the broadsheets
	constitutional struggle and pragmatic change."	7	
7			broadsheets and the BBC. That was a slip of the tongue.
7 8	He summed up with the words:	8	In today's climate, a great many of those stories
	"Detailed decisions about how it could be improved	9	In today's climate, a great many of those stories would never see the light of day. The nation would be
8 9 10	"Detailed decisions about how it could be improved should be made in London, either by our democratic	9 10	In today's climate, a great many of those stories would never see the light of day. The nation would be all the poorer for it. The popular press ventures where
8 9 10 11	"Detailed decisions about how it could be improved should be made in London, either by our democratic institutions or by judicial bodies which, like the	9 10 11	In today's climate, a great many of those stories would never see the light of day. The nation would be all the poorer for it. The popular press ventures where unpopular newspapers sometimes fear to tread. We don't
8 9 10 11 12	"Detailed decisions about how it could be improved should be made in London, either by our democratic institutions or by judicial bodies which, like the Supreme Court of the United States, are integral with	9 10 11 12	In today's climate, a great many of those stories would never see the light of day. The nation would be all the poorer for it. The popular press ventures where unpopular newspapers sometimes fear to tread. We don't always play by their rules. So, for instance, one
8 9 10 11 12 13	"Detailed decisions about how it could be improved should be made in London, either by our democratic institutions or by judicial bodies which, like the Supreme Court of the United States, are integral with our own society and respected as such."	9 10 11 12 13	In today's climate, a great many of those stories would never see the light of day. The nation would be all the poorer for it. The popular press ventures where unpopular newspapers sometimes fear to tread. We don't always play by their rules. So, for instance, one particularly high-minded paper might plant a juicy clue
8 9 10 11 12 13 14	"Detailed decisions about how it could be improved should be made in London, either by our democratic institutions or by judicial bodies which, like the Supreme Court of the United States, are integral with our own society and respected as such." Now, in what can only be interpreted as a further	9 10 11 12 13 14	In today's climate, a great many of those stories would never see the light of day. The nation would be all the poorer for it. The popular press ventures where unpopular newspapers sometimes fear to tread. We don't always play by their rules. So, for instance, one particularly high-minded paper might plant a juicy clue in the diary item knowing we would follow it up and do
8 9 10 11 12 13 14 15	"Detailed decisions about how it could be improved should be made in London, either by our democratic institutions or by judicial bodies which, like the Supreme Court of the United States, are integral with our own society and respected as such." Now, in what can only be interpreted as a further cloud over freedom of speech, we have this Inquiry by	9 10 11 12 13 14 15	In today's climate, a great many of those stories would never see the light of day. The nation would be all the poorer for it. The popular press ventures where unpopular newspapers sometimes fear to tread. We don't always play by their rules. So, for instance, one particularly high-minded paper might plant a juicy clue in the diary item knowing we would follow it up and do the job properly. Once we had checked it out and
8 9 10 11 12 13 14 15 16	"Detailed decisions about how it could be improved should be made in London, either by our democratic institutions or by judicial bodies which, like the Supreme Court of the United States, are integral with our own society and respected as such." Now, in what can only be interpreted as a further cloud over freedom of speech, we have this Inquiry by Lord Leveson to examine the culture, practices and	9 10 11 12 13 14 15 16	In today's climate, a great many of those stories would never see the light of day. The nation would be all the poorer for it. The popular press ventures where unpopular newspapers sometimes fear to tread. We don't always play by their rules. So, for instance, one particularly high-minded paper might plant a juicy clue in the diary item knowing we would follow it up and do the job properly. Once we had checked it out and published the full story that they were too timid to
8 9 10 11 12 13 14 15 16 17	"Detailed decisions about how it could be improved should be made in London, either by our democratic institutions or by judicial bodies which, like the Supreme Court of the United States, are integral with our own society and respected as such." Now, in what can only be interpreted as a further cloud over freedom of speech, we have this Inquiry by Lord Leveson to examine the culture, practices and ethics of the press. It is difficult to avoid the fear	9 10 11 12 13 14 15 16 17	In today's climate, a great many of those stories would never see the light of day. The nation would be all the poorer for it. The popular press ventures where unpopular newspapers sometimes fear to tread. We don't always play by their rules. So, for instance, one particularly high-minded paper might plant a juicy clue in the diary item knowing we would follow it up and do the job properly. Once we had checked it out and published the full story that they were too timid to run, they condemn us for us simultaneously reproducing
8 9 10 11 12 13 14 15 16 17 18	"Detailed decisions about how it could be improved should be made in London, either by our democratic institutions or by judicial bodies which, like the Supreme Court of the United States, are integral with our own society and respected as such." Now, in what can only be interpreted as a further cloud over freedom of speech, we have this Inquiry by Lord Leveson to examine the culture, practices and ethics of the press. It is difficult to avoid the fear that this will not conclude without further limits on	9 10 11 12 13 14 15 16 17 18	In today's climate, a great many of those stories would never see the light of day. The nation would be all the poorer for it. The popular press ventures where unpopular newspapers sometimes fear to tread. We don't always play by their rules. So, for instance, one particularly high-minded paper might plant a juicy clue in the diary item knowing we would follow it up and do the job properly. Once we had checked it out and published the full story that they were too timid to run, they condemn us for us simultaneously reproducing every salacious word.
8 9 10 11 12 13 14 15 16 17 18 19	"Detailed decisions about how it could be improved should be made in London, either by our democratic institutions or by judicial bodies which, like the Supreme Court of the United States, are integral with our own society and respected as such." Now, in what can only be interpreted as a further cloud over freedom of speech, we have this Inquiry by Lord Leveson to examine the culture, practices and ethics of the press. It is difficult to avoid the fear that this will not conclude without further limits on freedom of speech. It is hard to escape the impression	9 10 11 12 13 14 15 16 17 18 19	In today's climate, a great many of those stories would never see the light of day. The nation would be all the poorer for it. The popular press ventures where unpopular newspapers sometimes fear to tread. We don't always play by their rules. So, for instance, one particularly high-minded paper might plant a juicy clue in the diary item knowing we would follow it up and do the job properly. Once we had checked it out and published the full story that they were too timid to run, they condemn us for us simultaneously reproducing every salacious word. We should not allow the debate on the public
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8 9 10 11 12 13 14 15 16 17 18 19 20 21	"Detailed decisions about how it could be improved should be made in London, either by our democratic institutions or by judicial bodies which, like the Supreme Court of the United States, are integral with our own society and respected as such." Now, in what can only be interpreted as a further cloud over freedom of speech, we have this Inquiry by Lord Leveson to examine the culture, practices and ethics of the press. It is difficult to avoid the fear that this will not conclude without further limits on freedom of speech. It is hard to escape the impression that it is out to get the tabloids, implicitly seen as uncultured, malpractised and unethical. There has been	9 10 11 12 13 14 15 16 17 18 19 20 21	In today's climate, a great many of those stories would never see the light of day. The nation would be all the poorer for it. The popular press ventures where unpopular newspapers sometimes fear to tread. We don't always play by their rules. So, for instance, one particularly high-minded paper might plant a juicy clue in the diary item knowing we would follow it up and do the job properly. Once we had checked it out and published the full story that they were too timid to run, they condemn us for us simultaneously reproducing every salacious word. We should not allow the debate on the public interest to obscure one of the motives behind the criticisms of the tabloids. We fully accept
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8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	"Detailed decisions about how it could be improved should be made in London, either by our democratic institutions or by judicial bodies which, like the Supreme Court of the United States, are integral with our own society and respected as such." Now, in what can only be interpreted as a further cloud over freedom of speech, we have this Inquiry by Lord Leveson to examine the culture, practices and ethics of the press. It is difficult to avoid the fear that this will not conclude without further limits on freedom of speech. It is hard to escape the impression that it is out to get the tabloids, implicitly seen as uncultured, malpractised and unethical. There has been some debate about the make-up of this panel, which unfortunately, my iPad has left a half a sentence.	9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	In today's climate, a great many of those stories would never see the light of day. The nation would be all the poorer for it. The popular press ventures where unpopular newspapers sometimes fear to tread. We don't always play by their rules. So, for instance, one particularly high-minded paper might plant a juicy clue in the diary item knowing we would follow it up and do the job properly. Once we had checked it out and published the full story that they were too timid to run, they condemn us for us simultaneously reproducing every salacious word. We should not allow the debate on the public interest to obscure one of the motives behind the criticisms of the tabloids. We fully accept responsibility for the shocking past practices that led to the closure of a great newspaper, the News of the
8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	"Detailed decisions about how it could be improved should be made in London, either by our democratic institutions or by judicial bodies which, like the Supreme Court of the United States, are integral with our own society and respected as such." Now, in what can only be interpreted as a further cloud over freedom of speech, we have this Inquiry by Lord Leveson to examine the culture, practices and ethics of the press. It is difficult to avoid the fear that this will not conclude without further limits on freedom of speech. It is hard to escape the impression that it is out to get the tabloids, implicitly seen as uncultured, malpractised and unethical. There has been some debate about the make-up of this panel, which	9 10 11 12 13 14 15 16 17 18 19 20 21 22	In today's climate, a great many of those stories would never see the light of day. The nation would be all the poorer for it. The popular press ventures where unpopular newspapers sometimes fear to tread. We don't always play by their rules. So, for instance, one particularly high-minded paper might plant a juicy clue in the diary item knowing we would follow it up and do the job properly. Once we had checked it out and published the full story that they were too timid to run, they condemn us for us simultaneously reproducing every salacious word. We should not allow the debate on the public interest to obscure one of the motives behind the criticisms of the tabloids. We fully accept responsibility for the shocking past practices that led

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1	The great sin of the popular press is to be popular.	1	heads held high from the battlefields of Afghanistan,
2	Our lighter, brighter, brasher papers are commercially	2	instead of slinking home through empty streets. Our
3	successful. We have 20 million readers, perhaps	3	jobs campaign, Sun Employment, has found work for tens
4	10 times as many as the heavies. So to their irritation	4	of thousands of our readers.
5	they have been obliged to imitate our lively style in	5	Yes, we do make mistakes, I repeat that but I can
6	order to keep in the game. Our headlines have become	6	testify we do everything possible and sometimes,
7	part of the vernacular. During last week's heat wave,	7	perhaps, too much on occasions you should see the
8	for instance, even the BBC Today programme was talking		stories we don't print we take tremendous efforts to
9	about what a scorcher.	9	avoid mistakes and when we get it wrong we apologise as
10	But, without doubt, our most enduring contribution	10	quickly as possible, and before Richard Peppiatt's
11	to the public interest and the interest of the public	11	florid diatribe embeds itself too deeply in the
12	has been the subject of Europe. The Sun led the way on	12	consciousness of the panel and the Inquiry, I would say,
13	what, today, is the biggest story of this century. It	13	while it contained a few elements of truth, it was
14	is no exaggeration to claim that without us we'd almost	14	a grotesque caricature of the newspaper world I have
15	certainly would have given up the pound and joined the	15	known for 50 years. I say this, not just to blow the
16	euro. Without the Sun, there would have been no promise		tabloid trumpet, but to paint a picture of a vibrant and
10	of a referendum. In the public interest, we invaded	17	dynamic industry, which, despite all its flaws is
17	Belgium, bawled at Gaul and told the architect of the	18	a force for good.
18 19	-	10	
	single currency "Up yours, Delors(?)".		It continues to flourish, despite some of the world's toughest libel laws. Journalists contend with
20	We were condemned then, especially by what	20	-
21	Mark Damazer described as the high-minded BBC, as	21	secretive superinjunctions, an abuse of official power.
22	"Little Englanders", "phobes" and "sceptics". Today,	22	Looming up on the sidelines are the unintended
23	not for the first time we have been proved resoundingly	23	consequences of the Bribery Act.
24	right.	24	Information is power and local and national
25	Could we wage that sort of campaign today? I'm not	25	Government, counsels and quangos go to great lengths to
	Page 145		Page 147
1	sure. There have been moves in Brussels to make it	1	keep information to themselves, even when, especially
2	illegal to write disparagingly about the "Grand Projet"	2	when, it is in the public interest.
3	and, indeed, ex-commissioners of the EU put their	3	Tony Blair described Labour's Freedom of Information
4	pensions at risk if they make adverse comments about its	4	Act as his greatest mistake but even the doors opened by
5	endeavours. That is freedom of speech Brussels style,	5	this legislation are being slammed shut by politicians
6	as embodied and carried out by the European Court of	6	and others who know how to get round it. Much
7	Human Rights.	7	government business is now conducted, not on traceable
8	Let me return to the issue of kiss-and-sell. We	8	but through e-mail and mobile phone calls on the hoof.
9	have been condemned for chequebook journalism, yet	9	The losers are not just diligent journalists but Her
10	I understand the best story in recent years, MPs'	10	Majesty's Loyal Opposition and the civil servants whose
11	expenses, was bought and paid for by the Telegraph, not	11	legitimate usual channels are blocked.
12	by a tabloid. Would human rights judges have stopped it	12	The biggest loser of all, if we go further down the
12	being published if MPs had got wind of it early enough,	12	road of regulation, is the British public. When dealing
13	and would that have been in the public interest?	13	with politicians, and increasingly the commercial and
14	Publishing news is not a public service, it is	14	industrial lobbyists, it is worth remembering
15 16	a ferociously competitive industry in a rapidly	15 16	Jeremy Paxman's famous mantra: "Why is this lying
10		10	bastard lying to me?" It's a crude question but it is
	shrinking market, but we do actually provide a public	17	
18 10	service. We turn complex subjects, politics, commerce,		the right point to start. Gagging the media on the
19 20	war, into crisp easily understood copy. The Sun's	19 20	pretext of the public interest is one way to ensure the
20	"Books for Schools", for instance, has been a boon for	20	public never learns the answer.
21	literacy. Professor Brian Cox, who writes for us	21	Thank you.
22	regularly, is encouraging a whole new Sun generation of	22	Presentation by BRIAN CATHCART
23	young scientists. We are proud of the way Help for	23	SIR DAVID BELL: Thank you very much, indeed. Our third
24	Heroes and our Millie Awards have transformed the image	24	speaker is Brian Cathcart, who has a lot of experience
25	of our armed forces, who today march home with their	25	as a journalist and since 2005 has been Professor of
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1	Journalism at Kingston University and played a key role	1	know what his neighbour looks like with her clothes off
2	in the campaign for an Inquiry into phone hacking.	2	but that doesn't entitle him to climb a ladder and peer
3	Brian.	3	into her bathroom.
4	BRIAN CATHCART: Good afternoon. I'm going to resist any	4	Yet a case for the interest of the public is
5	temptation I feel to respond and save that until later.	5	sometimes made, albeit obliquely. Two years ago, the
6	Two questions I have to address. (1) is there	6	then editor of the Daily Express, Peter Hill, was asked
7	a difference between the public interest and the	7	by the Commons Media Select Committee about the
8	interest of the public the same question that Trevor	8	reporting of the Madeleine McCann case and this is what
9	has been addressing and the short answer the short	9	he said:
10	answer to the first question, that question, is, yes	10	"The way that newspaper people work is that their
11	there is a difference. Forgive a teacherish moment but	11	job is to report on the events which are of interest to
12	we're talking about two distinct meanings of the word	12	their readers and, of course, this was of consuming
13	interest, two definitions. In one, we give our	13	interest to readers of all newspapers not just the
14	attention to something because it has the potential to	14	Daily Express. This is what newspapers do. Their job
15	do us good or harm. In the other, we are simply	15	is to sell newspapers. That is what they do."
16	curious. The distinction, for those of us who have been	16	Now, Mr Hill was not presenting this as
17	subeditors, will be familiar in the difference between	17	a justification in law, he wasn't in court, if I read
18	the negatives: disinterested and uninterested.	18	him right, he was offering it as a practical
19	For journalists there are subjects which are in the	19	explanation, journalists try to satisfy public
20	public interest, but which the public doesn't find	20	curiosity. We all recognise that, we all understand it.
21	interesting. Much of the running of the European Union	21	It can't be right, however, to suggest that because
22	would fall into that category, and equally there are	22	many people were interested in the McCann case it was
23	stories which interest the public but have no potential	23	automatically legitimate to go beyond the law or beyond
24	to make the reader better or worse off, and I think here	24	accepted Codes of Practice to report the next
25	of the activities of Jedward.	25	development. However great the public's appetite for
	Page 149		Page 151
1	Most news stories, I would guess, have a bit of	1	information on a given subject, it cannot simply
2	both, but we're concerned here not with most cases but	2	dissolve laws. It cannot suspend ethical codes. To
3	with hard cases, that minority of stories which involved	3	suggest that is to surrender to lynch law, or to use
4	journalists in bending or breaking rules or at least in	4	a more current point of reference: looters' law. As
5	being accused of doing so.	5	journalists, we can only break laws or breach codes if
6	Now, if journalists are citizens like everyone else,	6	we expect to deliver to society something more than
7	it cannot be right that they simply choose when to obey	7	fleeting gratification of curiosity or emotion,
8	laws and when not to. At the very least they must have	8	something that actually outweighs the offence.
9	justifications that are robust, recognised and	9	We have to show vein(?), in other words, we have to
10	consistent.	10	serve the public interest.
11	If journalists are not ordinary citizens but	11	It's a sorry reflection on the state of journalism
12	privileged ones, then the requirement is all the greater	12	that many practitioners say they are uncertain about the
13	and we have some privileges in law, we enjoy special	13	public interest. As a teacher, I'm inclined to wonder
14	access in many ways and our newspapers are exempt from	14	about the education and training that lies behind this,
15	VAT, not a small matter. Those privileges, which are	15	and it is a simple fact that the NTCJ has never taught
16	conferred on us by the public, carry with them an	16	ethics.
17	obligation to behave scrupulously, as the leader writers	17	But it also seems to me that very often the real
18	like to say "with rights, come responsibilities."	18	confusion is not between the public interest and the
19	So if we want to break the law, can the interest of	19	interest of the public but between public interest and
20	the public be a justification? Is it a defence to say	20	commercial interest. Proprietors, editors and newsdesks
21	that the story would be read by a lot of people?	21	have been putting sales before scruples in a way that
22	I don't believe there are any people here, I don't	22	they would not excuse in any other part of society. The
23	believe there are many people anywhere, who say yes to	23	argument is made that it's not possible to define the
24	that. We learn in childhood that wanting something is	24	public interest. In fact, every relevant body has done
25	not the same as having a right to it. A man may wish to	25	so, Ofcom, the BBC, the Press Complaints Commission to
	Page 150		Page 152

38 (Pages 149 to 152)

1	name just three.	1	the public interest and codes of ethics.
2	Some of their definitions are fuller than others but	2	The existence of this Inquiry is proof of a failure
3	they are remarkably similar in spirit. Journalists act	3	of public trust in journalism. Not just a failure of
4	in the public interest: first, when they expose	4	trust in one newspaper, either, but, in large parts of
5	wrongdoing and injustice and when they protect the	5	the industry in its ethical standards, in the mechanisms
6	public from danger; second, when they prevent the public	6	which exist to uphold those standards, and this failure
7	from being misled; third when they reveal information	7	didn't just occur in July. It has been coming for
8	which helps the public make decisions of importance.	8	a long time and it's associated, most recently, with
9	It's true that none of the definitions provides	9	scandals. We have heard them mentioned today:
10	absolute clarity for all journalists in all	10	Robert Murat, Kate and Gerry McCann,
11	circumstances but that's asking too much. The most	11	Christopher Jefferies, there are others.
12	carefully crafted contracts can be disputed in courts as	12	In such a crisis, we can't restore trust with denial
13	can acts of Parliament. Such disputes are expected, yet	13	or cover-up. No doubt, a new regulatory regime of some
14	we still write contracts, we still pass acts of	14	sort has a part to play, but I'm convinced that nothing
15	Parliament. There can't be a perfect definition, but	15	will make a greater difference than a change in the
16	that doesn't mean we can't have a workable one.	16	mindset and habits of journalists themselves, a change
17	It's not, in any case, the principles of public	17	which notably acknowledges the primacy of public
18	interest, the words and phrases, that cause us the	18	interest, the key importance of public interest.
19	difficulty. More than anything else, it's	19	I'm sure that a majority of journalists, in their
20	proportionality to illustrate. Could it ever be	20	hearts, are fundamentally motivated by public interest,
21	ethically acceptable for journalists to intercept	21	but having it in our hearts isn't enough. As
22	voicemail messages? The answer, in my view, is yes, but		journalists, we don't accept that it's enough for MPs or
23	the return on such an invasion of privacy would need to	23	doctors or railway operators, or you name it, to mean
24	be proportionate. The story would have to be one of	24	well. We need to know that they operate in ethical and
25	very high public interest, and I'm aware, by the way,	25	socially responsible ways and that they are accountable
	Page 153		Page 155
1	that there is no public interest defence for hacking,	1	for what they do. If journalists, when they work on
2	I'm giving a view on proportionality.	2	stories of all kinds, learn to consider the public
3	The courts are already familiar with the work of	3	interest, in the way that they consider, or at least
4	assessing proportionality and you can find it has been	4	that they should consider fairness and accuracy, or the
5	mentioned a good example in the judgment given last week	5	risks of libel and contempt, then that would be a step
6	in the Rio Ferdinand, Sunday Mirror case. The	6	towards rebuilding trust.
7	footballer's privacy had been breached but was that	7	Now, many will say they already do that, but we need
8	breach justified by the circumstances? I recommend	8	to go further. We need also to be transparent and
9	that, if you haven't, go and read Mr Justice Nichol's	9	accountable as we ask others to be. For example,
10	judgment in its entirety. He goes through it with great	10	ethical and public interest considerations should be
11	care and, in the end, he finds for the newspaper and he	11	frankly discussed in the newsroom when they arise and
12	endorses, as he does so, the paper's arguments about	12	those discussions, and any decisions that follow, should
13	hypocrisy and about the England captain standing as	13	be placed on the record at the time. That way, not only
14	a role model.	14	might ethics be taken more seriously, but there would be
15	It's not a revolutionary change in the attitude of	15	proof that it was. Would this slow down newsrooms?
16	the bench, it simply isn't. If you read the judgment	16	Perhaps, but not much in the electronic age, and we
17	and go through the links, it's built on lots and lots of	17	insist that the police and doctors do such things. Are
18	other case law and the process of the intense focus that	18	we more important than they are?
19	goes into establishing proportionality is very clear.	19	Now, that's just an example of a measure to embed
20	Now, only the hardest of hard cases can be left to	20	the public interest and the ethical codes in
21	the courts and, in any case, given the very limited	21	journalistic practice in a way that would help restore
22	access to justice in this country, only a small minority	22	the public trust that has been lost. It's certainly not
23	of cases will find their way there anyway.	23	the only possibility and no doubt others will be
24	This brings me to the second question I've been	24	discussed but, make no mistake, there's no ducking
25	asked to address, which is about the connections between	25	change in the culture of journalism now. If these
1	Page 154		Page 156

1	issues continue to be blurred, if the public interest is	1	still have journalism, in my view, as stenography, huge
2	treated as an afterthought, as a fig leaf to be	2	amounts of valiant exceptions to the rule but that,
3	retro-fitted to stories, for the benefits of the courts,	3	I would also venture to suggest, is an area to pursue.
4	as we know it sometimes is, and if the public is left to	4	I'll just end on this tiny anecdote. A political
5	continue with the impression that much of our journalism	5	journalist known to us all, who then went off to be head
6	is about what sells and nothing more, then restoring	6	of news at a government department and this was in
7	trust will be much more difficult and, inevitably, it	7	the early 2000s and it was a week when Tony Blair was
8	would depend much more on the force of regulation.	8	getting a real kicking across the media about a series
9	Thank you.	9	of issues going on, and I said to him it was his
10	SIR DAVID BELL: Thank you very much. So we are going to	10	first week in the job, and I said "God, what must it be
11	divide our discussion into two bits: the first bit,	11	like in that department, tin hats on, all this kind of
12	picking up where Alan left off and then, after tea,	12	stuff", and he laughed and he said "One thing I have
13	going back to those two presentations about the public	13	come to discover in my new job is that on a good day you
14	interests and the issues that arise from that.	14	lot, journalists, find out perhaps 1 per cent of what
15	Who would like to kick off on the question of the	15	went across my desk". So I just simply leave that
16	importance of a free press and the points that Alan was	16	thought with you, that when one talks about, as
17	making?	17	legitimately the Inquiry will be doing, all areas of
18	QUESTIONS FROM THE FLOOR	18	regulation, of public interest, et cetera, also don't
19	JOHN KAMPFNER: Thank you very much John Kampfner, Index or	ı 19	forget the inherent weaknesses and the inability of
20	Censorship. You very kindly invited me to give	20	journalism, to use that old cliche, to hold truth to
21	a presentation next week on free expression, so I just	21	power.
22	had two points to pick up on Alan Rusbridger's remarks.	22	ELINOR GOODMAN: I don't think Simon Calder(?) is here and
23	The first, when he was warning, quite rightly,	23	I think he is the only editor that I have read who has
24	against notions of licensing, he referred to history,	24	endorsed the idea of licensing. I just wonder if there
25	British history. I would also seek to refer the Inquiry	25	are any other views on the issue of licensing, which
	Page 157		Page 159
1	and the audience to the present day and to international	1	Alan raised.
2	presidents. We have we monitor free expression curbs	2	IAN WALDEN: Ian Walden, Press Complaints Commission. The
3	around the world, and one can always talk rhetorically	3	point I wanted to raise about licensing is, of course,
4	about Zimbabwe, Syria and countries of a greater	4	part of the concern of the regulatory regime is what
5	censorship. We also have licensing in the	5	happened with Northern & Shell withdrawing from
6	European Union, we have extraordinary restrictions in	6	jurisdiction in respect of the Press Complaints
7	Italy and France and elsewhere, and we have, last year,	7	Commission, and there's been talk about how you get the
8	a new media law in Hungary, that revolved around	8	newspapers to participate in a self-regulatory system
9	licensing and it has produced an extreme version of	9	and, therefore, that is why that has driven some of
10	a chill on free expression and the European commission	10	the debate in respect of co-regulation.
11	chose to be powerless to do anything about it.	11	Of course, any sort of mandated participation,
12	The second point, I just wanted to again, not to	12	through some sort of subscription system, or some sort
13	pre-empt either the discussion between the divergent	13	of levy, inevitably has a feeling of a licensing scheme,
14	views of Trevor and Brian but to talk just a tiny bit	14	so I think one of the challenges to you as the Inquiry
15	about the weaknesses of journalism. In my decade or	15	is to see where you can get a line between mandation and
16	longer in the lobby, Westminster lobby, but I think it's	16	participation, whether in co-regulation or
17	replicated in City journalism, sports journalism,	17	self-regulation, without giving a flavour of licensing,
18	anything else, it was a weakness of journalism, it was	18	without acting as a barrier to entry.
19	an excessive pliability, gullibility of journalists,	19	Thank you.
20	a great reluctance to bite the hand that fed. One could	20	ELINOR GOODMAN: Any more on licensing? In the front here,
21	read a byline and one knew instantly who the political	21	Brian.
22	operator was that planted the story.	22	BRIAN CATHCART: Just two observations about licensing. One
23	Often the stories were deliberately false. They	23	is, it isn't all that long since most journalism was
	were there to do down another politician, "Minister X is	24	a post entry closed shop, and you had to have, as you
24	*		
24 25	performing badly, sources say", and you had and you Page 158	25	heard earlier, an NUJ card, for the most part, to Page 160

40 (Pages 157 to 160)

1	practice. I'm not in favour of licensing, I don't think	1	involved at a very early stage in the process in terms
2	it's a good idea, but it's not all that alien from what	2	of whether we would have law on our side, what happened
3	many people in this room experienced once, for what it	3	if an MP sought an injunction and, from the outset,
4	is worth, as I say.	4	weeks before we went into publication, the lawyers
5	The observation is about, you know, the we talked	5	took were alongside us and took a very clear view and
6	about the history of the press and Alan rightly referred	6	gave excellent guidance, which we were very happy to
7	to events in the 17th century. I would just say that	7	follow.
8	nobody I'm second to nobody in my pride in the	8	GEORGE JONES: Do you think that, as an instance is,
9	history of the free press in this country and of the	9	something which you know reinforces what you think is
10	journalists who fought for it, but it would be wrong to	10	a free press and the right of what you would think is
11	imagine that Wilkes and Cobbett went to jail and went	11	the press to possibly "break laws" or take action, which
12	into exile to protect the sorts of activities we've been	12	they can defend in the public interest?
13	talking about today.	13	TONY GALLAGHER: Well, bear in mind that if that information
14	GEORGE JONES: When we talk of free press and	14	had not come out, a number of MPs would not have gone to
15	Trevor Kavanagh mentioned the Daily Telegraph and	15	jail, so they were covering up information that was
16	I think anybody here would agree it's a very bold	16	incredibly in the public interest. It did enormous
17	decision that it took on MPs' expenses. I mean, I don't	17	damage to a number of MPs in the House of Commons
18	know whether Tony Gallagher, in terms of what Alan has	18	a small number of whom went to jail and some of whom for
19	said, would be prepared to share the kind of thinking	19	whom criminal action remains outstanding. So the case
20	that went through his head. I mean, it you know,	20	for the public interest would be very hard to dispute.
21	I think other newspapers offered this and said they	21	GEORGE JONES: Did you think at the time that it would have
22	weren't going to do it because it might break	22	the explosion, as it were, and the impact that it was?
23	would've been breaking the law I don't want to place	23	TONY GALLAGHER: Not in a million years. You know, it was
24	you in an embarrassing position but, since we're talking	24	the story of the story of a lifetime. None of us
25	about a free press, is there any thought you feel you	25	thought it would have the kind of impact and resonance
	Page 161		Page 163
1	could give us? Did you have lots of sleepless nights	1	that it would have, to the point where we're still
2	or, in the end, did you just think this is a story,	2	talking about it today and there is still criminal
3	we're gonna go for it?	3	action outstanding against one MP, in my certain
4	TONY GALLAGHER: I mean, it's only right to say I wasn't the	4	knowledge.
5	editor at the time the ultimate decision was taken, but	5	ELINOR GOODMAN: Can I ask going back to Alan's opening
6	I was intimately involved in the process and, I think,	6	remarks? To what extent do people feel in any way
7	put simply, without taking up too much of everybody's	7	constrained by the existing laws in making it more
8	time, the case for the public interest was overwhelming,	8	
9		0	difficult to hold individuals in governments to account
-	the evidence of what we thought was criminality was very	9	difficult to hold individuals in governments to account and perform the role as a press. Is that an issue?
10	the evidence of what we thought was criminality was very clear and the public's right to know was utterly		-
		9	and perform the role as a press. Is that an issue?
10	clear and the public's right to know was utterly	9 10	and perform the role as a press. Is that an issue? Some people quote the Defamation Act.
10 11	clear and the public's right to know was utterly overwhelming. The fact that other newspapers passed on	9 10 11	and perform the role as a press. Is that an issue? Some people quote the Defamation Act. TONY GALLAGHER: Do you wish me to respond?
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1	for superinjunctions, all make it much harder. I'm sure	1	Going back to Alan's point, right at the start,
2	others will have more experience in that than me though.	2	about 400 years of fighting for freedom of the press,
3	GEORGE JONES: As a day-to-day editor what is the main	3	bear in mind, way back with the Bill of Rights, that's
4	is it what you would see as the privacy or the	4	when freedom of expression was mentioned for the first
5	development from privacy law that now is the most	5	time.
6	impinges most upon you and your time with the lawyers	6	100 years later in America, when they came to write
7	before you publish stories?	7	their constitution, their First Amendment actually
8	TONY GALLAGHER: I mean, it's getting it accurate getting it	8	referred, specifically, to the freedom of the press and
9	right, rather than any of the above. If you get a story	9	I think that's one issue that we need to look at,
10	wrong, it's far more onerous than anything else, but	10	because if you go out into the streets now and you say
11	it's embedded now in our working lives in a way that	11	to the public "Are you in favour of freedom of
12	these things weren't even five years ago.	12	expression", everyone would say, "Of course, we are in
13	BOB SATCHWELL: Bob Satchwell Society of Editors. Can	13	for freedom of expression". If you go out on the street
14	I just pick up on that point about the chilling effect	14	and say "Are you in favour of freedom of the press or
15	of law?	15	freedom of the media" they will say, "yes, but" and
16	Perhaps the simplest way of looking at it I mean,	16	therein lies the danger, because, as Alan says, and lots
17	I got into journalism 40 years ago and there's a little	17	of other people have made the point today, the free
18	book called the Essential Law for Journalists. It's	18	press plays a very important part in democracy and we've
19	about 100 pages thick. Now, you have to have, sort of,	19	got to rebuild in the public mind why the press has to
20	half a degree in law to get through all of the all of	20	be free.
21	the law which affects journalism and newspapers some	21	LIONEL BARBER: Yes, Lionel Barber, the editor of the
22	newspapers probably spend almost as much on their	22	Financial Times and a daily reader of the Daily Mail and
23	lawyers as they do on their journalists and the chilling	23	other tabloids.
24	effects are, actually, largely to do with costs.	24	Could I just offer a couple of observations as
25	I mean, it's not just the bald point about libel, but	25	an editor covering largely business and financial news
	Page 165		Page 167
1	it's contingency fees, no win, no win no win, no fee	1	from around the world.
2	agreements, which basically have stopped newspapers,	2	First, libel is a serious problem for us because we
3	particularly at all levels, all levels of journalism	3	cover rich people, sometimes resident in the City of
4	doing some stories.	4	London, who are determined to protect their reputations
5	In some regional papers I know, if a letter arrives	5	and who have no interest in the press asking how they
6	from a lawyer, you know they go into a mild panic, or	6	acquired their hundreds of millions of pounds, and these
7	a big panic, actually, and say, "Well, let's get rid of	7	people, who can resort to law firms who specialise in
8	this as quickly as we can", because they won't want the	8	what is called "reputation management", who are
9	costs to build up.	9	extremely aggressive and who will demand that articles
10	Very good law, the idea of giving people access to	10	are removed forthwith, within 12 hours, otherwise
11	justice, and it wasn't meant to constrain journalism but	11	proceedings will start, and this can result or does
12	there are these unintended consequences. The unintended	12	result in regular large amounts of time in dealing with
13	consequences of the Bribery Act, where politicians sort	13	these complaints, but also, referred to it earlier, huge
14	of tried to make clear at the outside, I think or,	14	costs.
15	certainly, they said to me it's nothing to do with	15	There does come a point where you have to weigh the
16	journalism, but I know that there are many journalists	16	consideration of cost against the disadvantage of
17	now who are concerned they can't buy someone a cup of	17	a protracted battle and what happens then is the
18	tea, and they certainly wouldn't be able to pay	18	laundering of reputation and it's extremely concerning
19	a whistleblower, where the story was absolutely in the	19	to me in my six years as editor of the FT.
20	public interest.	20	Second, and I know Alan Rusbridger has been has
21	So the idea that the idea that there aren't huge	21	referred to this as well. It's a serious problem about
22	constraints, in fact, they have been building, you know,	22	the law of confidentiality in dealing with supposed
23	is quite clear. I think just one one that	23	financial reporting, which is considered by the
		24	authorities an abuse of markets. This affects all
24	probably is the most dangerous point at the moment.		
24 25	That's why we've got to roll back the time. Page 166	25	financial journalists at the moment. It's got more Page 168

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1	serious because the regulatory authorities want to	1	regulation or organised crime, which they will not go
2	abandon soft touch regulation, light touch regulation,	2	near. So there's a huge at the visit there not just in
3	and seem to be coming down hard on insider trading.	3	the day-to-day publishing of the newspapers but in the
4	In my view, and this is shared by some editors, the	4	broader information that is available to the public
5	current regulations are seriously detrimental to free	5	through very credible book publishers, which is also
6	speech and the exchange of information, not for	6	being simply taken out of the public domain, because of
7	investors, not institutions or insiders, but for	7	these very threatening and chilling laws. Thanks.
8	investors as a whole. So I would ask the panel to take	8	ELINOR GOODMAN: Can I just briefly go back to
9	a look at that.	9	Bob Satchwell? Can you just very briefly, what is
10	Just to sum up, one person a very quick personal	10	the problem in the no win, no fees, in relation to the
11	experience. Financial Times acquired the prospectus for	11	kind of case that you're dealing with?
12	the sale of the Northern Rock after it was collapsed	12	BOB SATCHWELL: Well, in simple terms, it's that balance
13	in in late 2007, and the financial the bank	13	where where it's judged that it's simpler to settle
14	advising Northern Rock took out an injunction and	14	a legal action. When you've got a perfectly
15	prevented that document from being details of it	15	a perfectly good case, you've got all the facts, all the
16	being published, even though this was being circulated	16	evidence there.
17	to interested parties around the world. We decided not	17	ELINOR GOODMAN: Why does no win, no fee make it worse
18	to fight that. I think, in retrospect, it was	18	BOB SATCHWELL: Well, it makes it worse because the bills
19	a mistake.	19	build up so fast and so long there's no interest in
20	JONATHAN HEAWOOD: John Heawood, English PEN. With Index or		trying to settle the case at an early stage. Some
21	Censorship, we were behind the libel reform campaign.	21	lawyers will probably argue differently, but that's not
22	I just want to add to the points about the chilling	22	been the experience of the industry, and it's certainly
23	effect on the press, just to, kind of, to emphasise to	23	that there's also the incidence of after the event
24	the panel and to Lord Justice Leveson that, if anyone	24	insurance and so on. The bills become so big and so
25	takes away the impression from the scandal affecting the	25	a simple judgment is made that it's better total than
	Page 169		Page 171
1	News of the World and, perhaps, other newspapers, the	1	face a huge, huge legal bill.
2	idea that we need tougher media laws, for instance,	2	STEPHEN WHITTLE: Stephen Whittle, I'm going to give a very
3	libel, they need to be very aware that these laws now	3	simple example of a CFA in action which affected the BBC
4	affect the press. It's only a very small contingent of	4	when I was controller of editorial policy. It concerned
5			
	the people who are chilled and potentially silenced by	5	a 12 second piece of speech on a regional news
6	the laws. We've seen scientists, medical researchers,	5 6	programme. It was the subject of a CFA supported
7	the laws. We've seen scientists, medical researchers, NGOs, charities, citizen journalists, bloggers and		programme. It was the subject of a CFA supported action, which meant that the law firm involved was on
7 8	the laws. We've seen scientists, medical researchers, NGOs, charities, citizen journalists, bloggers and others who are forced to take material down, which may	6	programme. It was the subject of a CFA supported action, which meant that the law firm involved was on uplift of 100 per cent of its fees and the BBC
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1	Also, Tony has been talking about the public	1	that's part of the dilution, or the reason behind the
2	interest, for example, the public interest over the	2	dilution of the ethical conduct.
3	publishing of the MPs' expenses. We can all agree that	3	Let's not forget the reason why we're actually here
4	it absolutely was in the public interest to reveal	4	today and the reason is because of the unacceptable
5	evidence that was evidence of criminality by MPs. On	5	conduct of a section of the print media, and whilst
6	the other hand, was it in the public interest to go on	6	I started by saying I endorse and I believe in a free
7	and on and on and to so undermine the work that MPs do	7	press, which is absolutely vital, it is the checks and
8	and the standing of MPs in society that they've been	8	balances that match that freedom, and the way in which
9	lowered to worst than journalists?	9	it's applied and upheld by those that have the
10	I'm not saying it was wrong and I'm not saying it	10	responsibility for undertaking the role of within the
11	was right. What I'm saying is I think these are much	11	print media.
12	wider issues and I think almost philosophical issues,	12	To use the examples of CFAs as being something that
13	and I think there's a danger with what's been going on	13	are unacceptable or the unacceptable face of the checks
14	since the phone hacking broke and with how the Inquiry	14	and balances, as a sort of a mantra for why is the press
15	might go, is to look as if there are absolute answers to	15	should carry on in the way they're going, is absolutely
16	things, right or wrong. Frankly, you need the freedom	16	nonsense, frankly. The only time that a CFA has
17	of the press to be able to say whatever it is, whether	17	an effect on a newspaper is when it loses an action.
18	it's, you know, Trevor and I disagreeing about something	18	It's not an effect if you actually have a strong and
19	or whether it's the MPs disagreeing with the Telegraph	19	a case in which you believe. When the Jackson Inquiry
20	or what we do. It's only the freedom of the press which	20	looked at the statistics and they did it empirically,
21	allows that to happen in the free society.	21	they looked into the statistics of what were the
22	SIR DAVID BELL: I wonder if there are any lawyers here who		chilling effects of that kind of feature they found,
23	would like to respond any of this, because I think their	23	actually, there were relatively few cases.
24	voice hasn't so far been heard.	24	So the point is it comes home to the print media to
25	GRAHAM SHEAR: Hello, my name is Graham Shear, I am	25	take on board its responsibility and accountability and
	Page 173		Page 175
1	a commercial litigation partner of Berwin Leighton	1	for us and the Inquiry to find ways and means to have
2	Paisner. I've acted for claimants against the	2	a correct and appropriate balancing effect so that the
3	newspapers and other media for about 20 years. I'm also	3	freedom of the media can continue whilst it remains
4	a claimant in the News International actions and I act		
	a claimant in the News international actions and I act	4	accountable and we don't have the excesses which caused
5	for several claimants in those actions.		
5 6		4	accountable and we don't have the excesses which caused
	for several claimants in those actions.	4 5	accountable and we don't have the excesses which caused this Inquiry.
6	for several claimants in those actions. I find what's being said this afternoon very	4 5 6	accountable and we don't have the excesses which caused this Inquiry. GEORGE JONES: Can I just ask, as you raised these two
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6 7 8 9	for several claimants in those actions. I find what's being said this afternoon very interesting. I strongly believe in a free press but what I hear repeated over and over again are the merits of freedom but without the words that should be tagged	4 5 6 7 8 9	accountable and we don't have the excesses which caused this Inquiry.GEORGE JONES: Can I just ask, as you raised these two issues of accountability and responsibility, what what do you actually want to see? I mean, they're fine words, but in your experience, what would have been the
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	24	that people have read on the web and when companies,	24	Thank you.
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	1	Page 178		Page 180

45 (Pages 177 to 180)

1	To back up to some of the things that have been said	1	be based on, what are the pillars?
2	already in terms of the need for greater freedom for	2	It was very interesting listening earlier this
3	public interest journalism, I think there is	3	afternoon that there were some people who were saying
4	an extremely strong case for that, for reform for	4	all newsrooms are actually the same and the values and
5	greater protection and in cases such as Amelia Hills who	5	the process is very similar, whoever you're working for,
6	is here today and for protection for journalistic	6	and others who were saying that absolutely is not the
7	sources. But I think we need to distinguish that, as	7	case, and it would be very helpful for us to explore
8	I'm sure we're going to do later this afternoon, from	8	this issue of whether there is a kind of corpus(?) basic
9	freedom around intrusion on privacy and, in particular,	9	journalistic ethic and, if so, what everybody feels
10	phone hacking and the fact that what we're really	10	should be part of it, which was the second half of what
11	talking about here is, in some ways, too much freedom in	11	we were going to be talking about this afternoon. Maybe
12	one particular newsroom and possibly more, and	12	we could focus on that and we thought it might be
13	especially, in terms of freedom, it seems from almost	13	interesting to start is Stewart Purvis here?
14	any accountability and Alan Rusbridger spoke eloquently	14	STEWART PURVIS: Yes.
15	about the lack of accountability from regulators, from	15	SIR DAVID BELL: Simply to look at another environment in
16	police from politicians and from all of the press.	16	which the ethics, the ethical code is, if you like, more
17	Just to bring in, if I could, the public have been	17	set out, in contrast to the way it is in newspapers, and
18	mentioned quite a few times today, the public interest	18	just to take it from there. So would you mind starting
19	and also what the public believe. I thought it was	19	off?
20	worth quoting a couple of statistics of what the public	20	STEWART PURVIS: Well, David, just to explain to those who
20	actually responded, and these were gathered before the	21	don't know me, my background is in broadcast journalism
21	first revelations about phone hacking, so these were	22	but I have been involved in the print media from time to
22	gathered in 2009, a few months before Nick Davies' first	23	time. In fact, I have to confess that my first job in
23	revelations.	24	journalism was working for a provincial news agency in
24	The first is to do with in answer to the	25	Devon that used to sell stories about dirty vicars to
25	Page 181	25	Page 183
	1 450 101		1 450 105
1	question: do you think there are far too many instances	1	Sunday papers, which is about as down below as you can
1 2	question: do you think there are far too many instances of peoples' privacy being invaded by newspaper	1 2	Sunday papers, which is about as down below as you can get.
2	of peoples' privacy being invaded by newspaper	2	get.
2 3	of peoples' privacy being invaded by newspaper journalists? 70 per cent of people said "Yes, there	2 3	get. So, against that background, it is worth saying
2 3 4	of peoples' privacy being invaded by newspaper journalists? 70 per cent of people said "Yes, there was". The second is very relevant to the question about	2 3 4	get. So, against that background, it is worth saying quite clearly that there are two completely different
2 3 4 5	of peoples' privacy being invaded by newspaper journalists? 70 per cent of people said "Yes, there was". The second is very relevant to the question about judges and judges' right and responsibilities to make	2 3 4 5 6	get. So, against that background, it is worth saying quite clearly that there are two completely different traditions. The tradition of the broadcast regulated
2 3 4 5 6	of peoples' privacy being invaded by newspaper journalists? 70 per cent of people said "Yes, there was". The second is very relevant to the question about judges and judges' right and responsibilities to make judgments around privacy. The opinion survey by	2 3 4 5 6	get. So, against that background, it is worth saying quite clearly that there are two completely different traditions. The tradition of the broadcast regulated space, based on scarce spectrum, based on the fact that if you wanted to broadcast there was only so much
2 3 4 5 6 7	of peoples' privacy being invaded by newspaper journalists? 70 per cent of people said "Yes, there was". The second is very relevant to the question about judges and judges' right and responsibilities to make judgments around privacy. The opinion survey by Ipsos Mori asked: "Do you think newspaper editors can be	2 3 4 5 6 7	get. So, against that background, it is worth saying quite clearly that there are two completely different traditions. The tradition of the broadcast regulated space, based on scarce spectrum, based on the fact that
2 3 4 5 6 7 8	of peoples' privacy being invaded by newspaper journalists? 70 per cent of people said "Yes, there was". The second is very relevant to the question about judges and judges' right and responsibilities to make judgments around privacy. The opinion survey by Ipsos Mori asked: "Do you think newspaper editors can be trusted to ensure their journalists act in the public	2 3 4 5 6 7 8	get. So, against that background, it is worth saying quite clearly that there are two completely different traditions. The tradition of the broadcast regulated space, based on scarce spectrum, based on the fact that if you wanted to broadcast there was only so much capacity and, therefore, there had to be a regulatory regime put in to decide who could broadcast, and the
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1	a United States model, which is completely different,	1	within that regulatory space.
2	and obviously in Commonwealth countries people have	2	So I think that is possibly a challenge to be taken
3	tended to follow the British model.	3	up, could you have the best of both worlds, if you like,
4	Now, what is quite striking to somebody who has	4	something which is recognised, which has incentives to
5	mostly been in broadcasting but has been in print as	5	belong to it, but isn't actually the kind of
6	well is how surprisingly comfortable the two separate	6	interventionist state regulation that the press fears so
7	traditions sit alongside. I do remember once being on	7	much.
8	a flight with David English and Max Hastings and	8	So, in conclusion, you would be surprised how many
9	John Birt and we were the two broadcasters sitting on	9	people, how many active broadcast journalists, quite
10	one side of the aircraft and sitting next to us were	10	like being within the Ofcom style regime, given that
11	English (inaudible) and they absolutely hammered us.	11	some of them came from a regime which is much more
12	They saw us as being weak, basically not being prepared	12	relaxed and much loser. Why do they do that? I think,
13	to get up and attack people, not having an agenda. So	13	frankly, the regulator I don't work there any longer,
14	I'm not saying there aren't tensions between the two	14	and I just happen to be sitting next to the chief
15	but, by and large, they sat alongside each other.	15	executive, but that's a coincidence, he just sat down
16	But for those who are inside the broadcasting	16	they respect the regime, they respect the people who run
17	regulation framework, they absolutely understand the	17	it, they respect the judgments that go with it and when
18	rules of the game. The most striking example of this is	18	I, for instance, have argued for a more deregulatory
19	Richard Desmond, who does not recognise the jurisdiction		regime, which I did in a lecture last year, hardly
20	of the PCC in any way shape or size, completely	20	anybody took up a cry for a deregulated content
21	recognises the jurisdiction of Ofcom. He meets Ofcom,	21	regulation system within broadcasting. I was very
22	he obeys Ofcom rules occasionally when his adult	22	surprised.
23	channels have breached Ofcom rules they have eventually	23	You can conclude from that that there are a whole
24	paid their fines, et cetera. So he doesn't appear to	24	group of people who have become so sated with statutory
25	have a problem with regulation when it's a part of the	25	regulatory they just don't know any other version of it,
	Page 185		Page 187
1	way of doing business, he appeared to have problems	1	or they know the system they don't want a different
2	about the PCC and the way it works and outside that, it	2	system, but there is no outcry saying "Release us from
3	seems to me to be a serious problem which any future	3	these terrible statutory regulatory bonds and allow us
4	model has to resolve, if you like, the Richard Desmond	4	to be regulated in the same way that newspapers are".
5	issue.	5	I hope that's helpful.
6	But for those inside the broadcast model I think	6	MARK JEMPSON: Mark Jempson, again. I thought it would be
7	the interesting thing Steve Barnett may want to speak	7	interesting working in lots of different countries and
8	to this it's interesting whether broadcast	8	looking at the different regulatory codes. In answer to
9	journalists feel as inhibited by the law which applies	9	your question, there are a number that appear in almost
10	to both, as was implied in the session just before. My	10	every single one. I just jotted down: one of them is
11	instinct is that they don't feel that this chilling	11	accuracy and putting things right, it's usually right at
12	effect is quite so chilling. They feel that they know	12	the top; defending press freedom is in there and that
13	what the Ofcom rules are, they know they have to follow	13	includes defending sources; avoiding plagiarism is
14	them and they know that litigation can apply to them the	14	an interesting one that crops up less here and more
15	same way it would to the press, but if they were here	15	elsewhere, but that is partly to protect peoples'
16	they would put a different perspective on it.	16	livelihood; respecting privacy appears in one form or
17	So where does that take us? It takes us to the fact	17	another; avoiding discrimination and distinguishing
18	that, to me, the challenge is whether you can have	18	between facts and comment, I would have said those are
19	a regime which is statutory but which the state does not	19	the key elements of almost every single code that exists
20	get involved in and I'm organising an event later,	20	around the world.
21	1 November, where I'm bringing over a couple of people,	21	STEVE BARNETT: Steve Barnett. Just following up from what
22	including one from Ireland, where there is a regime	22	Stewart was saying, I just want to emphasise that, for
23	which is not statutory in the sense that the state runs	23	me, the important thing about broadcast journalism is
24	the regulatory system but it recognises the regulatory	24	and what we might learn, in terms of a read across, is
25	system and it provides incentives for people to work	25	not about the impartiality regime, and I think the
1			Page 188
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1			
1	answer to Stewart's question about why there wasn't	1	obvious point that, certainly, the area of impartiality,
2	a follow-up to his call for deregulation is that,	2	with the multiplicity of video outlets through the
3	actually and Elinor might have a view on this	3	Internet, and elsewhere, there clearly comes a point
4	an awful lot of television journalists understand that	4	where, to apply the sort of restrictions on due
5	regulation act as a liberating mechanism for an awful	5	impartiality that govern ourselves and ITV and Channel 4
6	lot of good television journalism. Because the	6	and the BBC, wouldn't be appropriate. I mean it still
7	regulatory structures are, there you can have programmes	7	beats me why Guido Fawkes(?), whoever it is, can't
8	like Dispatches on Channel 4 and nobody would accuse	8	actually get it together to have a channel with their
9	Channel 4 of being chilled, in terms of its approach to	9	particular sort of political opinion and I certainly
10	current affairs and free speech.	10	wouldn't want to stop that.
11	So if the argument against some kind of stricter	11	I mean, it does seem to me, perhaps it's because you
12	regulation is it will chill free speech, it will prevent	12	phrased this afternoon in terms of interest, that
13	watchdog journalism, television demonstrates that is	13	everyone is getting tied up a little bit in knots.
14	simply not the case and television journalists, as	14	I mean, what we do in television, I think, is we seek to
15	Stewart has said, are not only comfortable within those	15	inform and, you know, people can decide afterwards
16	structures, they like those structures because they see	16	whether it's in their interests or whether, indeed, they
17	them as liberating. A quick commercial break:	17	are interested in it and I suspect that that is really
18	I actually have a book coming out on television	18	what much of the print media do as well, and the
19	journalism next month, which is if Claire can do it	19	question which slightly worried me, in some of the
20	this morning, I can do it this afternoon.	20	friendly fire coming in, you know, the mention was made
21	Just one more point, if I may. I don't actually	21	of, well, we had the closed shop a few years ago, well,
22	think there is a direct read across in terms of having	22	we didn't think the closed shop was a particularly good
23	Ofcom an Ofcom-type structure, an Ofpress. I really	23	thing. I don't think that's a particular reason for
24	don't. There is a compromise and I hope that this	24	bringing it back.
25	committee will see the grey areas between the black of	25	As far as sanctions, you know, you people perform
	Page 189		Page 191
1	statutory reculation on the one hand and the white of	1	in the listic line had been the second as the discussion
1	statutory regulation on the one hand and the white of		journalistically badly, they can get sacked or they can
2 3	complete self-regulation on the other.	$\begin{vmatrix} 2 \\ 2 \end{vmatrix}$	get prosecuted. I don't understand why there seems such
4	For me, one of the models is the way the law is the way lawyers are now regulated. They were dragged	3	an obsession, in certain corners of this room, to create
5	kicking and screaming into the 20th century through the	4	a whole new legislative framework. I mean, you know, it
6		5	seems to me that common law and professional standards are the way to do this.
0	Clamenti report. They are now solicitors, as	6	are the way to do this.
0	I understand it, are now self-regulated through the SRA		-
8	and that is the way we can have a system of	/	SIR DAVID BELL: We don't want to lose sight of this
	and that is the way we can have a system of	8	SIR DAVID BELL: We don't want to lose sight of this question of ethics, really because that was the subject.
9	self-regulation. Behind the SRA sits the legal services	9	SIR DAVID BELL: We don't want to lose sight of this question of ethics, really because that was the subject. Yes.
10	self-regulation. Behind the SRA sits the legal services board, which does have statutory is bound by statute.	9 10	SIR DAVID BELL: We don't want to lose sight of this question of ethics, really because that was the subject. Yes. STEVEN WHITTLE: Steven Whittle. I should say, from the
10 11	self-regulation. Behind the SRA sits the legal services board, which does have statutory is bound by statute. Parliament has dictated what the LSB should do, but	9 10 11	SIR DAVID BELL: We don't want to lose sight of this question of ethics, really because that was the subject. Yes.STEVEN WHITTLE: Steven Whittle. I should say, from the outset, a negative identification because hard pressed
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1	principles that lie at the heart of this and the two	1	In a previous role at Bournemouth Media School,
2	stage process is, first of all, can you justify the	2	I did some research on how people interview people, how
		2	journalists interview people, and one of the big things
3	infringement in the first place and, secondly, can you instifut what you then want on to broadcast? That brings		that came out of that research was an industry-wide
4 5	justify what you then went on to broadcast? That brings	4 5	reluctance to talk about these issues through. So
	with it, in the wake of that principle, certain		-
6	practical actions which have to do with what Brian was	6 7	a standard response would be "Ah, well, it's all common sense, it's a journalist who has been doing that for
7 8	talking about earlier, in terms of proportionality, and that is, first of all, you have some reasonable evidence	8	15 years". But in another part of the interview, when
8 9	to pursue the cause you are pursuing, secondly you are	8 9	I asked what was it like the first time you had to do
10	doing it in a proportionate way, thirdly that you can	9 10	a death mark and knock on a family's door and find out
10	demonstrate the process that you went through, in order	10	what happened, they would say, "Oh, it was terrible,
11	to get to where you got and in order to get to what you	11	I didn't know what to do, I hid in the toilet,
12	published.	12	I couldn't work out to say". So that common sense came
13	That is not an infringement on freedom but	13 14	through 15 years of professional practice and it wasn't
14	a demonstration of responsibility and accountability and	14	discussed.
15	I don't think there's been a single major broadcast	16	So Brian said this earlier today, it is really
10	investigation that has, in any way, fallen foul, whether	10	initially to do with the profession owning its own
18	it's Olympic fixing, whether it's the investigation of	18	ethical codes as well. So, kind of, put regulation
19	the police and racism, whether it's the investigation of	19	aside for one moment and it is a question of training
20	counterfeit forges, it's the principle of being able to	20	and how individual journalists own these issues, and to
20	demonstrate that what you're doing is clearly in the	20	the extent that they talk about them, and whether they
21	public interest and, of course, the difficulty is around	22	can find ways of resisting pressure from perhaps editors
23	the question between the public the important public	23	and other people to follow best practice.
23	good around private life and the important public good	24	Last week, I was in Northern Ireland and I was
25	around freedom of information.	25	attending workshop with journalists who had spent
23	Page 193	23	Page 195
			-
1	There are checks and balances which have to be	1	25/20 years according the Troubles and it wasn't so much
			25/30 years covering the Troubles and it wasn't so much
2	applied by someone. Currently, they are being applied	2	the cases in which they'd been shot at or received death
3	applied by someone. Currently, they are being applied by judges when news organisations get it wrong. Far	2 3	the cases in which they'd been shot at or received death threats that they really wanted to talk about, it was
3 4	applied by someone. Currently, they are being applied by judges when news organisations get it wrong. Far better if news organisations get the test right	2 3 4	the cases in which they'd been shot at or received death threats that they really wanted to talk about, it was the times when they turned up at funerals or turned up
3 4 5	applied by someone. Currently, they are being applied by judges when news organisations get it wrong. Far better if news organisations get the test right themselves in the first place.	2 3 4 5	the cases in which they'd been shot at or received death threats that they really wanted to talk about, it was the times when they turned up at funerals or turned up at houses and felt that they had pressure to steal
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25 These are all issues of access to justice and if we 25 people they were interviewing, who were involved in the	23	are used to defend people who are Sheffield Wednesday	23	that the impact of their journalism and their on both
	24	fans, who are sued(?) by Sheffield Wednesday?	24	themselves, in traumatic circumstances, and on the
Page 198 Page 200	25	These are all issues of access to justice and if we	25	people they were interviewing, who were involved in the
		Page 198		Page 200

1	the instance of the start of the second start of	1	
1	stories they were writing about, was the core part of	1	What about trust and friendship? I had contacts
2	their education at the university, and it was a subject	2	who sources at the House of Commons, civil servants
3	they raised with me because they wanted to know how	3	and politicians who became quite good friends.
4	I handled it in the past.	4	Nonetheless, good journalism required, and this harks
5	But these kids, who are 20/21 were already thinking	5	back to the point raised by John Kampfner that, from
6	about this and so that's one of the things I would	6	time to time, I wrote stories that could and did give
7	like to say is I think there should be much more of this	7	offence or did real damage. Now, biting the hand that
8	kind of looking at the impact of trauma and journalism	8	feeds you is not normally regarded the code of good
9	in the actual education of journalists at a very early	9	behaviour, yet for healthy journalism it is essential.
10	stage. Thanks.	10	Final point, we come to the question of the limits
11	ELINOR GOODMAN: Could I just come in and ask some of the		of the law and a good journalist will, from time to
12	other editors here whether or not they do consider the	12	time, without romanticising the thing too much, test the
13	impact of their stories on the people they're talking	13	law or the rules to the limits and that inevitably
14	about? I have the press code in front of me and it	14	means, does it not, that that limit might be crossed
15	says, for example it governs the way you should deal	15	accidentally or be subject to legal challenge.
16	with intrusions into grief or shock. Is that	16	My final point is that this carries us, I think,
17	a consideration that you take into account when you're	17	into the area described by Lord Leveson as, and I quote
18	considering the story or is the public interest in	18	"the wider practice of the public good". It's in that
19	knowing always going to outweigh that? Is there anyone	19	wider realm, outside some of the normal conventions,
20	who would like to answer that? There must be somebody.	20	that journalists can, paradoxically, sometimes be at
21	Thank you.	21	their best as citizens and that is why I do worry about
22	PETER WRIGHT: In default of others, yes, it is	22	attempts to fetter.
23	a consideration and I'm not I can't, I'm afraid, give	23	GEORGE JONES: If I could ask Trevor a point. It was
24	any details because there are stories we didn't publish	24	interesting, when we had Kevin Maguire this morning
25	because I thought they would cause damage either to the	25	talking about the fact that he worked on the
	Page 201		Page 203
1	individuals involved or to their relatives, but there	1	Daily Mirror, the Guardian, the Daily Telegraph, back on
2	have been stories that we could have published in the	2	the Daily Mirror, and felt he could immediately fit into
3	last year and have not done so, simply for that reason.	3	either newsroom and working that there wasn't
4	There would have been a good public interest defence for	4	anything greatly different between working as
5	publishing these stories, but when I had considered, as	5	a journalist on those papers or not.
6	best I could, what I knew about the circumstances of the	6	I was wondering whether Trevor would feel that he
7	people at the centre of them, I thought that possible	7	could go and work for Alan Rusbridger, and work on the
8	damage would be greater than the benefit in the public	8	Guardian, and do you feel that there is any difference
9	knowing the thing which had taken place.	9	or that can you try and explain to us what it is in
10	CHARLES REISS: Charles Reiss, formally Evening Standard.	10	an active Sun newsroom, which may be different from
11	I'd like to pick up on something Brian Cathcart said	11	a Guardian newsroom or a Daily Telegraph newsroom? Do
12	earlier. I think my note is correct:	12	you think there is something different that the Inquiry
13	"If journalists are citizens like everyone else they	13	kind of needs to take account of?
14	can't choose when to obey laws and when not."	14	TREVOR KAVANAGH: Well, I have been offered jobs by various
15	Of course, that's true and I share his concerns	15	other newspapers, but the Sun's just too much fun to
16	about the lack of trust, but I do think that is,	16	work for and so I haven't taken them up and so I guess
17	ethically, only part of the story. If you consider	17	they must have thought I could work for a different
18	a good citizen, the good citizen is never dishonest,	18	newspaper or agency or television even. As for the
19	a good citizen can be trusted at all times as a reliable	19	Guardian, I think the thing that would bar me from
20	friend, loyal and reliable, the good citizen doesn't	20	working for the Guardian is a political situation, since
20	test the laws and regulations to their limits. But good	20	I really only do politics these days, and I don't think
21	journalism at times breaks all these codes. Legitimate	22	the Guardian would offer me a job, either as a columnist
23	-	23	or as a reporter so the situation doesn't arise.
Z. 1	100rnansm can and sometimes does involve disnonesive it		
	journalism can and sometimes does involve dishonesty, if only in a small way. I could give an example but, at		-
23 24 25	only in a small way. I could give an example but, at the moment, time forbids.	24 25	In terms of the simple process of writing, I think a story, is a story, is a story, and you should be able

51 (Pages 201 to 204)

17 TREVOR KAVANAGH: Again, this worries me, George, because 17 and which was put in error at the request of the press, 18 the implication or the inference to be drawn from what 18 which was section 12, which asks the judges to look at 19 you're saying is that there is a difference in ethics 19 the relevant code. That's what the judges do and if you 20 between 20 read all these judgments they always turn to the 21 newspapers and say, are you pleading the public interest 22 under the code? The interesting thing is that, in the 23 out whether you feel, as a journalist, a successful 23 24 journalist on a tabloid newspaper, that there is 25 25 something we need to take account of? It's purely 25 26 Page 205 Page 207 1 seeking information, not trying to make any judgment. 1 So I think that the code is not the problem, I think 2 journalists, who go about the practice of journalism 3 code to go into the future. The question is, and 4 professionally are any different ethically, from one 4 I think Brian Cathcart hinted at this, is whether people 5 pape to another. We may have a diffe				
2 addes for you is to main you to be succent, and I chink 2 not helpful to be making distinctions between 3 that is an element of journalism which is not 3 inaudible) broadsheets and tabloids and that 4 ancexsatily the case in areas where they have more space 1 ange -: it becomes complicated. I mean, I think the 5 to indulge hemselves, but apart from that, I don't 5 ferms of ethics, a different sort of 6 piournalistic approach in, you know, if you tabloid, it 7 PCC because I think it is a good articulation of the 10 seems as though - I don't want to use a pejorative 10 a different set of ethics, a different set of ethics than they are on, say, the 11 a different set of ethics than they are on, say, the 13 a different set of ethics than they are on, say, the 12 different set of ethics than they are on, say, the 13 a different set of ethics than they are on, say, the 13 a different set of ethics than the sories me, George, because 10 there is a link between the work of the courts and the here's a link between the work of the courts and the broke on in the pring, the approxem of the relevant code. That's what the ipdges do and if you tead all these judgements the y always true to the newspapers and say, are you pleading the public interest 10 GEORGE JONES: Well, the diffe	1	to write it and one of the things working for tabloids	1	job for the Inquiry to find out. I think it's probably
3 that is an element of journalism which is not 3 (inaudible) broadsheets and tabloids and that 4 necessarily the case in areas where they have more space 5 6 to indug themselves, but apart from that, I don't 1 6 think there's any problem with a crossover. 6 7 GEDRGF JONES: In terms of ethics, a different sot of 9 9 journalistic approach in, you know, if you tabloid, it 9 9 seems as though -1 don't want to use a periorive. 9 so that the problem comes in the observance of that code 11 expression -> but in a newsroom like the Sun it is 11 11 I think the interesting thing in the privacy cases 12 different sot of thick sam operating to 12 13 a different sot of they are on, say, the 13 a different sot of they are on, say, the 13 a different sot of they are on, say, the 14 Guardian or the "fedgeraph? Do they think they are and 14 a (inaudible) police state, and so on and so forth 15 is there senething there that needs to be taken account 15 but there is a alliference to he drawn from what 16 red BCORCE JONES: Weilthy in thy in try in o'n was aclifference in ethics	2	does for you is to train you to be succinct, and I think	2	
4 Increase in areas where they have more space 4 Ianguage it becomes complicated. I mean, I think the 5 to indulge themselves, but apart from that, I don't 6 perfectly happy to serve on the code committee of the 6 think there's any problem with a crossover. 6 perfectly happy to serve on the code committee of the 7 GEORGE JONES: In terms of ethics, a different sort of 8 portexisting the committee of the code 10 seems as thoughI don't want to use a pejorative 10 and whether people genuinely believe it or not. 11 expressionbut in a newsmoon like the Sun it is 11 11 I think the interesting thing in the privacy cases 13 a different set of ethics than they are on, say, the 13 a clinuatible) policie state, and so orn and so forth 15 is there something there that needs to be taken account 15 but there is a link between the work of the courts and 16 or? TTREVOR KAVANACH: Again, this worrise me, George, because 17 and which was put in error at the request of the press, 18 the implication or the inference to be drawn from what 18 which was section 12, which asks the judges to look at 19 poorte saying is that there is a difference has been made by sore	3	that is an element of journalism which is not	3	· ·
5 to indulge themselves, but apart from that, I don't 5 code that we all sign up to is a good code. I was 6 think ther's any problem with a crossover. 5 code that we all sign up to is a good code. I was 6 think ther's any problem with a crossover. 5 code that we all sign up to is a good code. I was 6 think ther's any problem with a crossover. 5 code that we all sign up to is a good code. I was 7 PCCC because I think it is a good arciulation of the 5 professional standards and ethics that we all aspire to, 10 a different set of ethics, and threa us a pejorative 10 and whether people genuinely believe it or not. 11 expression - but in a newsroom like the Sun it is 11 11 and whether people genuinely believe it or not. 12 different - do you think it are a pejorative 10 and warnings that we were marching into 13 a different set of ethics, and so on and so forth - 15 is there something there that needs to be taken account 16 16 fo? TEREVOR KAVANAGH: Again, this worrise me, George, because 17 the relevant code. 18 17 TEREVOR KAVANAGH: Again, this worrise me, George, because 19 19 19 <	4	necessarily the case in areas where they have more space	4	
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7 GEORGE JONES: In terms of ethics, do you think there is a different set of ethics, a different set of ethics that news operating to 12 different - do you think journalists are operating to 12 different - do you think (brun are operating to 12 different - do you think (brun are operating to 12 different - do you think (brun are operating to 12 different - do you think they are on, say, the 13 a different set of ethics than they are on, say, the 13 a different set of ethics than they are on, say, the 13 is there something there that needs to be taken account 15 but there is a link between the work of the courts and 16 of? 10 16 ort? 10 a (inaudible) police state, and so on and so forth 16 work of the courts and 16 of? 17 TREVOR KAVANAGH: Again, this worries me, George, beccass 17 10 10 and which was put in error at the request of the press, which was section 12, which aks the judges to look at 19 20 between - 20 10 10 read all these judgments they always turn to the 21 21 seeking information, not trying to make any judgment. TREVOR KAVANAGH: Well, I don't think, frankly, thag 24 So I think that the code is not the problem, I think 17 25 page 205 Page 207 1 So I think that the code is not the problem, I think 16 3 out to dis	6	think there's any problem with a crossover.		
8 a different set of ethics, a different sort of 9 portalistic approach in, you know, if you tabloid, it 9 iournalistic approach in, you know, if you tabloid, it 9 so that the problem comes in the observance of that code 11 expression - but in a newsroom like the Sun it is 11 I think the interesting thing in the privacy cases 12 different - do you think journalists are operaing to 12 that were fought this spring - there was a lot of heat 13 a different set of ethics than they are on say, the 13 around those and warnings that we were marching into 14 Guardian or the Telegraph? Do they think they are and 14 a (inaudible) police state, and so on and so forth - 15 is there something there that needs to be taken account 15 but there is a link between the work of the courts and 16 of? 16 the implication or the inference to be drawn from what 18 which was specified. the relevant code. That's what the judges to look at 10 betwere - 20 read all these judgements they always turn to the 11 sout whether you feel, as journalist, a successful 23 majority of the ccases that broke out in the spring, the 12 the REVOR KAVANAGH: Well, I don't think, f	7		7	
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19 SIR DAVID BELL: Do you think I might ask Alan Rusbridger, 19 why Trevor couldn't join the Guardian, apart from his	18	the media.	18	probably agree with Trevor, I think. There's no reason
	19	SIR DAVID BELL: Do you think I might ask Alan Rusbridger,	19	why Trevor couldn't join the Guardian, apart from his
20 Alan, do you I mean, leaving aside whether you would 20 batty views on Europe.	20		20	
				ELINOR GOODMAN: Could I just ask one of the editors of the
22a Code of Conduct issue here or an ethical issue or do22tabloid papers whether the nature of celebrity				
23 you think it's right that, actually, it's the same right 23 journalism means that you have to press the privacy laws			23	
24across the whole waterfront?24further than somebody who is dealing with some other	24	across the whole waterfront?	24	further than somebody who is dealing with some other
25 ALAN RUSBRIDGER: I don't know. That's going to be the big 25 kinds of stories. Is it implicit in tabloid journalism?		1		
Page 206 Page 208	25		25	kinds of stories. Is it implicit in tabloid journalism?

52 (Pages 205 to 208)

1	I think there is somebody there.	1	implemented.
2	RICHARD CASEBY: No, it's not really my name is	2	Most mass market newspapers pay for stories, they
3	Richard Caseby. I was managing editor of The Sunday	3	pay tips to people and you don't necessarily know who
4	Times for 13 years and I'm now managing editor of the	4	those people are. Well, as a consequence of that and
5	Sun, so I would like to address the question of whether	5	a consequence of the Bribery Act, one has had to put in
6	there are two different types of newsrooms or two	6	put in a whole new set of governance as to how those
7	different types of ethics there. So having been walking	7	payments might be made, and we have done so at the Sun
8	around some of the upstairs rooms at Downton Abbey, I am	8	and I am quite proud of the way that that process has
9	now downstairs and, if anything, what I have seen is	9	been put in force. But I have to say these are the
10	that, because there is a tougher tightrope to walk in	10	sorts of tightropes that people walk on a mass market
11	tabloid or mass market newspapers, regarding celebrity,	11	newspapers on a popular newspaper that broadsheets don't
12	regarding privacy, the sort of decision-making process	12	even have to think about and those are some of the
13	is much, much more thorough sometimes than it is	13	things we were dealing with just this summer.
14	necessarily found in a so-called quality newspaper, and	14	GEORGE JONES: In terms of the PCC code that you mentioned,
15	I've been really impressed by that on The Sun newspaper.	15	and journalists being banned by it, when they come and
16	I also say that every Sun journalist signs up to the	16	joined the newspaper and signed a contract, they then
17	PCC code and they will be subject to disciplinary	17	signed a contract and agreed to be bound by it, is there
18	procedures should they breach it in any way. I am	18	any kind of ongoing
19	pleased to see that there have been disciplinaries to	19	RICHARD CASEBY: Absolutely, we've had numerous seminars b
20	enforce that code. It's a good code, as Alan Rusbridger	20	the PCC. They come in and we go through particular case
21	said, it's a very workable code. It's a code that's	21	histories of stories, and we present our own sort of
22	revised. The only criticism I would ever have made of	22	dilemmas and they will talk to us about those and we'll
23	the PCC is I think, during the last year or so, it	23	thrash those out. There have been numerous seminars at
24	could've done with much stronger leadership, but the	24	the Sun.
25	code is a good code and the vast, vast majority of	25	GEORGE JONES: Executives or the journalists?
	Page 209		Page 211
1	journalists adhere to it.	1	RICHARD CASEBY: The journalists obviously because those are
1 2	journalists adhere to it. Just before the break, I think someone from the	1 2	
	-		RICHARD CASEBY: The journalists obviously because those are
2	Just before the break, I think someone from the	2	RICHARD CASEBY: The journalists obviously because those are the people at the sharp end who are writing the stories.
2 3	Just before the break, I think someone from the Media Trust gave an example of a survey of people of	2 3	RICHARD CASEBY: The journalists obviously because those are the people at the sharp end who are writing the stories. We had health professionals coming into the Sun, for
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1	graphic, great detail, great percentage GDPs, it was	1	obviously, significantly in the public interest. I'm
2	lovely, great example of popular journalism. Right next	2	not John Prescott's agent, in fact, I've never spoken to
3	to it, on the next page, was a story about Lady Gaga's	3	him, but I'm not entirely clear in my own mind's eye
4	father, about how he had hired a stripper to teach her	4	whether Prescott was guilty of great hypocrisy, whether
5	the piano when she was a child.	5	he was guilty of incompetence, because he was spending
6	Yeah, you can get that mix of stories, and as this	6	some time with his mistress, or whether it was that he
7	morning we heard, it's about the package. You've got to	7	was a figure of fun and any politician is fair game, no
8	give the package to get the mass market readership to	8	matter what is said about them.
9	get the story about the Greek bailout and there's a real	9	There may be any number of dimensions, which either
10	public interest in a functioning democracy to get those	10	justify it or don't, but I don't accept as an axiom that
11	sorts of issues to people at their breakfast table every	11	any fall from grace, from any figure who is in the
12	day. Thank you.	12	public eye justifies the publication of that story. In
13	SIR DAVID BELL: Mark Damazer, do you want to say something		many cases, it is, but I don't think it's blanket, and
14	MARK DAMAZER: I just want to return to the question about	14	the suggestion, I think, that has been made one or twice
15	public interest and interest of the public and,	15	during the course of the day is that any form of
16	actually, go back to something that was said right at	16	hypocrisy justifies any form of publication, and I just
17	the beginning of the day by Phil Hall and somewhat	17	wish to challenge that, not that I wish to legislate
18	amplified by Trevor Kavanagh later on, which is about	18	against it, because I wouldn't be in favour of that.
19	hypocrisy, the way it justifies putting into the domain	19	GRAHAM MATHER: Graham Mather, European Policy Forum. I
20	stories about private live of public figures and,	20	I could just follow Mark's point, which I think leads
21	sometimes, clearly times that must be right.	21	exactly back to Stephen Whittle's final point, about how
22	I also want to say that it's absolutely clear that	22	do we decide what the public interest is.
23	without the tabloid press, a tremendous amount of	23	I'd like to draw the Inquiry's attention to the fact
24	fantastically important stories would not have been	24	that this does occur in other sectors. In the area of
25	broken and would not have been amplified subsequently by	25	takeovers and mergers, for example, there's a long
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1	the BBC, who did not break those stories. Let's just	1	history of decision-taking by the Monopolies Commission,
2	remind everybody, I'm not speaking for the BBC, I'm now	2	the Competition Commission, on what is or is not in the
3	at Oxford.	3	public interest and, in that area, it's actually
4	But the notion that any kind of hypocrisy justifies	4	probably more difficult to define than in this area.
5	any kind of invasion of a public figure is one that	5	We've heard that there are, sort of, three codes, the
6	I think at least invites scrutiny. If we were all put	6	Ofcom, the PCC and so on, which define it quite tightly
7	to the highest possible standard of leading a singular	7	in this area. In the world of takeovers, the
8	and unified life around the purest of moral codes none	8	legislation was very broad. Panels could take into
9	of us would be able to get out of this room very easily.	9	account anything they thought was in the public
10	There are obvious cases where intrusion seems to be to	10	interest, and that might be quite useful, because it
11	be justified in publication.	11	allows you to capture the changing public mood and
12	You could certainly say that somebody who uses in	12	attitude.
13	their election literature a tremendous amount of stuff	13	I think there are only two caveats to this useful
14	about their family inviting trouble. You can say that	14	learning experience from another sector. One is that,
15	a celebrity who has made a fortune out of selling images	15	for it to work, those deciding what is in the public
16	of their family to celebrity magazines is asking for	16	interest, obviously have to have no conflicts of
17	trouble. It's not clear to me that each and every case	17	interest, they have to be purely independent. Secondly,
18	that happened over the last 20 years, whether it has	18	the legislation itself has changed recently and moved
19	been published first by a tabloid or a broadsheet, and	19	away from the public interest to a narrow competition
20	whether it had been subsequently amplified by the BBC or	20	test. What was interesting when that happened was that
21	not, falls into that criterion.	21	the public interest almost immediately reappeared.
22	The 1990s John Major back-to-basics case were all	22	Legislators decided that you couldn't just decide things
23	posited around the fact that Major had invited a degree	23	on competition if, for example, a takeover might damage
24	of scrutiny that justified publication. Well, maybe.	24	the security of the nation or upset financial stability.
25	The Charlie Kennedy case on drink, open and shut case,	25	So the public interest immediately reappeared in that
1	Page 214		Page 216
		-	

1	area.	1	objective. The subjective test is I say to them:
2	So my offering is simply to say I think these	2	"Look, ask yourself this question: if you use this
3	broader lessons and these other legal histories,	3	underhand method and then the story goes out then the
4	histories of cases, may help the Inquiry.	4	underhand method is revealed for one reason or another,
5	JOHN KAMPFNER: I am John Kampfner. I just want to come	5	would you feel comfortable, would you think that the
6	back to something Charles Reiss said earlier but it	6	story you obtained justified that method or would you
7	follows on from this discussion we are just having now	7	once you're in the 'I'm not sure' camp, then don't do
8	about public interest. Ultimately, pretty much	8	it, but if you are convinced that this story merits what
9	everything comes down to a determination of public	9	you're doing, then I think that's not a bad way to move
10	interest. Underhand behaviour, unethical behaviour,	10	forward but, ultimately, it comes down to your sense of
11	illegal behaviour can, in the right circumstances, be	11	is this right is this wrong."
12	justified by a public interest defence, so whether	12	That involves a whole other range of ethical
13	that's secret filming, secret recording, listening to	13	considerations, but it's a start and I don't think we
14	telephone calls or impersonation, everybody, for	14	should underestimate young journalists' interests in
15	example, look at everybody talks now about the	15	these matters. It's not just people who sit around in
16	Telegraph and MPs' expenses, slam dunk, good story.	16	meetings in this, people going into journalism are
17	Look at the Vince Cable impersonation story, I would	17	concerned and worried and take these issues very
18	reckon if you did a straw poll in this room, people	18	seriously.
19	would come down 50-50 on that one. That was a public	19	ALAN RUSBRIDGER: Just one thing which we inserted in the
20	interest determination.	20	Guardian's code, which came, actually, from a completely
21	Just a little anecdote, which I think shows	21	different world, which was the intelligence world,
22	a delicious irony. I was doing, at the height of	22	because journalists are obviously not the people who
23	hackgate, a quick two-way on the BBC News channel and	23	grapple with these interests, with these complex ethical
24	they played into the interview with me something they	24	decisions, especially involving intrusion. I was sent
25	literally just got, which was an audio recording, secret	25	a five point test that Sir David Oman who used to run
	Page 217		Page 219
1	recording of a pep talk to staff by Rebecca Brooks,	1	GCHQ, had floated in a lecture. They seemed to me five
2	trying to just before she resigned, trying to justify	2	good points that any journalist could ask themselves.
3	what she was doing. She presaged her remarks, according	3	The first one is the harm, ask yourself about the
4	to this audio recording by saying: "Please can I entreat	4	harm that is going to be caused by your story, which,
5	everybody here not to record this and not to publicise	5	you know, includes distress but does what are you going
6	it". So they play this and the obvious point which	6	to do justify the harm that is going to be caused.
7	I made at the beginning of my remarks was, you have just	7	The second is the public good that is going to be
8	done something underhand, but you have done it, you have	8	caused. So you want to measure the harm against the
9	made a determination on public interest.	9	public good.
10	So it's these areas, it's it is try I don't	10	The third is proportionality, the methods that you
11	accept the view that the press the PCC's	11	are thinking of applying. Are they proportionate, are
12	determination current definition of public interest	12	they the minimum possible methods in order to get the
13	is good enough. I think a considerable amount of work	13	story that you want?
14	on all these issues, particularly those that pertain to	14	The fourth is about the chain of command and the
15	investigative journalism, needs to focus on that	15	proper authority and oversight, which in the light of
16	specific determination.	16	phone hacking is an incredibly interesting question to
17	IVOR GABER: Ivor Gaber. I wonder if I could give a quick	17	be asking.
18	rule of thumb picking up on John and Charles' point.	18	The fifth is about fishing expeditions, no fishing
19	It's not as elegant as the PCC code, but when I teach	19	expeditions.
20	students, one of the first questions and Joan picked	20	I thought they was a five simple easily memorable
21	up this point they are very keen to know about the	21	tests. A, sort of, five-bar gate which any journalist
22	ethical issues and how can you justify breaking the law	22	could easily ask themselves and, if you go to
23	or not telling people exactly what you are investigating	23	Brian Cathcart's point, could be noted, in advance of
24	whatever, and I say that, essentially, there is	24	any story being published so that you have an audit
25	a subjective test, which becomes, if you like, Page 218	25	trail and I thought they were rather thoughtful things Page 220

55 (Pages 217 to 220)

1	by a rather thoughtful man from the intelligence world,	1	are part of the team that are behind this Inquiry, who
2	which read across quite easily into the journalist	2	have put a huge amount of time into getting this to work
3	world.	3	in what is, by the standards of inquiries like this,
4	SIR DAVID BELL: I don't know if there are any other	4	an incredibly short time. So I just wanted to thank all
5	questions anybody wants to raise, any points?	5	of them and anybody else who has been involved, who
6	MIKE JEMPSON: I just wanted to go back to the beginning of	6	I haven't mentioned, for having got us to this quite
7	today and talk about money again, because one of the	7	remarkable day, I think. With that
8	justifications for a lot of stories that the tabloids	8	LORD JUSTICE LEVESON: Well, those who have managed to
9	publish is that the public are just interested and one	9	struggle through to the end, this seminar has achieved
10	of the ways they prove this is by asking people to sell	10	what I wished for it. That is to say, a broad and open
11	them information. If you look on their website, they	11	discussion of a number of very important issues. I am
12	encourage people, if they think they've got a story that	12	very grateful to everyone, not only for making time to
13	might be of interest to their readers, slightly	13	attend, but also for doing so much to contribute to the
14	different thing to the public interest, get in touch and	14	debate and provide the different perspectives which they
15	we'll look after you.	15	have.
16	Subsequently, if there are problems with these	16	The context for this part of the Inquiry is
17	stories, editors frequently will say "Oh, well, it's	17	therefore much clearer. I do hope that you'll all feel
18	because they were after the money", and there have been	18	able to return on 12 October when we discuss approaches
19	numerous cases of that. So I think you have to be	19	to regulation, supporting the free press and high
20	looking at those issues. What is the notion of selling,	20	standards.
21	encouraging people to sell stories because they slept	21	Equally, and dealing with an issue that was raised
22	with a footballer or whatever?	22	this morning, I assure you that I will pass on to
23	There was another financial area that was beginning	23	modules which deal with relationships between the press
24	to be touched on this afternoon, which I think needs to	24	and the police, and relationships between the press and
25	be looked at, which is the cost of in-house lawyers and	25	politicians, and I may well seek to organise further
	Page 221		Page 223
1	the sorts of decisions that we heard from the Murdoch	1	seminars on these topics in the future.
2	crew in Parliament, about how they make their decisions	2	Can I end by thanking David Bell, Elinor Goodman and
3	about whether or not to pay somebody off. We never know	3	George Jones for maintaining the flow of these important
4	how many cases are settled out of court, rather than	4	discussions and repeat my thanks to each one of you for
5	risk running up huge legal bills.	5	the very real care that you have taken in the
6	Maybe if newspapers had a bit more temerity and	6	contributions that you've made.
7	published a list of the stories, or the arrangements	78	Thank you very much. (5.00 pm)
8	they made with people who are challenging them and	9	(The hearing concluded)
9	saying "We've paid them off, we're not gonna publish	10	(The houring concluded)
10	this story about them", maybe we would have few fewer of		THE COMPETITIVE PRESSURES ON THE1
11	those, then they wouldn't be quite so chilled by the	11	PRESS
12	libel laws.	12	INTRODUCTION1
13	CONCLUDING REMARKS	13	Presentation by CLAIRE ENDERS
14	SIR DAVID BELL: Well, we thought we would probably finish	14	Presentation by PHIL HALL
15	at about five o'clock and it looks to me as though we	15	Presentation by RICHARD PEPPIATT
16	are pretty well close to 5. Unless there's anything	16	
17	anybody else wants to raise, please feel free to do so.		THE RIGHTS AND RESPONSIBILITIES OF124
18	If not, before I ask Lord Justice Leveson to close up,	17	THE PRESS
19	I just wanted to say one or two thank yous. First of	18	INTRODUCTION124
20	all, to all of our speakers who prepared what they had	19	Presentation by ALAN RUSBRIDGER126
21	to say, really, with very little notice and I thought	20	Presentation by TREVOR KAVANAGH
22	did a really excellent job; to Elinor and George for	21	Presentation by BRIAN CATHCART
23	being here; and to the broadcast team who are all around	22 23	QUESTIONS FROM THE FLOOR157 CONCLUDING REMARKS222
24	us, whose work we'll be able to see very shortly on the	23	
25	web; finally to Ruby, Kate, John, Amanda and Rachel who	25	
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