

## **Culture Secretary John Whittingdale delivered the keynote speech at Society of Editors on freedom of press and vital role it plays in society**



It is a pleasure to be here addressing the Society of Editors again. As many of you know, I spoke at your conference in Belfast three years ago – which was then followed by a visit to the Titanic exhibition. The year before that I spoke at your conference in Runnymede - which does seem rather more fitting a venue. And in 2009, I spoke at your dinner at a hotel in Essex where some of you may recall that the wine was collected from a huge tower by young ladies on a trapeze – so I am looking forward to seeing what happens at dinner this evening.

### **Freedom of the press**

The Society of Editors has a fine record of standing up for the freedom of the press and the rights of journalists. I am delighted that it continues to fulfil that role today. And it is a privilege to address you once again – this time as Secretary of State for Culture, Media and Sport.

In recent years, as your conferences have shown, the debate about the behaviour and regulation of the press has reached an unprecedented pitch. At the same time, modern technology – and in particular, the explosion of social media and online distribution of news - has also introduced a number of new competitors and challenges.

But what does not change is the fundamental truth that a free press is one of the pillars of a free society. Abuse of power, corruption, lies and ignorance all thrive in the absence of an inquisitive and informative media.

As the humourist Finlay Peter Dunne famously said: it's the duty of the press to 'comfort the afflicted and afflict the comfortable.'

And Thomas Jefferson, consoling a fellow statesman who'd been on the receiving end of a particularly harsh (but fair) article, said: 'it's the price we pay for our liberty, which cannot be guarded but by the freedom of the press, nor that be limited without danger of losing it.'

Journalists not only hold authority to account but can also have a direct impact on the institutions and laws that shape ordinary people's lives. The investigative reporting of Bob Woodward and Carl Bernstein led to the exposure of a range of illegal activity by the Nixon administration and ultimately to Nixon's resignation as president. The Sunday Times dogged pursuit of the corruption endemic in FIFA is also at last likely to bring about real change. And the full of horror of the Rotherham sex abuse scandal was only exposed by Andrew Norfolk's investigation over several years which led to his being named Reporter of the year in March and the Times receiving the Newspaper of the Year Award.

We obstruct the ability of the press to be free to investigate and publish uncomfortable truths at our peril. Many of us have seen first-hand the chilling effect of the absence of a free press.

It is no coincidence that those countries where freedom and civil liberties are most at risk are also those countries where journalists are threatened, intimidated or even killed. So far, in this year alone, 44 journalists have died while carrying out their duties. And while the majority died in countries where conflict was raging or where there are oppressive regimes, the highest death toll was of course in France – an act of murder at Charlie Hebdo which shocked the world.

Journalists have a vital role in a functioning democracy. Voters need to know what is going on if they are to make informed decisions. It is the job of the press to hold those in elected office to account. And if we are to maintain confidence in our judicial system then, justice must be done, but must also be seen to be done.

### **Local press**

At a time when the Government is pursuing a devolution agenda with more and more responsibilities and powers passed down to locally elected bodies, that applies even more to local press.

Local papers are the bread and butter of journalism. Without them the news food chain dries up. Some of the greatest national reporters started on their local rag. These papers are part of the communities they serve, and people rely on and respect them.

And it won't be journalists from national newspapers that sit in on the planning committee debates, the patients' meetings for the local hospital or the magistrates' courts hearings. But these things matter.

Alongside their role in reporting the news, local papers often have a campaigning zeal and can drive change in their communities. These range from the Liverpool Echo's newly revived campaign to save historic local buildings and Kent Media's drive to clean up litter in the local area, to the London Evening Standard's campaign for Angell Town which has raised hundreds of thousands of pounds to help residents transform the estate and is now expanding London-wide.

Last month, I was delighted to attend the celebration of the 150th anniversary of the South London Press. And it was great to hear from one of the legends of the industry, Sir Ray Tindle, who not only told us his remarkable story as to how he began the group with his £300 demob money but was also proud to announce that the Group had returned to profit.

Last Thursday, I hosted a roundtable with all the major publishers including Sir Ray to discuss the state of the industry and what more we could do to help.

I was glad to hear that those who have written the obituary of print media have been proved wrong. Although declining circulation and migrating advertising have led to closures and job losses, Enders recently reported that the industry is still profitable, innovation and online growth are helping to stabilise the top line, and new enterprises are emerging.

But some of the challenges that local papers still face are ones which we can help with.

Local papers still have to contend with local councils and other public bodies producing their own news-sheets which take away basic revenue such as that from the publication of statutory notices.

Let me reiterate that this government is committed to ensuring that the independent free press does not face unfair competition from municipal publications - the so-called 'Town Hall Pravdas'.

Indeed my colleague Greg Clark, the Secretary of State for Communities and Local Government, is taking Greenwich Council to the High Court for breaking the local government publicity code through its continued publication of its weekly town hall newspaper.

My Department and the Department for Communities and Local Government have also consulted on the introduction of business rates relief for local newspapers in England, as they adapt to new technology and changing circumstances. The consultation closed on September 30th. We are considering the findings and will announce a decision soon.

Finally, I am of course currently considering the renewal of the BBC's Charter for the next ten years. The BBC is not the cause of the problems facing local newspapers. But it has not helped. Newspapers have rightly complained when the BBC has taken their stories and reproduced them without attribution.

But the BBC's declared intention to get more involved in local news coverage through collaborative work with local papers is welcome. Commissioning content about councils, courts and public services from local media outlets can support local newspapers and help to increase accountability. In fact, this is something the Select Committee proposed last year.

That does not mean the BBC employing local journalists, which would further undermine local media. Instead the BBC would commission local news content from local news providers which would then be available to all media outlets. I am delighted that the working group set up by the NMA to take this idea forward is making good progress.

### **Events leading to Leveson**

Newspapers remain a central feature of our lives. The hallowed image of Sunday papers on the kitchen table is far from a thing of the past.

We have a deep human need to know what's going on around us, and it is essential that people in public positions are held up to scrutiny. But even in a free society there are limits. Journalists are in a position of responsibility and have to play by the rules. They are accountable to the public.

The revelations from the phone hacking trials and then the Leveson Inquiry shook confidence in the integrity of the industry and shocked us all. What we were originally told was the actions of one rogue reporter on one paper turned out to be the practice of many on a number of titles.

There are criminal laws in place that prevent behaviour such as phone hacking. But they were ignored, and it became evident that there was a culture of indifference and in some cases venality that allowed this behaviour to go unchecked.

However we must also recognise that it was journalists who helped expose the rot. Even when newspapers have been transgressors, it has often been another newspaper that has brought this to light. And it remains the case today that while newspapers have sometimes helped to propagate a lie, it is the media which has exposed it.

### **Wake up call**

The recommendations of the Leveson Inquiry helped to effect change. There is now a far greater public and industry awareness of the responsibilities that the press has. The violations and abuses that took place must never happen again and the press has a duty to ensure that this is so.

Leveson led to the creation of a tougher, more independent regulator in the Independent Press Standards Organisation. And I recognise that newspapers have made greater efforts to ensure that journalists understand the law.

In November last year, the Press Recognition Panel was established under the Royal Charter. The Panel is an independent body that runs the recognition process and reports to Parliament on the effectiveness of the system. It is key to delivering the Leveson reforms as enshrined in the Royal Charter, assuring that press self-regulators are independent and effective, properly funded and able to protect the public.

It opened for applications last month, following a consultation on the criteria it will require self-regulators to meet in order to gain recognition. I understand that one regulator, IMPRESS, has announced its intention to apply...although no newspaper has yet signed up to it.

And that brings me to the future.

### **What now**

Like Sir Brian Leveson, I want there to be a strong, independent and effective self-regulatory system for the press that commands the confidence of both the public and the industry. I am passionate about

this industry, which is why I want to do everything I can to support it. As part of this, I want to see the press voluntarily comply with the reforms recommended by Leveson and enshrined in the Royal Charter.

As part of those reforms, we are now entering the next stage of the process. On 3 November this year, 12 months after the Recognition Panel was established, the exemplary damages provisions in the Crime and Courts Act 2013 will come into effect.

This means that in media-related civil litigation claims, damages that go beyond ordinary compensatory damages – known as exemplary damages – cannot be awarded against publishers that have signed up to an approved self-regulator.

This step on 3 November represents new territory for publishers and the courts. There is no doubt that the threat of exemplary damages is a serious sanction and the protection offered by the introduction of this measure provides a real incentive to encourage publishers to sign up to a recognised self-regulator. We do not yet know precisely what impact this change will have, and it is important that we find out.

Another area of ongoing change is within the field of industry self-regulators. I welcome the establishment of IPSO and am encouraged that it is consulting on whether to introduce an arbitration scheme – an important area addressed by the Leveson Inquiry and covered by the Royal Charter – and is considering a number of other changes.

I will be watching developments in these areas very carefully. However these are positive steps and point to a continued effort on the part of industry to apply and learn the lessons of recent years. Although it is a matter of concern that there are some publishers who are still outside the self-regulatory system.

The Leveson inquiry was into the culture, practices and ethics of the press, and the industry has shown real progress in tackling the need for change in these areas, while at the same time rising to the challenges I highlighted at the beginning of this speech.

There is a second matter that needs looking at for the future: the question of when is the right time to introduce the additional incentive identified by the Leveson Inquiry, namely that relating to costs. The costs provisions in the Crime and Courts Act, when brought into force, will have the effect that publishers who are not members of a recognised self-regulator will normally lose the ability to claim back their own costs in libel and privacy cases – whether they lose or win. This will be a serious and significant change for the industry. I know that it is a matter of particular concern to many small publishers who had absolutely no involvement in the abuses the Leveson Inquiry was set up to tackle.

I have to say that at the moment, I am not convinced the time is right for the introduction of these costs provisions. Given the changes under way within the industry, the introduction of the new exemplary damages provisions, and the pressures on the industry, I question whether this additional step, now, will be positive and will lead to the changes I want to see.

My mind is not made up, and I will want to examine the matter further in the coming weeks before taking any decision. But let me be very clear: I would like to see the press bring themselves within the Royal Charter's scheme of recognition. What is key is that we should have a regulator that is tough, independent, fully subscribed and that commands confidence.

I want us to continue to have a press that is a thriving part of our free society. And I want journalists and editors to take their responsibilities seriously. It is those aims which will continue to be my guiding principles.

Thank you.