

**AUGUST 2011**

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**MEDIA  
REGULATION**

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**DEBATING MATTERS  
TOPIC  
GUIDES**

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**MOTION:**

**“THE BRITISH PRESS  
REQUIRES TOUGHER  
REGULATION”**

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## KEY TERMS

Fourth Estate

# INTRODUCTION

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# NOTES

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After 168 years, The News of the World (NotW) published its last ever edition on 10 July 2011 [Ref: [Telegraph](#)]. Following the arrest of NotW royal editor Clive Goodman in 2005, a two-year investigation by the Guardian newspaper revealed the NotW had hacked the phones of up to 3,000 celebrities [Ref: [Guardian](#)]. However, it was the revelation that murdered schoolgirl Milly Dowler’s phone had been hacked following her disappearance in March 2002 that sparked a public outcry about the ethics of British newspapers [Ref: [Guardian](#)]. In the weeks that followed, the British public saw the closure of one of the UK’s oldest newspapers and the resignation of senior executives at News International, NotW’s owners [Ref: [BBC News](#)]. They have also seen the story come to implicate the police, and the political elite. It is against this background that some commentators argue the time has come to rein in the ‘feral’ press, with prime minister David Cameron announcing a public inquiry to investigate the culture, practice and ethics of the press [Ref: [Politics.co.uk](#)]. While some bray however for the blood of ‘hack journalists’, and insist that a new regulatory framework is needed, others argue that proposals for tougher regulation signal the death knell of a free press in the UK and must be vehemently resisted. Does ‘Hackgate’ reveal there is something rotten at the heart of the media? Should a new watchdog keep the ‘beast’ in check? Or are we in danger, as journalist Andrew Gilligan argues, of throwing the baby out with the bath water? Do we need to be reminded of the historic gains of the struggle for press freedom in the midst of what has become a moralistic frenzy?



### How are the press currently regulated and what changes are proposed?

The British press is currently regulated by the Press Complaints Commission (PCC), an independent watchdog which deals with complaints about the editorial content of newspapers and magazines [Ref: [Press Complaints Commission](#)]. The commission has no legal powers and relies on self-regulation. For a number of years, however, the PCC has come under attack from those who think its powers are inadequate in challenging the misdemeanours of an all-powerful media. Following the hacking scandal, leaders from all three major political parties argued the 'toothless' PCC should be scrapped [Ref: [BBC News](#)] and that a new independent supervisory body be erected in its place [Ref: [Financial Times](#)]. Indeed, some argue what is now needed is statutory regulation of the media is what is now needed; with suggestions including the introduction of a newspaper 'licensing' system and extending the powers of Ofcom [Ref: [Ofcom](#)] to regulate print as well as broadcast media. But others suggest that a drive towards the external statutory regulation of the media is a grave mistake, leaving the press wide open to external control. Whilst many journalists argue that a model of self-regulation remains the most appropriate way to keep the media in check, some argue even the 'self-regulation' of the PCC has had a censorious impact on the media and breeds a powerful sense of conformism that needs to be challenged [Ref: [spiked](#)]. From this point of view, a defence of a free media, however raucous and indeed offensive, is what is really needed.

### Does a free press guarantee a good press?

Press freedom has historically been held up as a cornerstone of a liberal democracy, where the fourth estate [Ref: [Wikipedia](#)] acts as a check against our elected representatives, acting independently from them and so free of any obligations and better able to reveal the truth. More recently, the historic role of the press has been questioned, with some suggesting that an excessive freedom has given way to a different breed of journalist 'tabloid cockroaches' [Ref: [Guardian](#)] who are unable to distinguish between gossipy intrusions and investigations informed by the important journalistic principle of the 'public interest' [Ref: [FT](#)]. The recent antics of 'red top' journalists, alongside a contemporary obsession with celebrity 'tittle tattle', has led some journalists to argue that an irresponsible culture of journalism has brought their trade into disrepute. What is needed, say some, is more drastic action and tougher regulation. But others detect more than a whiff of disdain in the criticism now being levelled at the tabloid press and their readers. Whilst few would defend the illegal methods of the phone hacking NotW journalists, some underline the important role played by 'grubby' hack journalists [Ref: [MJ](#)], those who sniff around asking awkward questions and investigating dirty secrets. Let us not forget, say tabloid-defenders, it was also their ruthlessness that exposed the then leading politician Jeffrey Archer as a perjurer [Ref: [BBC News](#)] or that helped to reveal the thalidomide scandal of the 1970s.



### What would tougher regulation mean for investigative journalism?

Some are worried tougher regulation would lead to journalists being wary of, or even abandoning, the pursuit of difficult stories in fear they might be punished for their actions. Breaking a big story can involve some rather underhand methods - sometimes even breaking the law – and journalists should not feel unable to continue to do so simply because one paper abused the system [Ref: [The Times](#)]. To tar all journalists and publications with the same brush because of the deplorable actions of one paper would be a backward step for investigative journalists. One journalist asks whether any self-respecting journalist would not have hacked into the phone of former News International Chief Executive, Rebekah Brooks, if they knew they would find evidence proving senior staff knew about the activity at the NotW [Ref: [Fleet Street Fox](#)]. The importance of a free and independent press, not controlled by the state, outweighs even the upset and scandal caused by the actions of some NotW journalists [Ref: [spiked](#)]. However, others point out that the so-called ‘journalism’ that was going on at the NotW is evidence enough that what counts as investigative journalism today has been debased and needs reforming. Far from aiding investigative journalism, a lax system of regulation, epitomised in this instance by the PCC, undermines both free speech and high quality journalism. Creating a clear picture of what counts as acceptable and unacceptable journalism would lead to higher standards and consequently better stories and less corruption in the industry.



## ESSENTIAL READING

Q&A: News of the World phone-hacking scandal

BBC News 30 July 2011

Phone hacking: three weeks that made a revolution

Dan Sabbagh *Guardian* 22 July 2011

'Of course I support a free press, but...'

Mick Hume *spiked* 19 July 2011

Don't punish innocent papers: it's the rogues that need to be regulated

Peter Preston *Observer* 10 July 2011

## FOR

Time to give regulators teeth to take on the tabloid bullies

Richard Lambert *Financial Times* 15 July 2011

Seize the chance for media reform

Martin Wolf *Financial Times* 14 July 2011

This media is corrupt – we need a Hippocratic oath for journalists

George Monbiot *Guardian* 11 July 2011

News of the World: A newspaper is gone, but an inquiry is as urgent as ever

Geoffrey Robertson *Guardian* 8 July 2011

We need new codes to define the perimeters of free speech

Yasmin Alibhai-Brown *Independent* 16 May 2011

## AGAINST

Government Regulation won't Work for UK Press

Matt Burgess *Huffington Post* 11 July 2011

We shouldn't rejoice in the death of the News of the World

Peter Wilby *Guardian* 10 July 2011

Cameron can't be allowed to shackle the Press

Stephen Glover *Daily Mail* 9 July 2011

Phone hacking: My big fear is this scandal could damage investigative journalism

Andrew Gilligan *Telegraph* 9 July 2011

After the News of the World, who's safe?

Brendan O'Neill *spiked* 8 July 2011

## IN DEPTH

The evolution of a weird super-story

Sean Bell *Culture Wars* 16 August 2011

Revenge is sweet for politicians as they hit back at newspapers

Andrew Grice *Independent* 23 July 2011

Secrets and lies: Why investigative journalism is a force for good

John Witherow *The Sunday Times* 17 July 2011

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## BACKGROUNDEERS

Datablog: Phone hacking: what Happened When?

*Guardian* 2011

Don't axe PCC - press must put its own house in order

Roy Greenslade *Evening Standard* 27 July 2011

Press regulation needs to be reformed, but not by settling old scores

Peter Preston *Guardian* 24 July 2011

The dangers of ranging too widely

*Independent* 22 July 2011

Investigative journalism and breaking the rules

Mark Thompson *BBC News* 22 July 2011

Power with responsibility? What is the future for regulation and the press after the phone-hacking

*Policy Exchange* 21 July 2011

Self-regulation of the press is flawed, but reform is no easy matter

Siobhain Butterworth *Guardian* 20 July 2011

Politicians will forget the phone hacking and cringe again

Simon Jenkins *Guardian* 12 July 2011

In praise of a free and vigorous press

*Financial Times* 8 July 2011

From the Gutter, Into the Sewer

A C Grayling *New York Times* 8 July 2011

Phone hacking: Q&A with Alan Rusbridger

*Guardian* 7 July 2011

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**FILMCLUB**

### RECOMMENDS:

All The Presidents Men (15), 1976

Citizen Kane (U), 1941

Find out more about our partnership with the education charity

FILMCLUB, how you can bring the power of films into your school debates, and this autumn's recommendations from the FILMCLUB team for Debating Matters!

### ORGANISATIONS

Ofcom

Press Complaints Commission



## IN THE NEWS

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Hacking 'discussed' at News of the World, Clive Goodman letter says

*BBC News* 16 August 2011

Phone-hacking scandal: Prime minister says days of press self-regulation are over

*Guardian* 13 July 2011

Miliband slams toothless PCC

*Mirror* 8 July 2011

Tougher landscape beckons for press

*Financial Times* 8 July 2011

News of the World to close on Sunday, says James Murdoch

*Telegraph* 7 July 2011

News of the World phone hacking: Dead soldiers' families 'were targeted'

*Metro* 7 July 2011

Missing Milly Dowler's voicemail was hacked by News of the World

*Guardian* 4 July 2011

News of the World apologises to Sienna Miller

*Guardian* 7 June 2011

Watchdog clears NOTW over renewed phone hack allegations

*Register* 9 November 2009

Blair likens news media to feral beast

*Washington Post* 13 June 2007

Archer jailed for perjury

*BBC News* 19 July 2001



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- I am a sixth form student and would like further details about events in my area
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- I am interested in sponsoring/supporting Debating Matters
- Other (please specify)

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School/company/  
organisation

Professional role  
(if applicable)

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Postcode

Email address

School/work phone

Mobile phone



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THINKING DEEPLY  
ABOUT...SOCIAL  
ISSUES”**

**IAN GRANT, CEO, BRITANNICA**

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