

Public interest: the public decides

Steven Barnett

*A BJR/YouGov poll shows that many people disapprove of phone
backing and invasion of privacy and prefer celebs to Rupert Murdoch*

Amid the drama, revelations, political intrigues and those endlessly fascinating debates, seminars and conferences spawned by the Leveson Inquiry, it has never been entirely clear where the general public stands. A few old-school journalists have complained vigorously that a full-blown judicial inquiry, with its lengthy public interrogations and testimonies, was a vast over-reaction to some small-scale criminal wrongdoing and lousy policing. Others – and certainly most of us involved in educating future generations of journalists – have welcomed a thorough examination of dubious practices and abuses of corporate power that had begun to set off serious alarm bells.

Certainly, the chattering classes have been engrossed. But what of the general public? Where does its sympathies lie on the phone-hacking scandal? When it comes to the central issues around privacy versus publication, how does the public interpret the “public interest” – and how does it vary according to their age, political allegiance or the newspapers they read? And how does the public view the central figure of this unfolding drama, Citizen Murdoch? When the Commons Culture, Media and Sport select committee delivered its withering attack on his “wilful blindness” to the criminal activity and cover-ups at News Corp and then, although divided along party lines, to conclude that “Rupert Murdoch is not a fit person to exercise the stewardship of a major international company”, did the public agree?

British Journalism Review teamed up with YouGov to assess the state of popular opinion, but before turning to the results it is worth adding a

15

cautionary note. However even-handed the questions, it is always difficult for snapshot polls to convey factual information and the full sophistication of arguments on contentious issues. Inevitably, therefore, some of the questions are simplified versions of quite complex competing positions. And while some of these matters will have been discussed down the Dog and Duck almost as intensively as in Lord Justice Leveson's courtroom, there is always a risk of tapping into attitudes which are only half-considered or regarded as an "appropriate" response.

With that caveat in mind, what did we find? Central to many of the debates around reform of press regulation is the concept of the "public interest". Arguments about press freedom, privacy, and the potentially chilling effect of any kind of statutory intervention rest on the traditional fourth estate watchdog role: that we need a vibrant and unfettered journalistic culture to hold power to account and expose wrongdoing, corruption or incompetence in high places. This raises two crucial questions: first, what sort of stories might qualify as "public interest" in terms that would justify publication of a story even if it clearly exposed or intruded on the private lives of individuals? And second, what kinds of journalistic practice might be acceptable in order to expose those stories? One might assume, for example, that the tolerance threshold for breaches of ethical guidelines – or even the law – would rise in correlation with the seriousness of the wrongdoing being exposed.

Eight possible story lines

With unlimited resources and a few months of preparation, it might have been possible to address both these issues. In the absence of both, we focused on public attitudes to the publication of stories that contained some element of intrusion into private or corporate life, and how public attitudes varied in terms of the "public interest" vested in each story. We posed eight possible story lines, asking simply about each one whether or not newspapers should publish the story. In each case, respondents were given three choices: that the story was "definitely in the public interest" and should be published; that it might not be in the public interest "but nevertheless should be published"; and that the story was a private matter and "should not be published". The middle option was designed to allow an appropriate response for those who felt that, even though a story may not be in the public interest, it was still a legitimate reporting exercise in the traditional story-telling sense of

Table 1	Foods sold by a major supermarket have been contaminated with bacteria
This story is definitely in the public interest and should be published	92%
This story is not necessarily in the public interest, but nevertheless it should be published	3%
This story is a private matter and should NOT be published	2%
Don't know	3%

Table 2	A High Court judge has large investments in foreign companies linked to the illegal drugs trade
This story is definitely in the public interest and should be published	82%
This story is not necessarily in the public interest, but nevertheless it should be published	12%
This story is a private matter and should NOT be published	2%
Don't know	4%

journalism. Respondents were therefore given an opportunity to accept a story for publication simply because it was interesting rather than because it had a broader “public interest” justification.

Although the stories were rotated and randomised in the survey, results are presented here according to the numbers supporting publication. Of the eight scenarios offered, there appeared to be a very clear dividing line between those seen as “public interest” stories deserving publication and those seen as private matters which should not be reported. Thus, stories about a supermarket selling contaminated food and a senior judge with dodgy foreign investments prompted fairly unequivocal responses: in the former, more than 9 out of 10 and the latter 8 out of 10 said that publication was “definitely” in the public interest (*see tables 1 and 2*). There was a little more ambivalence when it came to stories about a teacher passing on GCSE exam questions to her students, and suspected animal cruelty by a company testing medicines. In each case, again, 7 out of 10 thought these were public interest issues and a tiny minority thought they should not be published (*see tables 3 and 4*). The difference was – perhaps surprisingly – that about 1 in 5 felt these fell into the “publish because they are interesting” category.

Each of these four stories was deliberately repeated from a much longer and more detailed study of privacy and the media conducted 10 years ago at Leeds University¹. Though the survey methodology differed and the questions were couched in slightly different terms, overall attitudes appear

¹ David Morrison and Michael Svennevig, *The Public Interest, the Media and Privacy*, Institute of Communication Studies, University of Leeds, March 2002, available at <http://www.ofcom.org.uk/static/archive/bsc/pdfs/research/pidoc.pdf>

to have remained astonishingly stable over the last decade. Asked simply whether each story was “a matter of public interest”, 90 per cent responded “definitely” for the supermarket story, 62 per cent for the miscreant judge, 57 per cent for the cheating schoolteacher and 45 per cent for the animal-testing pharmaceutical company. Those who responded “probably” in each case – and therefore reflected some of the ambivalence in our survey – were, respectively, 9 per cent, 30 per cent, 35 per cent and 44 per cent. There is therefore no evidence that public opinion on what constitutes a “public interest” story has shifted in either direction.

While the balance for those four stories was clearly in favour of publication, the opposite was true for those stories which were defined less by clear wrongdoing (either individually or corporately) and more by inappropriate behaviour or misfortune relating to people in the public eye. One of the most contentious areas in privacy debates over the last few months has been the errant behaviour of sporting celebrities, in particular high-profile footballers. Many people have argued, for example, that the role-model status of England footballers makes them fair game for tales of extra-marital romps. Most of the public appears to disagree (*see table 5*). Well over half – 58 per cent – believes this to be a private matter which should not be

Table 3 A schoolteacher has been passing on exam questions to her students to help their GCSE grades	
This story is definitely in the public interest and should be published	70%
This story is not necessarily in the public interest, but nevertheless it should be published	22%
This story is a private matter and should NOT be published	4%
Don't know	4%

Table 4 A company testing medicines is suspected of cruelty towards animals	
This story is definitely in the public interest and should be published	70%
This story is not necessarily in the public interest, but nevertheless it should be published	21%
This story is a private matter and should NOT be published	5%
Don't know	4%

Table 5 A well-known England footballer, who is married with young children, is having an affair	
This story is definitely in the public interest and should be published	6%
This story is not necessarily in the public interest, but nevertheless it should be published	30%
This story is a private matter and should NOT be published	58%
Don't know	6%

published, while just under a third thinks it should be published even though it may not be a public interest issue. Only one in 20 regards an England footballer's affair as a clear public-interest issue deserving publication.

One might expect readers of the popular press – the tabloids – to have a different perspective, and the figures do suggest a little variation. The proportion of red-top readers who believe this is an entirely private matter is exactly half compared with 58 per cent overall, while the proportion supporting publication without believing it to be a public interest issue rises to 37 per cent compared with 30 per cent overall. However, there is virtually no change in the very small proportion that considers this to be a public-interest issue meriting publication. Interestingly, the figures for *mid-market* readers are no different from the average.

Similar responses were given to two further stories where one might have expected more variation: a leading politician's daughter being found drunk in public, and a female pop star undergoing cosmetic surgery to her face (*see tables 6 and 7*). Reporting of the drunken antics of a politician's daughter – which arguably might have justified critical scrutiny – is rejected by more than two thirds of respondents, with only 1 in 20 believing there is a public-interest case for publication. The overall figure of 69 per cent who reject publication decreases to 61 per cent for red-top readers and increases to 77 per cent for broadsheet readers, but the overwhelming conclusion remains that this is not generally seen as a legitimate “public interest” story. The same conclusion, perhaps counter-intuitively, can be drawn for the pop singer, where only slightly fewer thought the cosmetic surgery story should not be published and slightly more thought that it could, despite not being a public interest story. This is the fifth story which was repeated in identical terms from the earlier Leeds study, again with remarkably similar results: then, 54 per cent thought that this was “definitely not” a matter of public interest and a further 29 per cent thought it was “probably not”.

The most emphatic rejection of publication came for the story involving a *Britain's Got Talent* finalist who had tried to commit suicide. Presumably the combination of “celebrity” (rather than someone in a position of influence) and personal tragedy makes it a no-go area for the vast majority: 4 out of 5 overall and just more than threequarters of red-top readers thought that it should not be published (*see table 8*).

We also tried to gauge where the public's sympathies lie over phone hacking – between the newspaper owners/editors on the one hand and those celebrity figures who have been the most prominent victims of phone

hacking on the other. This is a somewhat artificial dichotomy, both because it concentrates specifically on phone hacking and because it focuses on the “celebrity” issue rather than examples of unethical press behaviour that have impacted on less well-known individuals. It also fails to acknowledge the potential public-interest benefits of journalism which sometimes breaks the rules (as in MPs’ expenses). With these caveats, the results demonstrate no sympathy whatsoever with the press (see table 9 for the precise wording and percentages for different demographic groups). On balance, a majority takes the view of “a plague on both their houses”, while just over 4 in 10 sympathise mainly with the celebrity victims of phone hacking.

Perhaps more intriguing than the overall results are the variations within sub-groups. As table 9 shows, the “no sympathy for either” camp and the “celebrity sympathy” camp are much more evenly divided for those who identify themselves as Labour voters, and are actually reversed for Lib Dem voters. There is a similar split with age: the two younger age-groups are more likely to side with the celebrities than the two older age groups (particularly those aged 60-plus). And readers of mid-market newspapers are much less likely to sympathise with either side, a function possibly of their older demographic but perhaps also of the more negative editorial comment which

Table 6 A leading politician's daughter is found drunk in public	
This story is definitely in the public interest and should be published	5%
This story is not necessarily in the public interest, but nevertheless it should be published	22%
This story is a private matter and should NOT be published	69%
Don't know	5%

Table 7 A member of a leading pop group has had cosmetic surgery to change the shape of her face	
This story is definitely in the public interest and should be published	3%
This story is not necessarily in the public interest, but nevertheless it should be published	25%
This story is a private matter and should NOT be published	66%
Don't know	5%

Table 8 A contestant on Britain's Got Talent who has reached the final once tried to commit suicide	
This story is definitely in the public interest and should be published	3%
This story is not necessarily in the public interest, but nevertheless it should be published	12%
This story is a private matter and should NOT be published	80%
Don't know	5%

those papers have carried about the more vocal celebrities.

Finally, how does the public divide on the Commons select committee's controversial verdict about Rupert Murdoch? The full question and the responses are given in table 10, and the conclusion is pretty unequivocal: more than half do not regard Murdoch as a "fit and proper" person to run an international company compared with around 1 in 6 who thinks he is. Predictably perhaps, the biggest sub-group variations are based on political allegiance, with nearly two thirds of Labour voters taking a negative view. Even among Conservative voters, however, there was a clear majority agreeing with the published conclusions of the split select committee – by 43 per cent to 27 per cent.

The notion of "fit and proper" has very particular connotations, of course, as the test which Ofcom has to apply to satisfy itself that corporate managers are fit to own a broadcast licence. Given News Corp's 39 per cent controlling stake in BSkyB, were Ofcom to find adversely in terms of News Corp it could revoke BSkyB's licence. Ofcom announced in April this year that it had stepped up its investigation into News Corp and has asked for documents relating to some of the phone-hacking litigation to be disclosed. While Ofcom's "fit and proper" assessment is hardly going to rest on the opinions of UK viewers, such a heavy vote of no confidence will scarcely help the News Corp cause.

One of the most intriguing outcomes from these questions is – with the exception of the final question on Rupert Murdoch's fitness to run a major company – the very small proportions who felt unable to offer a view, and how little opinions varied among readers of different kinds of newspapers. This might be something of a surprise given the paltry number of column centimetres devoted by the tabloid press (red-top and mid-market) to the phone-hacking story before the Leveson Inquiry and the continued reluctance of some of them to cover the revelations and arguments that have since emerged, (see also *Daniel Bennett and Judith Townsend, page 60*). Charitably, this could be interpreted as an editorial decision based on evaluating readers' interests or, less charitably, as an attempt to minimise coverage of some very uncomfortable truths.

A good example of this extraordinary contrast between broadsheet and tabloid coverage occurred when two dramatic but unrelated stories broke on the same day. On Monday February 27 Sue Akers, the Metropolitan police commissioner who is running the criminal investigation into phone hacking and bribery, told Leveson about a "culture of illegal payments" at *The Sun*

which she alleged had established a “network of corrupted officials”. On the same day, the singer Charlotte Church agreed a £600,000 settlement from News International for phone hacking that included an apology read out in court and £300,000 in costs. In a dramatic statement on the steps of the Royal Courts of Justice, Church vented her fury at the newspaper’s constant harassment of herself and her parents, saying: “They’re not sorry. They’re

Table 9 In the phone-hacking affair involving the News of the World and possibly other papers, which of the following most closely matches how you feel?

- A My sympathies mainly lie with the newspaper owners and editors like Rupert Murdoch, who owns the Sun, and Paul Dacre who edits the Daily Mail
- B My sympathies mainly lie mainly with celebrities like Hugh Grant and Sienna Miller whose phones were hacked
- C I don't have much sympathy with either side
- D Don't know

	Voting intentions			Age				Newspaper type			
	Total	Con	Lab	Lib Dem	18-24	25-39	40-59	60+	Red top	Mid-Market	Up Market
	*1658	411	585	111	201	423	567	468	555	265	232
	**1658	410	546	108	112	409	670	467	361	340	232
	%	%	%	%	%	%	%	%	%	%	%
A	1	2	0	2	1	2	1	1	2	1	1
B	43	39	48	54	48	49	43	34	39	33	48
C	53	57	49	40	45	44	52	63	55	63	51
D	3	1	3	4	6	4	3	1	4	3	1

Table 10 As you probably know, Rupert Murdoch is the founder and chairman of News Corp, the company that ultimately owns *The Times*, *Sunday Times* and *Sun*, and is the largest shareholder in Sky Television. Recently a majority of MPs on a House of Commons Committee declared that “Rupert Murdoch is not a fit and proper person to run an international company”. A minority of MPs disagreed. Do you think Mr Murdoch is or is not a fit and proper person to run an international company?

- A He is a fit and proper person to run such a company
- B He is not
- C Don't know

	Voting intentions			Age				Newspaper type			
	Total	Con	Lab	Lib Dem	18-24	25-39	40-59	60+	Red top	Mid-Market	Up Market
	*1658	411	585	111	201	423	567	468	555	265	232
	**1658	410	546	108	112	409	670	467	361	340	232
	%	%	%	%	%	%	%	%	%	%	%
A	16	27	13	12	15	17	15	17	20	15	23
B	56	43	65	58	57	52	57	57	51	59	58
C	28	30	21	30	28	31	27	26	29	26	19

British Journalism Review/YouGov
 Sample size: 1658 GB adults; Field work: 7-8 May, 2012
 *Weighted sample **Unweighted sample
 © 2012 YouGov plc. All rights reserved. www.yougov.com

just sorry they got caught.”

Allegations of high-level bribery and corruption combined with angry denunciations from a highly photogenic celebrity singer might normally have prompted some tasty tabloid front pages. On the following day, while every broadsheet newspaper duly followed with front-page headlines featuring one or both stories, every one of the five national “popular” papers scrupulously avoided the burning issue of the day with a melange of different front-page splashes. For the *Daily Mail* it was taxation and the headline “We’re the fuel tax capital of Europe”, for the *Mirror* it was crime accompanied by the dramatic “83-year-old strangled by prisoner freed early”, while the *Express* went for health and “Sleeping pills: how tiny dose can kill”. The *Daily Star* found a sports angle after discovering an England football team photo from which demoted captain John Terry had apparently been excluded, accompanied by the headline: “Where’s Wally? John Terry missing from team pic.” And *The Sun*, which alone might have been forgiven for dodging the events of the previous day, managed to find a £120-a-week disability claimant taking a day out on dangerous theme-park rides. It celebrated this with the headline “Taking us for a ride”. Cynics might have been forgiven for thinking that its readers had been similarly short-changed.

Whether this disparity in reporting has influenced the public’s interest in or perceptions of the Inquiry is impossible to say. It does not, however, appear to have affected either their ability to express an opinion or, at least in any clear-cut way, how responses might have been influenced by newspaper reading habits. If we take the results at face value, there appears to be a clear dividing line in people’s minds between stories which undoubtedly merit publication in the public interest and stories that are private matters and should remain so. Moreover, and perhaps most intriguingly of all, these attitudes have remained consistent over the past 10 years. And as for Rupert, it’s probably just as well that his corporate position doesn’t depend on a plebiscite of British voters.

Steven Barnett is Professor of Communications at the University of Westminster. His latest book 'The Rise and Fall of Television Journalism is reviewed on page 92.