

**IN THE MATTER OF:**

**AN INQUIRY UNDER THE INQUIRIES ACT 2005**

**INTO THE CULTURE, PRACTICES AND ETHICS OF THE PRESS**

**CHAired BY THE RT HON LORD JUSTICE LEVESON**

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**SECOND WITNESS STATEMENT OF TIMOTHY JOHN GORDON**

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I, **TIMOTHY JOHN GORDON**, of the South Wales Echo, Media Wales Limited, Six Park Street, Cardiff CF10 1XR **WILL SAY** as follows:

1. This is my second witness statement to the Inquiry. My first witness statement dated 10 February 2012 was in response to the Inquiry's first notice to me under section 21 of the Inquiries Act 2005 dated 9 January 2012. I gave oral evidence in relation to my first witness statement on 20 March 2012. This statement responds to the Inquiry's second such notice to me, dated 29 June 2012 (the '**Notice**').
2. Where the contents of this statement are within my own knowledge they are true and where they are not within my own knowledge I indicate the source of my belief and believe them to be true.
3. I am not authorised to waive any privilege on behalf of Trinity Mirror plc (including Media Wales Limited) and nothing in this witness statement is intended to constitute a waiver of privilege.
4. The Notice sets out six questions which I address below.

**1) Who you are and your current job title**

5. I refer the Inquiry to paragraph 5 of my first witness statement.

**Lord Black has submitted to the Inquiry a proposal for "a New and Effective System of Self-Regulation". In his submission Lord Black states:**

*"Responses to the industry consultation from within an extremely diverse set of businesses have inevitably been varied. Parts of the industry – particularly the regional and periodical press – have been understandably anxious about such substantial change, especially when the current system works well for them (as the Inquiry has heard) and above all for their readers. They have rightly been worried about the potential increase in costs and bureaucracy of a new system. But at the other end of the spectrum, some national publishers have argued for even tougher controls. At the end of the day, therefore, this proposal seeks so far as is possible to balance these views. But there is no doubt to me that the vast majority of the industry sees them as credible, likely to prove effective and that they will take part. Northern and Shell has indicated that it is willing to participate, subject to detailed contract terms."*

6. In order to prepare this statement, in the short time provided by the Inquiry, I have familiarised myself with the proposal in Lord Black's statement, which I understand is in fact a proposal developed by the Press Standards Board of Finance ('PressBof').

**2) To what extent were you personally involved in drawing up this proposal for a new system of self-regulation based on contractual obligations, as now set out by Lord Black?**

7. I have not myself had any specific involvement.

**3) How far would you personally, in your capacity as editor, expect to be involved in the final decision as to whether your publication signed up to the contractual obligations envisaged by this system? Please explain in full how that decision would be taken**

8. I personally would not expect to be involved in any "final" decision as to whether my publication signed up to the contractual obligations envisaged by the system. I would expect Trinity Mirror plc to make the decision on a corporate level. However, I would expect the opinions of Trinity Mirror's editors to be canvassed by the company before any final decision was taken. We have a regional editorial director (Neil Benson) and deputy editorial director (Alan Edmunds) who would likely lead discussions on this. I note that Mr Edmunds is also a currently serving editor and Mr Benson is a former editor.

**4) In so far as you are able to do so, please indicate whether your publication is at present fully ready and committed to enter into these contractual obligations. If it is not at present fully ready and committed, please explain why, and detail any changes that would need to be made to the proposal, any further development to proposal required, or any preparatory steps that would need to be taken at your publication, in order to put it in the position of being fully ready and committed to enter into these obligations. If there are no circumstances in which it would be prepared to enter into obligations of this nature, please explain why not**

9. Personally I see considerable merit in PressBof's proposal as it promotes self-regulation over a statutory system of regulation, which would likely impinge on freedom of the press. It also enables investigations to be carried out and can impose severe punishments while also enabling the majority of complaints to be dealt with quickly. Statutory regulation, I believe, might incur long, legal processes in order to come to agreement on complaints which I feel would do little to satisfy the majority of complainants who, from my experience, are generally looking for speedy acknowledgment and correction or redress.

However, the decision to commit to the contractual obligations will be made at the board level of Trinity Mirror plc and not at my level. Speaking for myself, though, I feel my publication could commit to the proposals and contractual obligations although they, no doubt, would lead to an increased workload especially with regards to administrative duties surrounding the new code and showing how we put the code into action on a daily basis.

**5) What specific differences would membership of a system of the kind set out by Lord Black, underpinned by contractual obligations, make to the culture, practices and ethics of your publication?**

10. As explained in my first witness statement, my publication seeks to adhere to the editors' code and takes the threat of admonishment from the PCC extremely seriously. A new system of the kind proposed by PressBof would not see that position alter so I do not see how it would fundamentally change the culture, practices and ethics of my newspaper. Therefore if we signed up to the proposal we would still look to adhere to the editors' code. Insofar as PressBof's submission may though require us to collect and store information on stories that we might be asked to justify at a later date, whereas currently we may have discussions about these types of stories, under PressBof's proposals we would likely have to note conversations and decisions made regarding these types of stories. We already monitor complaints, including through weekly meetings, to ensure we act quickly to solve any issues, but the new system would likely see us create a more defined system which would increase our administrative duties.

**6) Is there any other comment you wish to make on the proposal put forward by Lord Black, or on the proposals put forward by others, that are now published on the Inquiry website at <http://www.levesoninquiry.org.uk/about/module-4-submissions-on-the-future-regime-for-the-press/>?**

11. I think it is fair to say I broadly support the PressBof proposals.
12. I note that PressBof's proposals support seeing complaints being dealt with by publishers themselves, before a regulator is to be engaged. On Friday, January 11, 2012, Lord Hunt of Wirral visited our Media Wales offices in Cardiff and spent around an hour discussing, among other things, the Inquiry and the future of the PCC. In attendance at the meeting were Mr Edmunds in his capacity as Editor in Chief at Media Wales, Alison Gow (then editor of Wales on Sunday and WalesOnline), Simon Farrington (our business development editor) and myself. I recall that we discussed generally how the publicity surrounding the Inquiry had led to more complaints – mainly concerning minor inaccuracies – bypassing titles in the first instance with complainants deciding to go

directly to the PCC. We discussed how, if the majority of those complaints had been directed to editors in the first instance, then it was likely they would have been resolved much faster.

13. We also expressed to Lord Hunt that we believed self-regulation was the preferred option and that any statutory regulation would likely impinge on freedom of the press. We briefly discussed whether we could have a two-tier system (one for regionals and one for nationals) but dismissed that as we felt that one regulatory body was needed for both if standards were to be consistent. We were clear that we (the regional press) always did our best to adhere to the editors' code and felt that we were being punished for a rogue element within the national press. However we recognised that public confidence in the system was important.
14. I believe that editors are responsible for maintaining standards at their newspapers and are responsible for protecting their paper's image. Under PressBof proposals, that responsibility, I believe, remains with the editor, as indeed it should. We are already very aware of our accountability.
15. As explained earlier we currently monitor any complaints which have either been made to the PCC or have involved legal letters. Other complaints we seek to deal with quickly and amicably. We have set aside a section of page 2 in the South Wales Echo advising readers that that "we promise to set the record straight, on this page (page 2) in a clear, no-nonsense manner". We also tell them who to contact (my office telephone number, e-mail address and business address) if they have a complaint. We also print the PCC's details on page 2 if they choose to take the complaint there in the first instance.
16. We set up the above to show our readers that we take their views seriously and that we are open and willing to make efforts to satisfy complainants.
17. I am of the opinion that PressBof's proposals would significantly toughen up the regulatory system and would do enough, in my opinion, to satisfy the public's concerns. It is worth saying that the PCC, certainly in my experience, seems to have worked well as a regulatory body for both complainants and the regional press. I find it difficult to envisage a time when the regional press might create the type of scandal which we have witnessed around certain national publications.
18. I believe that stricter application of existing criminal laws and adherence to the editors' code could deal with most issues. That said, however, I recognise that a stronger self-regulatory body with the ability to levy fines and carry out investigations is a PressBof proposal which I can support. I see that allowing external audits of internal governance

arrangements and compliance arrangements may put an even stronger focus on newsroom ethics.

19. What must not be forgotten is the importance of a free and independent press. We need the public to see the 'fourth estate' as a factor for good, an entity that can enhance and improve their lot, fight their corner, give them information valuable to their everyday lives. Stricter regulation, which might make it more difficult for the press to question and investigate, probe and discover, is not regulation which will serve a democratic society. I believe the PressBof proposal offers a way forward.

Signed .....

**Timothy John Gordon**

Dated: July 2012

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Signed ...



**Timothy John Gordon**

Dated: 10<sup>th</sup> July 2012