

From Simon Jenkins

April 23

Dear Rowena,

Many thanks for your letter. I am sorry if my last reply to Lord Leveson seemed curt. I meant no disrespect to the inquiry. I feel that the Franks/Calcutt informal approach to these ethical debates more appropriate than a courtroom drama, with witnesses under oath and cross-examination. But we are where we are and I am happy to expand on my views. I must stress that they are mine alone, and not those of the Guardian.

I have been involved in newspapers all my life and have worked for most of the principal groups, including Beaverbrook, Thomson, Rothermere, News International, the Economist, the BBC and the Guardian. I wrote an economic history of the press, *The Market for Glory*, in 1986. I sat on the Calcutt inquiry into press and privacy in 1990 and served on the monopolies commission press panel for a number of years.

I have always been bullish about newspapers, albeit less so now. Even British tabloids, of which I have little experience, are better than their American equivalents. More serious papers are published and more read in Britain today than when I joined the profession – and more than in any comparable country. I believe this is because competition has constantly updated and sharpened them. Nothing matters more than their continued pluralism, depending as it mostly does on complex cross-subsidies.

Media ownership has always been chaotic and egotistical. Proprietorship has little to do with business and is more akin to entertainment and horseracing. Yet good journalism manages to survive and without public money. Some papers are still profitable and all have more pages and more copy than before the Wapping revolution of the mid-1980s. The recent move into digital is transforming all media, and has yet to show its revenue potential. A mix of reputation, brand loyalty, institutional longevity, pride and philanthropy has kept the British press going, and I am sure it will.

Some of your specific questions I will try to answer.

1. I doubt if relations between journalists and politicians (or policemen) are any closer than of old, probably less so. From Trollope's Quintus Slide to Dawson and the interwar press barons, newspapers were integral to the political system. Northcliffe, Rothermere, Beaverbrook, Elias, Kemsley, Hartwell were political proprietors, in and out of Downing Street. Almost all papers were allied to parties. The office song at the Daily Herald was "We have not party, creed or bias/ We want a peerage for Elias."
2. Only since the war has "editorial independence" evolved as a concept. Editors as a class are more detached from politics today than ever, hence perhaps the disrespect shown to politics by newspapers. No prime minister so courted the press as did Harold Wilson, with half a dozen knighthoods, I think, to the Mirror alone. The bizarre Blair/Campbell era was an aberration: not a case of Downing Street seeking to dominate Fleet Street but rather Downing Street mimicking the processes of Fleet Street.
3. The deference once shown to politicians and establishment figures has long gone, as has the deference to the government process. The secrecy of the 1936 abdication is inconceivable today, as would be Lloyd George's affairs. The hounding of ministers from office for sexual misconduct, the expenses scandal, the ubiquitous use of freedom of information, all reflect a growing distance, social as well as ideological. Journalists are far less a branch of politics, even the lobby correspondents. FOI has also been a dramatic new aid to accountability. There is nothing like the old sycophancy today.
4. Clearly the status of national titles and the closeness of proprietors to power puts them in a position to advance their interests. Thomson and Murdoch successively had to make their peace with the monopolies commission over the Times. Most publishers were in any out of cabinet offices as the unions drove the industry to the bring of disaster in the late-1970s. Beaverbrook shamelessly lobbied against Europe and used his papers for personal vendettas, while most Tory papers caused constant anguish for Tory leaders with their furious opposition to Brussels. Murdoch, though he had little

interest in British politics, lobbied for new labour laws and marvelled at lax regulation of price fixing. His 1980 acquisition of the Times was eccentric, in that it was heavily loss-making, but he lobbied intensively against a monopolies reference. But none of this is new. Today's publishers are political shrinking violets compared with Beaverbrook, King, Maxwell, Rowland or Black.

5. On relations between politicians and journalists generally, they come from similar backgrounds and swim in the same sea, but that sea is much larger now, and the beaches farther apart. Government is more open. The power of lobbyists, aided by party donations, is more significant and the links of lobbyists to politics more potent. I have followed this closely in such differing realms as planning, agriculture, aviation, railways, defence, science, security and health. Press campaigns are just part of the noise. While the press can shout, the impressive dominance of current affairs at the BBC, and its impartiality requirement, is a balancing influence.
6. It is clear that the press, as a set of national and local titles, is a shrinking element in political debate. Yet it remains extraordinarily prominent compared, for instance, with America. Even political bloggers, like broadcasters, crave coverage in newspapers. Papers remain hugely important to the arts and publishing, to university life and to sport. They are the sole conduit for thoughtful reporting of foreign affairs. Print journalists still swarm the airwaves.
7. I am doubtful of the role of industrial or professional regulation in changing much of this. The best guardian of press freedom is plurality of outlets. Various suggestions have been made to bolster this: from subsidising "good" papers to restricting market share or taxing or limiting cross-subsidies. The monopolies panel debated market share at length, fixing on 33 per cent as maximum ownership in any defined market. But with provincial and loss-marking titles, this was hard to enforce. Survival is better than closure. As for cross-subsidy, half the British press depends on it in some shape or form. Most London titles were supported for decades on the backs of their provincial siblings. The biggest subsidy is to local BBC outlets, with licence fee money killing off local commercial media. This needs urgent attention.

8. My unashamed view is that the "ethics" of most journalists - the motives and operative procedures by which they work - are as good as those of most professionals if only because they are perpetually at test. Journalists work under intense pressure of time. They should no more be judged by their worst cases than lawyers, doctors, MPs or bankers. If journalists get something wrong they are usually called to swift account. Few deliberately write lies. Few newspapers deliberately publish them. The goal of disclosing wrongdoing in the interest of public debate is vividly before every editor's eyes.
9. Journalists do not run politics, merely observe them. They have only such "power" as is accorded them by politicians. They should obey the law, and overwhelmingly do so. Their work is read and trusted when they reveal the unexpected and rake the dirt. If they stop doing this, secrecy corrupts democracy and those in power become unaccountable. Leaving such work to elected representatives never works, as Jefferson remarked. I feel strongly that they are best left alone, warts and all.
10. My recollection is that, before Calcutt, far worse things were done than the present phone and email message hacking. Actual conversations were being tapped and taped, including of the royal family. Hospitals were gate-crashed. Outrageous photographs were taken. Children's privacy was abused. Most of this stopped after Calcutt's code of practice. (Contrast America's Globe and National Enquirer.) The internet has vastly increased the capacity for intrusion – with government eagerly joining in – but I cannot see what radical extension of the law will make much difference.
11. Much debate took place on Calcutt (and elsewhere) on a "public interest" defence. Like invasion of privacy, it was hard to define beyond some vague concept of public taste. It is one thing to know when a story is blatantly prurient, usually to do with sex, another to draw a line between prurience and what is merely embarrassing or what the internet has already put in the public domain. Privacy likewise has morphed into rules governing copyright, trespass, harassment and contract. I regard the law here as reasonably sound. There are lurches of lunacy, such as the super-injunction affair, but the system seems to have an

ability to correct itself more impressively than in most other countries.

12. Mistakes get made, usually the result of haste. Some people are upset at being in newspapers, some sorely so. But papers are words. I am unaware of many people whose lives are ruined or bodies wrecked from unflattering press coverage. Celebrity does not sacrifice privacy, but it sorely qualifies it. Ask publicity agents how they exploit it. The Leveson inquiry's obsession with celebrities' phone messages has seemed to me disproportionate. I would say far more damage is done to the public interest by its susceptibility to lobbyists and government mendacity.

13. I see no need for new institutions to regulate the journalistic profession – though I appreciate that all professions say that. We have this year seen what happens when a few journalists overstep a mark. Dog has eaten dog with a vengeance. A paper has been closed, journalists imprisoned, hacking exposed (ad nauseam) and a mighty empire brought low. I can think of no previous case of self--regulation so dramatically effective.

14. I would tinker with the PCC, as Calcutt did with the Press Council. I would never have sitting editors on it, and would demand it make ex cathedra judgments. Someone should be in a position publicly to castigate newspapers that misbehave, even if sanction is absent. Above all, the commission must have a chairman with spine, which it has not had since Oliver MacGregor. It should be an outspoken champion of journalistic good behaviour and critic of bad. But it cannot stand in for the law of libel, contract, trespass, harassment, nuisance or bribery. They are parliament's business.

With best wishes

Simon Jenkins