

Background to the Phone Hacking Scandal

In July 2011 the *News of the World* published its last ever edition of the paper after 168 years of journalism in the wake of the now infamous phone hacking scandal. A two year investigation and a House of Commons inquiry which is still ongoing revealed that the News of the World had illegally hacked the phones and personal voicemail of up to 4000 public figures and celebrities including the murdered schoolgirl Milly Dowler and the parents of Madeline McCann - <http://www.guardian.co.uk/uk/2011/jul/04/milly-dowler-voicemail-hacked-news-of-world>. Although one *News of the World* journalist, royal editor Clive Goodman, was jailed for four months in January 2007 and private investigator Glenn Mulcaire was jailed for six months after admitting intercepting voicemail messages on royal aides' phones, there are fears that the pernicious practices of these Journalists may extend well beyond a single incidence and indeed a single newspaper (there have been accusations against The Daily Mirror - <http://www.bbc.co.uk/news/uk-14259180>). The investigation has implicated the police (see for example <http://www.bbc.co.uk/news/uk-14107410>, <http://www.bbc.co.uk/news/business-14099102>) and indeed the political elite, especially because of the close links between the Murdochs and Downing Street (both under Blair's Labour government and Cameron's coalition which controversially appointed the former NoW editor, Andy Coulson as the Communications Director - <http://www.bbc.co.uk/news/uk-politics-12250354>). It is against this background of scandal and political intrigue that certain groups and individuals are calling for greater press regulation.

Current Regulation

The press is currently regulated by the Press Complaints Commission (PCC), an independent watchdog which deals with complaints but 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 morally dubious and illegal behaviours of the media. Following the hacking scandal, leaders from all three major political parties argued the 'toothless' PCC should be scrapped and that a new independent supervisory body be erected in its place. Indeed, some argue what is now needed is statutory regulation of the media, with suggestions including the introduction of a newspaper 'licensing' system and extending the powers of Ofcom to regulate print as well as broadcast media. Others fear that external statutory regulation of the media would leaving the press open to external and state control which could lead to censorship. They therefore believe that a defence of the free press rather than tougher regulation is what is really needed.

Useful Sources:

Q&A: News of the World phone-hacking scandal - BBC News
<http://www.bbc.co.uk/news/uk-11195407>

'Of course I support a free press, but...' by Mick Hume
<http://www.spiked-online.com/index.php/site/article/10901/>

Don't punish innocent papers: it's the rogues that need to be regulated by Peter Preston
<http://www.guardian.co.uk/media/2011/jul/10/dont-punish-innocent-papers>

The Press Complaints Commission
<http://www.pcc.org.uk/>

Arguments for Media Regulation

Proponents of greater regulation cite the *News of the World* scandal as representative of a journalistic culture which denies public figures their privacy and will break the law in order to obtain sensationalist and lucrative stories. Opponents of greater regulation claim such regulation may harm investigative journalism’s power to to keep a check on the actions of the state and to hold those in public office to account. However, supporters of regulation use the phone hacking scandal as evidence to suggest that what counts as investigative journalism today has been debased and needs reforming. Instead of aiding investigative journalism, a poor system of regulation may in fact undermine the principle of free speech and indeed the integrity of high quality journalism. Greater structure through regulation along with clear definitions of acceptable and unacceptable practices, they argue, would lead to higher standards, better stories and less corruption within the system as a whole.

Time to give regulators teeth to take on the tabloid bullies by Richard Lambert
<http://www.ft.com/cms/s/fb066e5e-af0e-11e0-bb89-00144feabdc0.html>

This media is corrupt – we need a Hippocratic oath for journalists by George Monbiot
<http://www.guardian.co.uk/commentisfree/2011/jul/11/media-corrupt-hippocratic-oath-journalists>

News of the World: A newspaper is gone, but an inquiry is as urgent as ever by Geoffrey Robertson
<http://www.guardian.co.uk/commentisfree/2011/jul/08/newsoftheworld-national-newspapers>

We need new codes to define the perimeters of free speech by Yasmin Alibhai-Brown Independent
<http://www.independent.co.uk/opinion/commentators/yasmin-alibhai-brown/yasmin-alibhaibrown-we-need-new-codes-to-define-the-perimeters-of-free-speech-2284681.html>

Arguments against Media Regulation

Opponents of tougher regulation claim that the behaviour of the *News of the World* remains that of a single publication and is not representative of the ethics and practices of the media as a whole. It is therefore unfair, and indeed detrimental to the whole media system, to impose greater regulation. Opponents also claim that freedom of expression is needed for a healthy society and this is secured by the ability of an independent press to act as a check on the actions of the state and to hold those in public office to account. They argue that this is a very important function of investigative journalism which could be curtailed by excessive regulation. Some commentators are worried statutory and external regulation would lead to journalists being “shackled” or censored in the stories they report. Some go as far as to claim that journalists may abandon the pursuit of difficult stories if they face severe legal punishment for their actions. Many believe that investigative journalism, which because of its covert nature demands the use of some underhand and controversial methods, plays an important role in our society. They argue that journalists should not feel unable to continue

these functions simply because one paper abused the system. The importance of a free and independent press, not controlled by the state, outweighs the upset and scandal caused by the actions of one small group of journalists.

We shouldn't rejoice in the death of the News of the World by Peter Wilby
<http://www.guardian.co.uk/commentisfree/2011/jul/10/should-not-rejoice-news-of-world>

Cameron can't be allowed to shackle the Press by Stephen Glover
<http://www.dailymail.co.uk/debate/article-2012762/News-World-David-Cameron-allowed-shackle-Press.html>

Phone hacking: My big fear is this scandal could damage investigative journalism by Andrew Gilligan
<http://www.telegraph.co.uk/news/uknews/phone-hacking/8628148/Phone-hacking-My-big-fear-is-this-scandal-could-damage-investigative-journalism.html>

After the News of the World, who's safe? By Brendan O'Neill
<http://www.spiked-online.com/index.php/site/article/10746/>

Revenge is sweet for politicians as they hit back at newspapers by Andrew Grice
<http://www.independent.co.uk/opinion/commentators/andrew-grice/andrew-grice-revenge-is-sweet-for-politicians-as-they-hit-back-at-newspapers-2319036.html>