

# The Guardian and Press Reform: a Wheel Come Full Circle

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## Abstract

In the decade 2008–18, between the eruption of the phone hacking scandal and the cancellation of part two of the Leveson Inquiry, the editorial position of *The Guardian* on press regulation went from indifference to demanding wholesale reform, and then back to indifference and even active opposition to change. Inevitably, this entailed reversals and contradictions, yet these were not acknowledged to the newspaper's readers, who are left with a misleading impression of continuity. This study, by an academic and journalist who campaigned for regulatory reform throughout this period, aims to shed light on *The Guardian's* 360-degree progression by reference to its editorials and other published statements.

**Keywords:** press, regulation, *The Guardian*, Leveson, IPSO, royal charter

BETWEEN 2008 AND 2018 *The Guardian's* public position on press regulation underwent a series of striking transformations. At the beginning of the period the newspaper showed little or no concern about the issue, accepting without protest an industry 'party line' that its complaints body, the Press Complaints Commission (PCC), was upholding standards. This changed in 2009–10, at a time when the paper was exposing criminal activity at the *News of the World*. Breaking ranks with the rest of the national press, *The Guardian* became a leading critic of the PCC and demanded reforms. In 2011–12, the period of the Leveson Inquiry into press conduct, *The Guardian* went further, proposing a radically new scheme for press regulation and in due course seeing many of its ideas reflected in the inquiry's recommendations. By the time the recommendations were incorporated into a royal charter in 2013, however, the paper had become hesitant and doubtful, and in the years that followed it detached itself from the issue, set up its own complaints arrangement and ceased to express a view on the subject. The final turn of the wheel came in 2017–18, when Conservative ministers sought to kill off the whole reform project: *The Guardian* applauded this.

It can't be argued that *The Guardian* abandoned reform because the problem had been

satisfactorily resolved: its own boycott of the Independent Press Standards Organisation (IPSO), the complaints body established by the bigger press companies as successor to the PCC, shows that it does not believe so. Nor can it be asserted that standards of conduct and accuracy in the national press have improved: high levels of public distrust provide strong evidence to the contrary, and instances of unrestrained press abuse surface every week.<sup>1</sup> In reality, the country is back where it was before *The Guardian* took up the cause of reform, and so is the newspaper. While it does not actively promote the industry's current 'party line' that IPSO is fit for purpose, it does not challenge that line, though many others do, and many innocent people continue to suffer the effects of ethical failure in the press. Passively and quietly, *The Guardian* today accepts a regulatory status quo that, for a time, it loudly denounced as intolerable.

Why did *The Guardian* embrace the cause of press reform? And why did it change its mind? This article, written by a journalist and academic who campaigned throughout this period for effective, independent press regulation, examines the successive policy shifts at Britain's leading liberal newspaper as expressed in its editorials and public statements, with a view to shedding light on this 360-degree rotation.

## Taking up arms

In the year 2006, David Seymour, recently made redundant after serving as political editor at the *Daily Mirror*, told the trade journal *Press Gazette*: 'The party line for all newspapers is that the PCC is doing a fine job.' He went on: 'Now I can say what I really think, and that is that the PCC is doing a hopeless job. It is handing down verdicts which fail to even meet the basic dictates of common sense, let alone justice.'<sup>2</sup> *The Guardian*, a full member of the PCC, adhered to the party line at that time, even as questions about the complaints body piled up. For example, its editorial columns said nothing in 2007 when, in response to an avalanche of false reporting about his daughter Madeleine's disappearance, Gerry McCann called for improved press regulation. Nor did it depart from the party line a year later when one of its own journalists, Nick Davies, revealed in a book about the press that the PCC upheld fewer than 1 per cent of complaints made to it.<sup>3</sup> And when in January 2009 the House of Commons Media Select Committee, responding to growing public concern, mounted an inquiry into the PCC, *The Guardian's* submission began: 'We support a robust and effective system of self-regulation. Self-regulation—through the PCC or other means—offers a quick, cheap, flexible and effective remedy in most cases.'<sup>4</sup>

Things changed when *The Guardian* found its journalism under attack and the PCC failed to defend it. The trigger was the revelation by Nick Davies in *The Guardian* in July 2009 that *News of the World* journalists had illegally accessed mobile phone voicemails on a large scale and that the paper's owners, Rupert Murdoch's News International, had spent nearly £1 million covering this up. When the company responded with furious denials and most of the rest of the national press also took up hostile positions, *The Guardian* turned to the body ostensibly responsible for press standards. The PCC had previously looked into hacking and had accepted News International's assurance that it was the work of a single reporter acting alone; now *The Guardian* had evidence to the contrary and it asked the PCC to establish the truth. The response was a report

declaring that the *News of the World* had no case to answer and that it was *The Guardian's* journalism that was at fault.

*The Guardian's* editor, Alan Rusbridger, promptly resigned his seat on the PCC code committee while an editorial declared:

To call it [the PCC] a "regulator" increasingly looks misleading. Credible regulators have teeth. They have powers to investigate, to call for evidence and to impose sanctions ... This newspaper has supported effective self-regulation, believing that any other form of control or limits on the press would be worse. We still believe that. But the form self-regulation currently takes is not very credible.<sup>5</sup>

Although this was an unambiguous departure from the industry's 'party line', *The Guardian's* demands were relatively modest. It wanted the PCC to have the power to get past the lies of big companies and find the truth, and it wanted errant newspapers punished. There was no challenge yet to the principle that only the press could manage its own regulation; indeed *The Guardian* accepted a binary interpretation of the matter: either the press regulated itself or the state would, and there could be nothing in between. Notably too, *The Guardian's* arguments scarcely addressed the problem raised earlier by McCann, Davies and others: that the PCC was failing the victims of unethical journalism. The paper had shifted, but only by a quarter turn, or 90 degrees.

## Root and branch

More than any other body or group, *The Guardian* brought about the Leveson Inquiry of 2011–12. Its reporting provoked an earthquake in the establishment, causing the closure of the *News of the World*, the abandonment of Murdoch's £8 billion bid for outright ownership of Sky TV and a cascade of high-level resignations, while at the same time forcing the political world into a rare moment of contrition and consensus. The three main parties of the time, the Conservatives and Liberal Democrats (then in coalition), and the opposition Labour Party, agreed on the establishment of the inquiry under Sir Brian Leveson with a remit to find

out what had gone wrong in the worlds of the press, the police and politics, and to identify lessons to be learned. *The Guardian* was adamant that there had to be consequences: 'This must not be a repeat of Iraq, in which three extra inquiries gradually uncovered the truth, but in a way which has left those responsible unscathed and the law unaffected.'<sup>6</sup> However, since the criminal matters within the inquiry's remit were by now *sub judice* it was necessary to proceed by stages. Criminality and who was responsible for it had to be deferred until the law had run its course, and this deferred phase became known as Leveson 2. Delay or no, *The Guardian* said the whole truth must be laid bare: 'Many of the most egregious aspects of the phone-hacking saga, not least the scale of the abuse, will remain unclear until the police investigation is completed and until any criminal proceedings have been completed too ... Yet without full knowledge there is a danger that the solutions and new structures which the inquiry is now starting to examine will not address the hardest examples of abuse.'<sup>7</sup>

The first phase of the inquiry was largely devoted to regulatory reform and here, amidst lively public debate, *The Guardian's* position moved through another quarter turn. The paper's thoughts on the matter were set out in detail in a closing submission to the inquiry in July 2012, and were summarised in an editorial that November:

We believe in independent regulation, both from politicians and the press itself. We do believe in a contract system – not the use of statute – to secure participation. But we also believe in an arbitral arm which incentivises the regulated to pursue high standards and penalises anyone who walks away. We believe that the regulator must have real investigatory powers and sanctions.<sup>8</sup>

This requires elaboration. The paper continued to call for the press regulator to have investigatory powers and sanctions and it

had long insisted that regulation must be free of political influence. Equally, it opposed the use of statute to make participation in regulation mandatory because this smacked of licensing: governments should not have the power to decide who may publish and who may not. Instead, it favoured a contract system to bind publishers in, something also favoured by the big companies. Thus far the paper stood on familiar ground; the rest of the menu, however, reflected new thinking. The assertion that regulation should be independent 'from the press itself' demonstrated a break with the binary assumption that no alternatives lay between self-regulation and state regulation. This was an acknowledgement that altering the rules of a regulator would make little difference if the power to pull the strings remained with the big companies. A regulator, it was clear, must be independent to be effective.

Also new was the 'arbitral arm'. For years it had been a complaint of some newspapers, and particularly *The Guardian*, that the cost of defending journalism in court was so high that their ability to report the facts was in jeopardy.<sup>9</sup> Rich litigants had the power to deter or 'chill' journalistic inquiry merely by threatening civil actions that would impose large financial risks on publishers. *The Guardian* saw in the Leveson Inquiry 'a historic chance' to remedy this, proposing in its editorial on 23 December 2011 that a new regulator should offer a low-cost arbitration service to deal with cases of libel and breach of privacy. And this idea had brought another in its train. Access to this service might serve as an incentive to participation in the new, more effective regulator—if you are in you get the benefits, and if you are not you don't.

A further, linked development in *The Guardian's* thinking was its new position on statute. For years, the party line across the industry was that any Act of Parliament relating to press regulation was unthinkable: it would by definition create state regulation. *The Guardian* no longer believed this. Legislation, it said, must be carefully scrutinised to ensure it did not unjustifiably constrain freedom of expression, but it was not anathema. It might reasonably be used, for example, to 'recognise' or give authority to an independent regulator, and to give legal effect to

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[Correction added on 20 January 2021, after first online publication: Quotes on pages 3, 4 and 7 were misplaced and have now been corrected in this version.]

incentives to participation—what the paper called the ‘carrots and sticks’ associated with its desired arbitral arm. An editorial in November 2012 argued:

Some observers point out that such an arbitral system would need to be enshrined in law with the press regulator recognised in statute. That may be true, but this use of statute merely builds on the precedent of section 12 of the Human Rights Act, which asks judges to consider regulatory codes in their deliberations over free expression. For the press to oppose such a limited use of statute as a matter of principle would seem to be counter-productive.<sup>10</sup>

Where the carrots and sticks were concerned, *The Guardian’s* closing submission to the inquiry urged that judges should be encouraged to back the new system in the way they awarded costs: ‘An unreasonable decision to pursue legal proceedings would be likely to leave the claimant exposed to paying the costs of those proceedings, irrespective of their outcome.’<sup>11</sup> In other words, *The Guardian* proposed that any litigants who forced news publishers to go to court despite the availability of cheaper arbitration should face having to pay all the legal costs of both sides, even where those litigants won their cases. Newspapers could thus be confident they could defend their journalism without incurring daunting financial risk. In addition, since this protection would only be available to news publishers participating in the regulator operating the arbitration service, this would help make it ‘highly unlikely and economically illogical’ for newspapers to reject membership.<sup>12</sup> And if statute was needed to make this effective, the paper said, ‘provided potential unintended consequences are properly thought through, we would support this’.<sup>13</sup>

This ambitious and closely argued position, in favour of independent, effective regulation incorporating an arbitral arm and with carrots and sticks to encourage membership, placed *The Guardian* wholly at odds with the larger national newspaper corporations. Though the Murdoch, *Mail*, *Mirror*, *Telegraph* and *Express* groups had been forced to admit the failure of the PCC, at the inquiry they offered only minimal changes

which, notably, would leave them still in control. They had little interest in an arbitral arm (as wealthy companies they felt the effect of court costs less keenly), less interest in *The Guardian’s* carrots and none at all in its sticks. Reviewing the regulatory scheme advanced by these companies, *The Guardian* made what positive noises it could, but it balked in particular at the failure to make regulation independent. This, after all, had been the starting point for the paper: it was because the PCC was a puppet of these companies that it failed to support *The Guardian* over phone hacking.

Thus, it can be said that in November 2012, when the first phase of the Leveson process ended, the paper occupied something like the opposite position from the one it had held before Davies’s hacking stories. From passively accepting a party line that press regulation was satisfactory in the teeth of considerable evidence that it was not, it had become a leading advocate, if not *the* leading advocate, of root and branch reforms that most of the rest of the industry rejected. The half turn—180 degrees—was complete.

## Second thoughts

After Sir Brian Leveson published his report, a *Guardian* editorial summarised its recommendations as follows:

... he put forward something he described as independent regulation, organised by the press itself, with a statutory underpinning and verification. It would be voluntary—but participation would be incentivised by the carrot and stick of belonging to an arbitral system that would give significant cost and damages advantages in libel or privacy actions. In order to cement these legal benefits, Leveson advocated some statutory underpinning.<sup>14</sup>

On the face of it this should have been very welcome to *The Guardian*: if its earlier summary of its position on regulation, quoted above, had been a checklist, then this ticked every box, while the proposals of the bigger newspaper companies were rejected as inadequate. However, as *Guardian* editorials pointed out, the devil in these matters is in the detail. An inquiry makes

recommendations; it is up to politicians to implement, or not. And while Leveson's recommendations were clear, they were not always expressed in the language of legislation or of rules. It took more than four months of sometimes confrontational negotiations between the three main parties before the details were hammered out and agreement was reached. The bulk of the regulatory recommendations were delivered in the form of a royal charter, while short passages were inserted into two bills then before Parliament, one shielding the charter from political meddling and the other enabling carrot and stick incentives to participation using court costs.

This arrangement, which met with overwhelming approval in Parliament but was rejected by the big newspaper companies, ultimately failed to satisfy *The Guardian*, though the paper's editorials of the time did not explain why. There were several such editorials, both before and after the political agreement, and also a long article by Rusbridger. They are worth revisiting.

First, though on 22 February 2013 *The Guardian* criticised the process of political negotiation as insufficiently transparent and 'a bit of a mess', it ended up satisfied, notably because in its later weeks the debate became more open. Thus, an editorial the following month stated with approval: 'All sides in the debate have moved during the course of the past few months, including the political parties, the press and the campaigners on behalf of the victims of press abuse.'<sup>15</sup> Second, and in similar vein, *The Guardian*, though it disliked the use of royal charter, ultimately endorsed it. By nature undemocratic, this ancient instrument was declared acceptable as a means of delivering the regulatory regime because it was accompanied by that clause in legislation protecting it from alteration by politicians. This was, the paper said, 'the least-worst option' in the circumstances and 'a reasonable solution to a difficult problem'.<sup>16</sup>

*The Guardian* only complained with any urgency about one element of the reform package: the inclusion among the carrots and sticks of exemplary damages, meaning those damages awarded against a losing party in a civil case, not as compensation for the victim of a wrong, but as punishment for

the perpetrator. Under the new scheme news publishers participating in charter-standard regulation would face no risk of exemplary damages in the courts, while those that stayed out would not have that immunity. *The Guardian* declared itself 'strongly opposed' to this arrangement. Rusbridger warned that 'a magazine such as *Private Eye* or websites for which regulation was never intended could face crippling damages which could put them out of business'.<sup>17</sup> This was an unlikely point about which to complain. The power to award exemplary damages had long been available to judges in libel cases, and strikingly none had been awarded in decades. What was new in 2013 was that they would also be available in privacy cases (never a significant concern at *Private Eye*) and that members of charter-standard regulators would be exempt. Also new was that the bar for such awards was set extremely high: they could only be considered where a defendant had shown 'a deliberate or reckless disregard of an outrageous nature for the claimant's rights'.<sup>18</sup> The risk to news publishers was therefore not new, very remote and avoidable. It is easy to see why *The Guardian's* concern on the point quickly faded away.

*Guardian* editorials in the weeks after the political agreement on regulation show that the paper was unhappy and uncomfortable, but the cause of this feeling was not the nitty-gritty of the charter and the clauses of legislation. If the devil was in the detail, *The Guardian* identified no detail to its readers as sufficiently unacceptable to be a sticking point. Instead, it was concerned about the stubborn resistance of the big newspaper companies and it put forward a series of proposals in the hope of fending off an open breach with them. It wanted delay; it wanted to reopen talks with all interested parties around the table; it proposed a loose, informal regulatory arrangement which could be tested for a year to see if it worked. The big companies were not interested. But though they remained relentlessly hostile to the charter and to regulatory independence of the kind that was the most basic *Guardian* requirement, the paper would not draw a line.

It could have confronted the industry's leaders, unpicked their arguments,

denounced their intransigence and declared that *The Guardian* would take the lead in launching a reformed regulatory system. That system, after all, was remarkably close to what the paper had asked for at the Leveson Inquiry, and it had behind it the authority not only of a senior judge at a long public inquiry but also of a rare cross-party agreement in Parliament and, as successive opinion polls showed, of the public. Indeed, support for change appeared particularly high among *Guardian* readers. A YouGov poll in May 2013 showed 67 per cent wanted their paper to join a charter-standard regulator and another poll two years later found that 77 per cent either backed the Leveson reforms or felt they did not go far enough.<sup>19</sup> *The Guardian* also had authority of its own in this matter, having precipitated the crisis by exposing phone hacking and having set the pace in defining a remedy. Had it declared its backing for Leveson-standard regulation, others such as the *Financial Times* and the *Independent* might have followed, which would have put the charter scheme to a public test in the national newspaper world and, had it proved satisfactory, greatly increased pressure on the big companies to accept change.

*The Guardian* did not draw the line in 2013 and has not drawn it since. It chose a different course. When the big companies set up IPSO the following year *The Guardian* declined to join, pointing to IPSO's lack of independence. Having thus secured itself against any recurrence of its 2009 experience with the PCC, the paper set up its own complaints system, which falls far short of the standards of independence it had previously declared necessary. This became *The Guardian's* regulatory status quo. At the same time, the paper accepted the new status quo elsewhere, offering no further public criticism of IPSO. It paid no notice in its editorial columns to the mounting evidence that IPSO was no better than the PCC, and with Nick Davies retired, it all but ceased to scrutinise the conduct of other papers. It came to accept, if not actively to endorse, the new 'party line' in the industry, which was that IPSO was fit for purpose. This was another quarter turn: the wheel had now gone through 270 degrees. The circle would be completed in 2017–18.

## A new party line

The Conservative governments in power after 2015 refused to allow the incentives associated with the charter to enter into force, thus hobbling the entire reform project, and in early 2017 Theresa May's government announced its intention to go a step further and bin reform entirely. It wanted to cancel Leveson 2 and repeal Section 40 of the Crime and Courts Act 2013, the clause that had been meant to deliver the court costs incentives. This course of action had been urged by the Murdoch, *Mirror* and *Mail* papers, the very organisations that were likely to be the main subjects of scrutiny by the second inquiry, and it was also proposed without seeking cross-party agreement of the kind thought necessary a few years earlier. Opposed to it were most other political parties, Sir Brian Leveson and, polls again showed, most of the public.<sup>20</sup> Labour and the Liberal Democrats took the occasion to advocate equally decisive moves in the opposite direction: they wanted Parliament to launch Leveson 2 and at the same time give effect to the incentives, so reviving the stalled business of regulatory reform. Given that the Conservatives did not have a Commons majority and a number of their backbenchers favoured reform, the vote promised to be close.

*The Guardian* supported the May government. It opened its attack on Section 40 in an editorial which complained: 'Those that refuse to join a system of regulation would be subjected to a form of unnatural justice: non-cooperative newspapers face paying the legal costs of both sides even in cases they win.'<sup>21</sup> This betrayed a level of amnesia: *The Guardian* itself, after all, had proposed in 2012 that litigants who bypassed arbitration should risk paying the costs of proceedings 'irrespective of their outcome'. It did not then consider this unnatural justice. The editorial went on to assert that Section 40 would 'have a deeply chilling effect on investigative journalism' because editors would fear to confront anyone with deep pockets. Again, this overlooked *The Guardian's* previous view, which was that carrots and sticks would have the opposite effect. Whether complainants took the arbitration

or the court route, the financial risk for news publishers would be far smaller so long as they had joined an appropriate regulator, and so the danger of chilling would all but disappear. Indeed, *The Guardian* had thought that, far from penalising news publishers, such arrangements would make it 'highly unlikely and economically illogical' that they would refuse to join.

*The Guardian* also made a submission to a government consultation on the matter in which it identified as a sticking point one detail of Section 40 which had never previously surfaced as a concern in its editorial columns:

Clause 2(b) of S.40 states that courts can still award costs against a relevant publisher who is a member of a recognised regulator if "it is just and equitable in all the circumstances of the case to award costs against the defendant." Therefore even in the context of weighing up protection from S.40 against the costs of regulation, there is no guarantee that a publisher is protected.<sup>22</sup>

This brief sub-paragraph, *The Guardian* argued, wiped away any potential benefits of the legislation because, by giving judges a degree of discretion, it denied news publishers the certainty that their costs would be paid. This being the case, the paper said, editors would still be exposed to chilling by rich litigants and Section 40 would offer no incentive to participate in charter-standard regulation. The thinking here is perverse. The wording of the legislation left no doubt that this sub-paragraph was designed to accommodate exceptions; it was a safety valve to avoid the risk of injustice in cases of a kind legislators could not foresee, but that judges would be expected to recognise. *The Guardian*, however, chose to read the exception as the rule, asserting that news publishers must assume that judges would routinely do something the law clearly expected them to do only rarely. To put it another way, *The Guardian* was demanding a guaranteed outcome even where a judge familiar with all the facts could see that such an outcome was not 'just and equitable in all the circumstances'. And the paper was not even consistent in its distrust of judges. The submission also suggested that the best way of ensuring

that the public had access to justice was 'to leave it to the courts to exercise their existing discretionary powers to encourage parties to use arbitration'. So the newspaper thought judges should be trusted where they enjoyed unfettered discretion, but not where, as under Section 40, their discretion was constrained by statutory presumption.

As the vote drew nearer, the paper returned to the subject in its editorial column: 'Is it feasible to improve the culture, practice and ethics of the press and at the same time protect and promote the best of journalism in the public interest? The government thinks so—without recourse to the second part of the Leveson inquiry. This approach should be given a chance.'<sup>23</sup> *The Guardian's* endorsement of the government's plan was clear, even if its reasoning was not. Improving press culture and protecting good journalism, after all, had been the task of the first part of the inquiry; Leveson 2 was meant to tackle criminality and find who was responsible. The argument that followed was no more cogent, but its thrust was that Leveson 2 was unnecessary. Thus a paper that had once argued that 'refuge from scrutiny is not an option', that it was 'hugely in the national interest to find out what was going on' and that the inquiry process launched in 2011 must not leave 'those responsible unscathed and the law unaffected' now declared: 'Leveson 2 would ultimately end up like a driver learning to steer by looking in the rear-view mirror at the road behind rather than the one ahead.'<sup>24</sup> And the paper that had once insisted that press regulation must be effective and independent now warned, bizarrely, that 'Leveson 2 would raise the threat of press regulation', as if press regulation were intrinsically bad.

There was more. In 2012 and 2013 *The Guardian* had firmly rejected the conflation of statute with censorship and insisted that legislation to protect the charter was justified. 'For the press to oppose such a limited use of statute as a matter of principle', it had declared, 'would seem to be counter-productive'.<sup>25</sup> Now, however, echoing the propaganda of the big companies, *The Guardian* casually equated charter regulation with state regulation. 'It is wrong', it claimed, 'to think a *state body* should hold the exercise of

power by the press to account'. Opposition manoeuvres in Parliament designed to bring the carrots and sticks into effect, it warned, 'could end up as a Trojan horse for *state-backed press regulation*' (author's italics).<sup>26</sup>

On 9 May 2018 the May government secured the cancellation of Leveson 2 by nine Commons votes, the assistance of the Democratic Unionist Party proving decisive. The stick and carrot legislation was not repealed, but neither was it put into effect, meaning that news publishers remain under no pressure to participate in reformed regulation. *The Guardian* had played its part: during the Commons debate its stance was cited with approval more than once by the Culture Secretary, Matt Hancock, and also by other Conservative MPs.<sup>27</sup> The paper thus helped cancel a public inquiry that had originally been established at its own instigation and by cross-party agreement, and which the chair himself said was needed. It also repudiated as a threat to journalism incentives of the kind it had asked for in 2012 and to which in 2013 it had made no serious objection, while in its arguments it embraced the binary view of regulation it had previously rejected. So far as press regulation was concerned, in other words, *The Guardian* was now the enemy of what it had once stood for and the ally of papers whose intransigence it once decried and whose hysterical propaganda it once mocked—a *volte-face* it never acknowledged or explained to its readers.<sup>28</sup>

This is not an abstruse matter, nor is it a concern restricted to the passing age of printed newspapers. The failure to uphold standards by making journalists accountable for inaccuracy, discrimination, and other abuses, continues to claim many victims. It also frees national newspapers to poison important public debates with distortions and falsehoods, and to encourage hatred. *The Guardian* may occasionally report on, and its comment pages may occasionally refer to, instances of regulatory failure, but its editorial columns remain silent. Thus, it reported—albeit briefly—the revelation in Parliament that IPSO, having received 8,148 complaints about discrimination in one year, managed to uphold only one. It reported that, in flagrant disregard of the principle of regulatory independence, a senior Conservative politician, Lord Faulks, was made

IPSO's chair. It mentioned, too, that IPSO conducts no investigations and imposes no fines. But *The Guardian* offers no editorial view on these matters. It draws no conclusions and offers no leadership. Indeed, it has said that IPSO 'should be allowed to continue'.<sup>29</sup> In the twenty-first century's version of Fleet Street there is once again a party line on press regulation, and as surely as if it were *The Telegraph* or *The Sun*, *The Guardian* adheres to it.

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## Notes

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- <sup>11</sup> Leveson Inquiry, Closing Submission from Guardian News and Media Ltd, July 2012, par. 27; [https://www.discoverleveson.com/evidence/Closing\\_Submission\\_from\\_Guardian\\_News\\_and\\_Media\\_Ltd/8489/media](https://www.discoverleveson.com/evidence/Closing_Submission_from_Guardian_News_and_Media_Ltd/8489/media) (accessed 12 November 2020).
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