

Main UK parties agree on statutory press control

Julie Hyland

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Britain is set to impose a form of statutory press control for the first time since 1690.

The reactionary move comes after Labour, Conservatives and the Liberal Democrats agreed to establish a new regulatory body by Royal Charter—a document issued in the name of the Queen—with the power to impose heavy fines and upfront apologies from UK publishers.

Major news groups and publishers had rejected the measure, first proposed by the Leveson Inquiry which reported in November 2012.

Established by the coalition government in the wake of revelations of “industrial-sized” criminality on the part of Rupert Murdoch’s *News of the World*, the inquiry has whitewashed evidence of the corrupt relationship between the oligarch, leading politicians, police officers and other public officials. Instead, under the guise of addressing “press ethics and standards,” it established a pretext for greater state control over the media that has major negative ramifications for democratic rights. Meanwhile, Murdoch has escaped any accountability.

Agreement on the Royal Charter was first established in March following cross-party meetings that included the lobby group *Hacked Off*. Fronted by celebrities embittered at press intrusion into their personal lives, it has provided a mechanism through which public outrage at the abuses of the corporate media has been used to legitimise state censorship.

Prime Minister David Cameron claimed that the use of the Royal Charter meant that there would not be any “statutory underpinning” to the regulator that would threaten a free press. However, it means that the Privy Council—a secretive body of senior politicians—will oversee administration of the regulator. In addition, the provision is made for the terms of the Royal Charter to be changed by a two-thirds majority of parliament.

That this amounts to state licensing of publications by another name was underscored by the fact that the regulator will be able to require corrections and apologies and direct where they are placed. Those who refused to join the

“voluntary” regulator will be subject to “exemplary damages” if they are deemed to have published material with “reckless disregard.”

More fundamentally, in a move that has received scant attention, the charter sets the precedent for official state censorship of the Internet as it defines a UK publisher as anyone publishing news-related material.

The measure had been rejected by publishers, with the Newspaper Society denouncing it as an “unacceptable degree of interference” and “state-sponsored regulation.”

The Newspaper Society, together with the Newspaper Publishers Association, the Professional Publishers Association and the Scottish Newspaper Society, had submitted an alternative Royal Charter.

This envisaged some form of official recognition for the new regulator without parliamentary interference and set a higher threshold for a complaints procedure to be triggered by those not directly affected.

This proposal was rejected last week by a subcommittee of the Privy Council on the grounds that it did not comply with “government policy.”

Announcing the decision, Culture Secretary Maria Miller said a final version of the cross-party proposal would now go before the Privy Council for agreement on October 30. The revised charter was drawn up between three privy counsellors from each of the parties, Miller, Labour’s Harriet Harman and Liberal Democrat Lord Wallace. It made some minimal changes in a bid to split regional and national publishers, including imposing an administration fee for those wishing to use the proposed arbitration scheme—supposedly aimed at preventing frivolous or maliciously motivated claims.

But while “inviting” further suggestions from the industry, Miller made clear that regulation would be pushed through regardless. It will be the first time that a royal charter has been imposed.

The revised charter was denounced by publishing groups as one “written by politicians, imposed by politicians and controlled by politicians.” Many publications, including

the *Sun*, the *Times*, the *Daily Telegraph* and the *Daily Mail* have indicated they may not cooperate and could establish their own charter.

Andrew Gilligan in the *Telegraph* raised that in such an event, “there remains the nuclear weapon” for enforcing compliance—section 40 of the Crime and Courts Act 2013. This, he wrote, provides for “savage financial penalties against any newspaper that is ever sued, unless it has joined a royal charter-recognised regulator. The penalties apply whether the newspaper wins or loses the case, which is the civil equivalent of saying that you will always go to jail, whatever the jury decides. Section 40 may, in the end, be ruled unconstitutional, but it will be a brave newspaper that volunteers to be the guinea pig.”

On Monday, Conservative London Mayor Boris Johnson called on newspapers to boycott the proposed charter, which he described as a “monstrous folly.” Earlier, Rupert Murdoch had tweeted that the proposed charter meant the media would be gagged to “protect toffs.”

Such complaints from the archetypal representatives of the super-rich are cynical in the extreme. But the ability of some of the most overtly right-wing elements in British political life to pose as the guardians of free speech is the direct result of the fact that nominal liberals are championing the charter on the spurious grounds that it will enable a more “democratic” and accountable press.

In addition to the Labour Party’s vigorous support for a press clampdown, the proposed charter has been welcomed by the Media Reform Coalition—involving civil society groups, academics and media campaigners—to promote a “media system that operates in the public interest.” Its partners include the Labour-affiliated Compass group, the National Union of Journalists and the pseudo-left Coalition of Resistance.

The dangers are only too apparent. While free from statutory regulation, the British press has never been “free” from state interference. Britain has the most punitive libel laws in the world, and censorship—albeit “voluntary”—has been achieved through the imposition of government Defence Advisory Notices, for example, requesting non-publication on national security grounds.

As this indicates, historically the state has been able to rely on a large degree of self-censorship by the major publications thanks to shared class interests with their corporate backers.

This has taken on ever more venal forms within editorial and journalistic circles, as evidenced by Chris Blackhurst, group content director of the *Independent*, *Evening Standard* and *London Live*.

Writing in the *Independent* this week, Blackhurst explained that he would never have published former

National Security Agency contractor Edward Snowden’s evidence of mass spying by US and UK intelligence agencies.

“If MI5 warns that this is not in the public interest who am I to disbelieve them?” he asked.

Summing up the jaded cynicism of the privileged layer that make up the editorial offices of many publications—including those laughably described as “independent”—he dismissed Snowden’s revelations and the state crimes exposed by Julian Assange and WikiLeaks.

“Where is the story?” he asked of material that has documented murder, extraordinary rendition and mass surveillance, before revealing that the *Independent* had declined to publish much of the Snowden files after receiving a DA notice from the government.

His comment comes after Prime Minister David Cameron confirmed in August that he ordered officials to enter the *Guardian*’s offices and insist that computer hard drives containing some of Snowden’s material were destroyed.

His admission came after the detention of David Miranda, partner of *Guardian* journalist and Snowden collaborator Glen Greenwald, the same month. Miranda was held for nine hours under terrorism laws at Heathrow airport, and his laptop, mobile and documents were seized.

In the last week, there have been demands that the *Guardian* should be prosecuted for treason under the Official Secrets Act for publishing some of the Snowden material.

This is how the state responds to one of its own when a tiny chink in the usual self-censorship is opened. The primary target of the latest proposals, however, is not the corporate media, but the truly independent publishers—those represented by Snowden, Assange and the *World Socialist Web Site*.

For more than a year, Assange has been forced into asylum at the Ecuadorian Embassy in London; Snowden is trapped in Moscow, having been stripped of his passport by the Obama administration. Former US Private Bradley (now Chelsea) Manning was imprisoned for 35 years for leaking US state documents to WikiLeaks.

The measures agreed by Britain’s major parties are aimed not only at legitimising such repression, but preparing even more draconian measures.



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