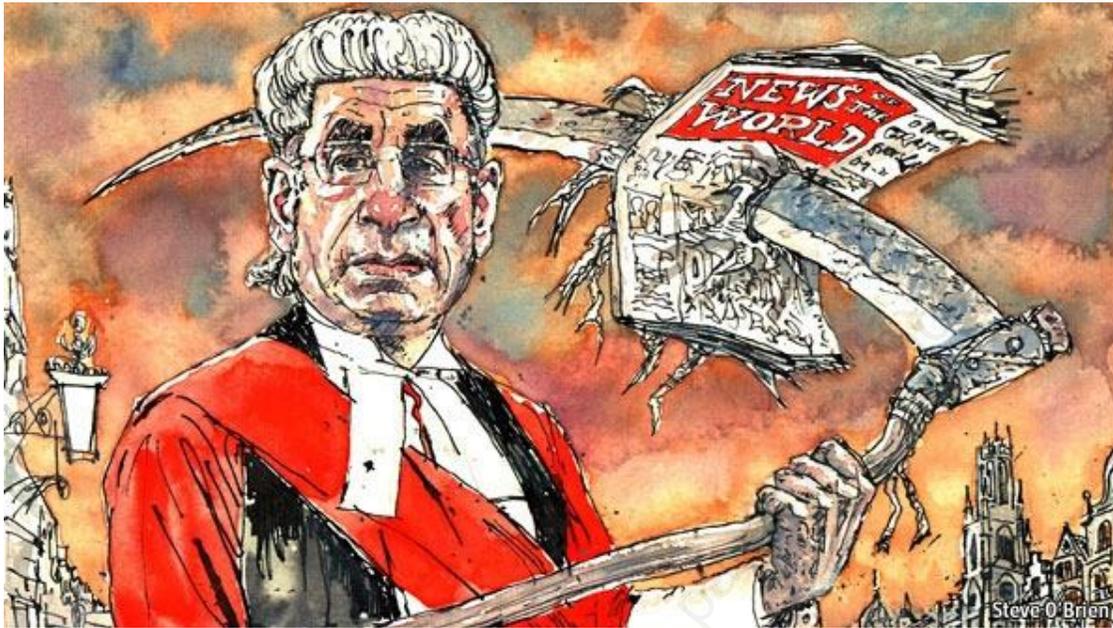


## Fleet Street's grim reaper

*Lord Justice Leveson proposes much tougher press regulation, handing a nasty puzzle to David Cameron*



In July 2011 a muck-raking journalist at the Guardian newspaper revealed that employees of the much bigger News of the World had illegally accessed the mobile-phone messages of a girl who turned out to have been murdered. Other grim revelations followed. For a few mad days it seemed as though every paranoid theory about illegality and cover-up in Fleet Street was proved correct. David Cameron, the prime minister, demanded a judge-led inquiry. Lord Justice Leveson, an appeal-court judge, was chosen to conduct a full review of the press and recommend ways of taming its worst abuses. But the problem with asking a judge to investigate something is that he will eventually produce a report.

Lord Justice Leveson's, released on November 29th, broadly criticises reporters, newspaper proprietors, police and politicians. The practice of hacking mobile phones, it says, was widely known about and tolerated. The press is often thuggish, harrying some people who are regarded as newsworthy only because their children have disappeared or committed suicide. The Press Complaints Commission (PCC), an industry-funded body that deals with gripes against the newspapers, is largely toothless. Something tougher is required, the judge argues. He proposes a new body that would be more independent of the newspaper industry than the PCC but also, in theory, free from political meddling. It should also provide a cheap forum for resolving libel disputes.

Alarmingly for the press, the judge concludes that legislation is necessary to set up the new outfit. He rejected proposals from Lord Black, the chair of the Press Standards Board of Finance, which currently funds the PCC, who argued that newspapers could be bound into a tougher regulatory system by voluntary contracts. Most newspapers have lined up behind these proposals. Lord Justice Leveson wondered what would prevent a newspaper owner from walking away.

The judge had two other inflammatory suggestions. First, the new body should be regularly assessed by Ofcom, a quango that currently regulates television and radio broadcasters rather stringently. Ofcom could step in if it fails. Second, he suggested a limit on a single newspaper group's share of the market. If enacted, this could have the perverse effect of punishing one firm for the failure of its competitors.

The report largely clears Mr Cameron, who had been embarrassed by revelations of his chummy relations with senior newspaper executives such as Rebekah Brooks, News International's former boss, who is now facing criminal charges related to phone hacking. But it still gives him a political headache.

Mr Cameron does not want a press law, and would prefer the industry to come up with a tough alternative. He fears a slippery slope to state meddling. Ofcom is a powerful regulatory body, he pointed out—and “we should be trying to reduce concentrations of power.” Ed Miliband, Labour's leader, is keen on tougher regulation, and would embrace a law imposing it. Nick Clegg, the deputy prime minister, also takes a harder line than his coalition partner. Mr Cameron's own party is split. Some senior ministers and many old hands fervently oppose parliamentary meddling in principle. But a significant number of Tory MPs, many of them newly-arrived, are more amenable. There could be a parliamentary majority for Lord Justice Leveson's proposals.

If they are enacted, the result will neither be the demolition of press freedom that newspapers have warned against, nor the brave, well-behaved press that victims want to see. Lord Justice Leveson's proposal to create an outfit that could hear libel cases cheaply is a good way of compelling newspapers to sign up to it. The Economist has argued for something similar. But there are great dangers in a press law, and the suggestion that Ofcom should oversee the new body is worrying. Regulation has an alarming tendency to creep. The entire press (including this newspaper) will be bound by rules set up for tabloids. The celebrity-quizzing judge showed scant interest in serious journalism.

Or, indeed, in the media industry's future. Social media, blogs and news websites—some of them run by newspapers—are rising, bringing new problems. Should an offensive blog post be treated in the same way as an offensive article on a newspaper website? How about a comment—or a tweet? Does it still make sense to regulate the press, as opposed to all public writing? The lawyers and politicians grappling with these questions got little guidance from Lord Justice Leveson, who describes online regulation as “problematic”. His report already seems dated.

**Fonte: The Economist, London, v. 405, n. 8813, p. 63, 1 a 7 Dec. 2012.**