

Press Freedom; Press Responsibility

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The Lady Chapel, Westminster Abbey

Speakers:

Dame Ann Leslie, *Columnist for the Daily Mail*

Nick Robinson, *Today presenter, BBC*

Interlocutor and Chair:

Baroness Frances D'Souza

Baroness D'Souza:

Good evening everyone. I'm absolutely delighted and indeed honoured to be able to take part in this debate, discussion, discourse, whatever it might turn out to be. What I want to do is to start off by saying something about the fundamental importance of freedom of expression which I imagine we all share but I think it's worthwhile reporting again, or stating again. There are some who say that the individual right to freedom of expression, which obviously includes media freedom, is the cornerstone of democracy in that in its absence one can't have proper democratic procedure but at the moment it is under threat. Let me read you the United Nations Convention on Human Rights Statement, which is article 19 on freedom of expression:

"Everyone shall have the right to freedom of expression; This right shall include freedom to seek, receive and impart information and ideas of all kinds, regardless of frontiers, either orally or in writing or in print, in the form of art, or through any other media of his or her choice"

There are some restrictions, for example advocacy for war is prohibited and advocacy of national, racial and religious hatred that constitutes incitement, I'll go into that a little bit later, is also something which is allowed to be punished by law, according to the United Nations.

As I think all of you know that freedom of expression, as stated by the U.N., by the European Convention on Human Rights, by America's constitutional First Amendment Rights and indeed in many other documents is under threat at the moment. Let me give you a couple of examples of the kind of threats that free speech and freedom of expression is currently suffering; the anti-extremist tsar Louise Casey, whom I think many of you will know if not know of, her report on immigration has been gagged by the government or at least delayed and probably will be substantially altered, again by the government. There's a warning, let me read it out to you. This is just looking at the papers in the last week by the way, this is not a comprehensive list of the threats to freedom of expression. It's what I picked up just looking briefly at the papers.

"This lecture on sex" it says *"deals with sex. Students should feel free to exercise their right not to be exposed to potentially offensive material"* and this is a university statement. In Hungary, the biggest selling broadsheet in Hungary, an EU government which therefore has signed up the European Convention on Human Rights, has been closed by the government because it was in the business of exposing corrupt officials and was in opposition to the government. The Crown Prosecution Service says it is now a crime to encourage others to repeat grossly offensive messages. Jeremy Hutchinson, who some of you will remember defended the play *Romans in Britain* against a charge of obscenity bought by Mary Whitehouse many years ago, probably

before most of you were born, now believes that Mary Whitehouse's views are vindicated by history. That is an astonishing turnaround.

And then we might mention the UK's counter-terrorism legislation and the often illiberal interpretation of it. For example, the duty to inform on fellow students if it is thought that they are part of an extremist group or indeed spread messages which are hostile to individuals of another minority. Perhaps the most invidious of all these threats is the no-platforming. It prevents others from hearing views that you disagree with, again in a university context. What has happened to the idea of free dialogue within our universities? And I think this whole nature of offence, something that might come up in discussion, is a hugely subjective issue; have I got the right to prevent you from seeing something that I don't like but you may very well like? That runs right against the concept of freedom of expression.

So I think it's salutary to remember that history is replete with examples of rules and laws that restrict media freedom and free expression are only too often used to suppress dissidents. They are a very convenient tool for government and we vote them in with great care, or should vote them in with great care. The guarantors of democracy are many and varied but one is the free exchange of ideas and opinions. At times, democratic discussions including hate speech necessarily involve trampling on the ideas and beliefs held precious by others, and again history suggests that suppression doesn't resolve hatred but perhaps can relegate it to more dangerous and underground activities including violence. So speech, according to the tenets of the UNHCR, the European Convention, US First Amendment Rights, promotes a view that speech should never be censored based on content alone but must be justified by its impact and this brings up the issue of context which is something I think we should be very mindful of. The tried and tested US Supreme Court ruling that to falsely cry "fire" in a crowded theatre is against the law, against First Amendment Rights and is incitement and it should be very obvious to you why, whereas to shout "fire" on a street corner of course is free speech but in a crowded theatre, to shout "fire" is to engender crisis, panic and possibly injury and that's a very famous case.

So the rationale behind this judgement and many others since is that a febrile tense context, for example gang warfare, civil unrest, may justify even quite severe censorship. The content, for example, of TV programmes may have to be regulated in ways that the print press may not because TV is beamed straight into the home and the opportunity to avoid it is less than deciding not to buy a tabloid or to read its content. One often says *"if you don't like something well switch off the telly, or don't read the book, or don't buy it, or don't go and see the film"* but television has become so much part and parcel of a household's activities that there may be a case for extra censorship or controls in that area.

So there are challenges all around us and we've got a great deal to discuss and what we're going to do is to discuss them but first of all I'm going to give our extraordinarily distinguished panel, can you call two people a panel? yes, panel... to give a statement on this. All of you have I think had biographies on your chairs so you know who everyone is but I think I just have to mention the wonderful Dame Ann, who's an old friend of mine, a veteran foreign correspondent broadcaster who's worked in over 70 countries and has been on the spot witness to many historic events and her awards are legion. I won't go through them because it would take us most of the evening but you can read them and indeed we're so delighted to have Nick who is the flagship, can I call you a flagship? of the BBC. He was the BBC's political editor from 2005 until September 2015 and appeared regularly on BBC News at 10, Radio 4's Today, Anchor of the BBC's Election Night Special programme with David Dimbleby and Laura Kuenssberg and he joined the flagship Today programme in November 2015. He too is the winner or many prizes

and the author of many articles and a book. So this is our panel and I'm going to ask Ann to start by making her statement in defence, I hope, of free speech.

Dame Ann Leslie:

I first met Frances in Albania in 1997 and we've seen each other occasionally ever since. Now we were there, along with myriad international media folk, because the country had been engulfed in what looked like civil war. It was desperately poor, former Stalinist country and in the capital Tirana, there was this night-long curfew. Neither Frances nor I had parties on that night so we were sitting in this hotel and the ghostly streets were punctuated by crackling gunfire and occasional small explosions and our hotel was suddenly invaded by a clutch of very young, very frightened journalists who were fleeing for their lives because their newspaper office had just been burnt down by government goons which was what goons like doing is burning down dissident organisations' offices and often homes and our, I'm afraid I called them "my kids", these kids, who were reporters, couldn't go home because they were going to be shot at sight for breaking the curfew. So they sought refuge among the international press and indeed some people like Frances who were human rights observers and so on. We were all corralled in our hotel and despite the fact that the lobby and the lounge was absolutely being staked out by the SHIK, who were the Albanian... Do you remember? Secret police, who really, they had terrible teeth, Kalashnikovs and awful, awful pong because obviously the capitalist invention of deodorant had not actually penetrated the place. Anyway, Frances and I gave ourselves the job of finding somewhere, including empty bathrooms, in which we could hide our young journalists and shelter them over night. Now to my surprise, we were not popular there with other media in the hotel. One reporter from, and I always hoped to kill him, for the French left-wing paper *Libération*, came round and snarled at me "*you are a complete idiot trying to shelter these kids. You're putting yourself and us*" he said "*in danger*". Well yes, maybe he was right and it was true we were being irresponsible in that sense but Frances and I instinctively felt that it was our only moral choice. You can't then say to these kids "*go home and be shot as soon as you enter the street*". So luckily, we and the young Albanians and the other reporters in the hotel, survived the night unscathed.

Press freedom was obviously under threat in Albania then as it increasingly is, heart-breakingly so, now in Turkey where I've worked, China where I've worked, the Middle-East where I always was working until I was stricken by illness and age, most of Africa and, of course, Russia where Putin extols his suppressive doctrine of managed democracy and two of my Russian friends have been murdered, Anna Politkovskaya, can't pronounce her name and [Marina Gorelova?] because they said things and printed things which he didn't like.

Now there are those people in this country who say that the press here should behave in a more responsible manner and these people who say this are not on the whole people who would wish to live in a totalitarian society. What they fail to come to terms with is that responsible reporting is very hard to define. I've been told by some politicians here that press exposure of the MPs expenses fiddles was irresponsible because it damaged the respect due to elected parliamentarians and therefore would bring a sort of awful curse upon the parliamentary system but whose fault was that? Was it ours for pointing this out? Or was it theirs? I must say this, I don't think all politicians have got their snouts in the trough, I know many of them who really do have a sense of propriety and do work very hard for their people but there is quite a large minority of parliamentarians who if you remember assured themselves that the taxpayer would be completely thrilled to pay for things like duck houses and the cleaning of ancestral moats. Of course there are corrupt and greedy British journalists just as there are corrupt doctors, policemen, clergy, lawyers and, dare I say it Frances, not about you but we have met corrupt

human rights organisations and they do no good at all to the western cause or the cause of a certain amount of probity that we should all show and of course they should be denounced. When I was guest editor of Nick's programme, Today, I devoted a goodly chunk of it to systemic corruption which, let's face it, if unchecked, is a cancer which can destroy the entire body politic. I've had a complete obsession with this question of corruption because I worked in 70 countries and you see it getting worse and worse and worse, producing failed states and I'm afraid your editor kept saying "*did you have to go on about corruption?*" and I said "*the trouble is, people don't go on about corruption enough*" they are beginning to now, I just see it all the time; corruption, corruption, corruption.

Anyway, there's a play, not very well known, by Tom Stoppard called 'Night and Day'. I love it, it's about journalism and it's a brilliant exposition of the ethical dilemmas of a bunch of western journalists who are stuck in an African dictatorship. Among them there's a very idealistic young reporter and he insists, and I'm going to quote this accurately

"No matter how imperfect things are, if you've got a free press, everything is correctable. Without it, everything is concealable"

He even sticks up for what he calls "*junk journalism*" you know rubbishy celeb stories and sexual scandals and all that sort of thing. He opines then that junk journalism is evidence of a society that has at least one thing right; that there should be nobody with power to dictate where responsible journalism begins. Alas Tom, who's sort of a friend of mine, has rather changed his mind, to my distress, and is now a supporter of 'Hacked Off' which is, as I'm sure you know, this anti-press organisation. Did I denounce him? Well I certainly did over a very pleasant lunch but evidently to little effect so, it's now your [Nick's] turn.

Nick Robinson:

Thank you so much for inviting me to come here, it's glorious to be here in the Lady Chapel. Let me just give you some opening thoughts because it seems to me the dialogue is as much about what this is about as anything else. The only thought is I want to challenge a premise. When I was asked to come here I was asked to consider that thought that Ann had about responsible journalism but put even more specifically which is "*should journalism pass a test that it contributes to the public good?*" and in order to be provocative I want to say to you; absolutely not. It is not the job of journalists to think of the consequences of their stories and I put it that boldly because I know it upsets people and I know it challenges people and I hope it will provoke a debate. It is the job to ask a few questions; "*is it news? Is it true? Is it fair? Is the context being properly explained?*" but we absolutely should not say "*but what will happen tomorrow?*" because if you do, you become the economics editor saying "*well am I going to make it more likely that there'll be a run on the Pound?*" Not my job to worry about whether there's a run on the Pound, let alone to assess whether a run on the Pound is or isn't a good thing. The answer being; it's good for some people and it's bad for others and it is an impossible position to be put in. I witnessed Robert Peston being badgered again and again that he'd somehow talked Britain down when he reported that Northern Rock was in crisis or that there was a run on the banks. Forgive me ladies and gentlemen; not his job. His job is to be accurate and fair and I came across this very early in my career, not with a story I did, but with a story that I then did some follow up reporting on which is the revelation that there were secret talks happening to bring about peace in Northern Ireland. Now of all the stories where, and it's best always to look at hard cases I think, where people did say and could say "*for goodness sake people are dying*" and the capacity to find a way through towards what we then later called a peace process and the Good Friday Agreement may be damaged by the revelation of these talks, I as a young journalist had

to come to the view; did I buy that? Or did I think in the end, the argument that journalism should tell you what's going on and allow society to come to terms with what's going was better? And I'm afraid I came to that view that despite the fact you could make a case that continued secrecy of these talks would enable them to continue happening, that that might one day lead, it seems to me, a fool's errand because it would encourage journalists every day to say "*well if it was true of that story why aren't you making that assessment of this story?*".

Let me give you a little historical background as to why therefore you might regard me as something of a fundamentalist on this. It's partly for personal, historical reasons and it's partly for interest in the history of journalism about politics which I've done for so long. The personal history is that my grandparents were refugees from the Nazis, they were German-Jewish refugees. They were lucky to get out but I got to know their personal background first and foremost because as somebody rather young, I would sit with my grandfather, who by then had emigrated to Switzerland; perfectly safe, very lucky, they'd escaped the Holocaust, unlike many families, and he would sit with one of those enormous Robert's radios, do you remember those with the big round dials? Turning the dials and going through the foreign networks so you'd hear the voices of Russians and then the French and then voice of America to get the BBC because this was a network he'd learned that he could trust. Now my grandparents had been slightly unlucky with their political choices. They didn't choose to get to flee Germany, they were forced to by the Nazi's but they did choose to flee to Shanghai and then soon found themselves having to flee the Communists as well but before they did that, the reason he was so obsessed with listening to his radio news bulletin in total silence each and every day, was because he had come to trust the BBC as an arbiter of as close as you can get to the truth as was possible that day to the point that he ignored a ban on radios that there was in Shanghai. The threat of imprisonment if you had one, and he and my mother and her mother would hide in a cupboard each and every day to listen to the news.

So that is the personal reason I believe in the power of, as it were, journalism to do good overall. The historical reason is when I was researching a book about my own part of journalism, political journalism, I was stuck by how again and again people in positions of power and authority thought that if only they could determine what was responsible journalism, to use Ann's phrase, things would be better. Now for many years, you may or may not know this, there was a complete and total legal ban on reporting what Members of Parliament said. Extraordinary to think about that. We know there are arguments, for those of you who are a little older like me, know there are arguments about whether you could televise the House of Commons but no no, there was a ban on ever reporting anything that was said in the House of Commons and it was only until there was a great battle actually back in 1771 between a Prime Minister called Lord North, rather more famous for losing America than this particular argument and John Wilkes, famous for a whole series of reasons, there was a battle involving, just over the road, a riot in which Lord North's carriage was attacked and his hat was knocked off his head which apparently upset him more than anything else because it was his favourite hat, that effectively the right of journalists to report what was said in the House of Commons was reasserted even though the ridiculous law was retained for many decades.

So that is why I come from the starting point of being deeply suspicious of people who want to define what reporters should and shouldn't do and think the premise is that you should report as much as possible, but in an effort to be more helpful, let me just try and address some of the dilemmas we have. Clearly there is a dilemma around the one that Ann raised, I'm trying to think of ones that I have been involved in, stories I've been involved in which might help you; MPs expenses. There is no doubt in my mind that that story did great damage to the standing of our

democratic institutions and that damage I regret. It gave many people the impression that all elected officials were on the take. I not only regret that, I think it's untrue and I have over time tried to use whatever position I've got to make that case. However, do I think it would have been right to suppress that information? I don't and indeed it had to be dragged out of the authorities. It was a freedom of information request that first produced the information that led to questions about expenses over the so-called John Lewis list and that eventually led to the data being assembled on a disk that was then sold illegally to The Daily Telegraph who took the risk of printing it, a risk that my own organisation, for example, wouldn't have taken and indeed The Times turned it down. Are we better as a society that that information's out? I think for all the wrongs we probably are, a system that was corrupt, that was wrong, that the people involved in it know it was wrong, eventually had to be exposed.

There are issues occasionally for me, much less so for me than for somebody in a tabloid newspaper, for example, around privacy that we have to deal with and again, forgive me but I'm generally inclined to argue that you have to follow the policy, the old slogan of "*publish and be damned*" because where people have told me that their personal lives have no bearing on their public office, invariably you discover that they do. David Blunkett, a man I like and admire, ended up having to resign because he had got a Visa for his lover's nanny but you only knew he got a Visa for his lover's nanny because somebody had written about his lover. Difficult, painful. I was the first interview he did after he resigned, we sort of shed a tear together, but do I think it was the right thing to do? I'm afraid I do. So privacy is one area where I think there's an argument there. Then you may raise the issue of entrapment vs holding to account, most obviously in the news around Sam Allardyce recently with The Telegraph, but for example, in this world, the world of politics and Whitehall, more recently with lobbying in which Dispatches used secret cameras to expose what they say was the wrongful trading and Sir Malcolm Rifkind and Jack Straw were both caught up in accusation that they said were unfair at the time.

Here's my difficulty; for every one of those you may not like I give you Panorama exposing the care home scandal which led to care homes being closed, to standards being improved and it was only by seeing it that it was possible and that involves secret filming, that involved if you like a form, I wouldn't call it entrapment but some would, that we actually got close to the truth. Now of course underlying all of this is "who on earth are you to decide?" and what I would say is we're not proposing anarchy. I mean there are rules, there is a press regulator. The BBC has its own and broadcasters have their own system of regulation through Ofcom, for example. We have our own code of practice. If we want to carry out secret filming, for example, you can't just do it on a whim. We have to prove to an individual internally that there is evidence of wrongdoing that could only be established by pursuing it using covert recording. So there are rules but my conclusion to you would be this; there's no doubt that Donald Trump's privacy was breached when a tape of his private conversation on a bus was revealed but would you rather he had a say on whether that privacy was breached or would you rather journalists published and be damned?

Baroness D'Souza:

Thank you very, very much indeed. So journalism is giving powerful people a hard time as I think it was said on one radio programme. I think this question, I'm going to open it up, but I think this question that you've both raised about responsibility; how far is responsibility for deciding to go with a story? You check whether it's true, is it news, not whether it's in the public interest or the public good but is it something that you wish to pursue? You have the whole edifice of the BBC behind you with all its rules and its regulations and the fact that it relies on the license fee from the taxpayer and the government has pretty hefty say in that. Ann, what about you, what do you

write? As a tabloid as it were journalist for many, many, many years, who decides on what you should publish or not publish?

Dame Ann Leslie:

Well I'm in a rather peculiar position because most of my career was spent being a foreign correspondent and therefore I'd be asked by the editor, it was usually the editor who would say "*oh Ann, would you like to go to such and such a place because I've heard, or we've heard that this, that and the other is happening there?*" and it was a man called David English, who was a genius actually, a lot of people couldn't stand him but I adored him, partly because it was wonderful that I was a young woman and in those days quite toothsome. He was the only male executive who didn't chase me round the furniture, oh god, so lucky young journalists these days that they don't have to put up with that but I would go out to whatever country it was and I'd find that in fact his story that he'd picked up was completely wrong so I would send him a telegram, I go back a long way, and I'd say "*it's all completely wrong but there is a much better story*" and he would cable me back saying "*well you're there, so do as you like*" so I would do it. So in a way it was slightly different, I wasn't actually in an institution but The Mail, most people who attack The Mail don't even read it so they've no idea what they're talking about and they're reading, if anything, Mail Online, which I find disgusting myself and have told the editor off very loudly but they have very interesting foreign news. They have a very good investigative department, a lot of stories are broken by them but everybody just looks at sort of where they've got silly women, you know, sort of saying "how do I keep my skin so beautiful" and this sort of thing and, you know whether Gwyneth Paltrow's divorce was an amicable parting and that sort of thing. So everybody who says "*oh The Mail is disgusting*" no, The Mail has got a huge influence of course and it has a huge audience, it's probably the most powerful newspaper there is now, which is why a lot of the left hate it.

Luckily I never wanted to be a journalist, so it wasn't something that I, when I was eating my Farley's Rusks I wanted to be a journalist. I was up at Oxford, spend most of my time there demonstrating which is quite right and chasing boys so I didn't get the stunning degree I almost felt that I should have done and I had no idea what I wanted to do and the milk round, which is where various companies come round and interview you for jobs and there are always people who would say "*have you thought of a career in thread? Or detergents?*" and I thought "*no, not really*" and then somebody in a pub said "*there's a man from The Daily Express*" which was in those days a powerful newspaper "*and he's looking for journalists*" and I thought, well alright, and went to this pub and of course I didn't do any university journalism, anything like that so I was not consumed with a desire to be a journalist I just wanted to earn a bit of money and The Daily Express, fantastic starting salary was £20 a week which was really huge then. So it went on, I kept thinking "*I'm not going to do this anymore*" but...

Baroness D'Souza:

But you did!

Dame Ann Leslie:

50 years later!

Baroness D'Souza:

Yes still doing it.

Dame Ann Leslie:

Still doing it. So in a way it's different from me and Nick who had, obviously because of his family and the family background, to be a journalist was something he wanted to be. I didn't, it was just the money then.

Baroness D'Souza:

Can I ask Nick, Nick you said that it's not the job of the journalist to be concerned about the impact of what you write or say but I think that the whole direction of government rules and regulations and indeed many other organisations which one would expect to be a great deal more protective of free expression, are arguing that the context now is so dangerous in terms of terrorism that we should all, that all press should be aware of the consequences of what they say and I think all these universality regulations about not inciting religious hatred of any kind or views against particular minorities is very much to do with the possible outcome of what you say and that is a very potent break on free speech. You disagree with that I take it, Nick?

Nick Robinson

What I would say is it's not new. So there's an incredible temptation to always think "*this is new, there's a new threat*". It was Churchill who back in 1926 attacked the BBC on the grounds that "*the firemen should not be impartial*" he said, "between the fire...", you know "*should not be impartial about the fire*" and he wanted the BBC, because he said it was a threat to the nation and that the country had been brought to a halt and food supplies were being stopped and therefore it was the job of the BBC to take the government's side against the strikers. Well no it wasn't, he was wrong and he wanted and indeed did organise for government to produce enormous amounts of propaganda. Actually Churchill launched his own national newspaper paid for by the government because he was unhappy with the way that the media did its job. Margaret Thatcher thought it was the BBC's job to take the side against terrorism. So it's not new this which led her to the bizarre decision, which I still remember vividly because I was a producer at the time, whereby we were supposed to get actors in in order to voice the words

Baroness D'Souza:

Yes, of Gerry Adams

Nick Robinson

Of terrorists, but being childish in the way that journalists can sometimes be, we discovered actually that if you were convicted of an offence i.e. you were a proven murderer, you lost your membership of the IRA and therefore you were allowed to speak on camera. So I did a Panorama in which we interviewed people who were convicted bombers and murderers in prison, speaking, but when Gerry Adams, who was an elected official outside, we weren't allowed to have what he said in his own words, we had to pay an actor who was so good at this that you couldn't in fact tell that it was not Gerry Adams speaking but to be serious about it, this was done for the best of possible motives, Margaret Thatcher believed that there was a threat to our democracy posed by the IRA

Baroness D'Souza:

and that was her job, it's not your job.

Nick Robinson

Yes it was not our job. The last thing I want to do is come, least of all in this environment and say "*I don't give a stuff*". I care passionately about our society, about our democracy, about freedom from vicious ideas, I just happen not to believe that vesting authority over what is said and what can be debated and what words can be used to a group of what inevitably will be the great and

the good will actually in the end produce better outcomes. I think in the end, and one last thought if I may Frances, you've talked about the climate. The climate that I worry about which you alluded to in your introduction and Ann spoke about, much more worrying to me is the fact we exist in a climate where there are two great threats to this; state sponsored journalism, mass RTV, massively funded now which is Putin's propaganda arm. A small point, I go to a gym it's always on and I'm furious that this..

Baroness D'Souza:

What gym?

Nick Robinson

Yeah a Fitness First, there is it, Russia TV, propaganda. Chinese TV, now massively funded, the largest television newsroom in the world, an English language service. You go throughout Africa, this rubbish, this garbage is being pumped into people's homes and offices and so on. That threat, together with the intolerance you talked about, which is based on no platforming, where people can't say what they think about a whole series of issues on the off chance it might cause offence to someone. These are the great threats I think to an atmosphere in which we have our arguments and our disagreements through words and through debates as an alternative to violence.

Baroness D'Souza:

Absolutely and that is the price to some extent we pay for democracy is to be offended from time to time. Let's open this up to the audience, let's take a couple of questions, yes?

Audience Member:

I'm a strong defender of the press, almost to the extreme extent being articulated by both of our speakers, but I am very troubled at the moment by the intemperance of the criticism that I am seeing of people who are expressing views contrary to those shared by the columnist and whatever. Now I happen to be a remainder in the Brexit debate, that in a sense doesn't matter but what does matter is the way that those who are articulate[ing] the remain view often have their motive and their integrity attacked, The Daily Mail is particularly guilty of that and one of the consequences of that is going to be that people other than politicians, on the whole politicians have got fairly thick skins, people other than politicians are not going to put their heads above the parapet and that is going to chill debate and damage public debate on matters of great importance.

Dame Ann Leslie:

Can I respond a bit?

Baroness D'Souza:

Yes, you may but I'm going to take one more question so you've got time to think about it, yes?

Audience Member:

Hello my name's Tiajna and I work with the charity called Bite The Ballot and what I wanted to ask was, you talked about media responsibility and journalism responsibility and how that is a term that can't be really defined and I would ask, you know, recently we had the Leveson Inquiry where journalists were hacking into people's phones and getting their information from there and obviously I don't think anyone in this room would say that that was good journalism or that is anything that should be published in public interest even though it is possibly something that

people would have wanted to know so my question is in terms of journalism responsibility where is the line drawn from actually news to being invasive and very offensive?

Baroness D'Souza:

It's the 64 thousand, million question. Ann?

Dame Ann Leslie:

Well, on the second point, hacking into the phones was a crime, it shouldn't have been done, I wouldn't defend it at all, absolutely not. Secondly on the question of The Mail's rather strident, to put it politely, attitude on the Brexit issue, I voted to remain, my husband, the idiot, voted to leave so we had a few wonderful arguments about that. Entire families were driven apart by that. The thing is, what I always feel is that people are not fools, they're not sheep, they don't say "*oh well The Daily Mail says this therefore I must follow*". Newspapers are not puffed pipers and in fact for years people used to say "*The Mail is so against Labour, that's why we can't win elections*" the thing is that they were always against Labour. There was what, 13 years Labour won elections? Landslides to Tony Blair, whom my particular editor currently loathes. I actually have more faith in the good, common sense of ordinary people that they are not going to be told because they open the paper and some hysterical remarks are made about the opposing side, they're not going to say "*oh yes, well that's the way I'm going to vote*" they won't, and it's shown.

Baroness D'Souza:

What about Douglas's question about it being a curb on politicians putting their heads above the parapet?

Dame Ann Leslie:

Well I'm sorry, it's rather like people the students are getting so nervous that they don't want to be frightened. Politicians, it's a very tough job, you have to go through an awful lot to get selected let alone elected. They should just toughen up.

Baroness D'Souza:

I mean they are public figures.

Audience Member:

I wasn't actually referring to politicians, I made precisely the point that politicians don't come into this category they have thick skins. It's the non-politicians who have views e.g. on Remain who have their integrity attacked and you are going to find they are rather unwilling to participate in the public debate, that is the problem.

Nick Robinson:

I have some sympathy with that. I have some sympathy with that view, quite what you do about it is a different question but I think we live in a kind of more intolerant climate which is reflected in the press rather than created by the press. I have my own experience in reporting the Scottish referendum in which I became a hate figure for people who wanted to vote yes for independence. 4,000 people marched on the BBC's Glasgow headquarters behind a banner saying "*Nick the Liar Robinson*". Banner was about 30 feet wide, it was an intimidating experience, not particularly for me I think, rather like you Douglas I think I'm paid to put up with it, as it were, but certainly young colleagues in that office felt intimidated, people who've not got experience of it and I only mention it because it's part of a climate in which I think to attack the motive of people you disagree with has become fashionable so whether you're talking about the rise of nationalism in Scotland, you talk about the rise of UKIP, for example, whether you're talking about the rise of

the Corbynistas. Each of these groups, partly because they feel they're not the establishment and feel threatened as it were by the men in suits, there's more and more anger and rage in that temperament and it's almost as if newspapers and to a certain extent politicians feel that they have to follow this rage, they have to have inflation in their language in their arguments to get anybody to notice anything at all and I think in as much as my organisation has a responsibility I think it is to kind of hose that down somewhat and to challenge it when people say preposterous things during campaigns about the motives of their opponents or that they're lying or that they're corrupt, I think we should do more to say "*what do you mean they're corrupt? do you mean you disagree with them?*". I think we should play a role... Can I just address the other question that was here as well? I'm with Ann there, it was illegal and somebody went to prison. In fact more than one person went to prison but I think underlying your point is "*should there be a sense of responsibility?*". I'll tell you one story, just to show that journalists are not without any sense of responsibility at all. There was a story that I'm involved with, and I'm still going to talk in code about it because I would otherwise be doing the reverse of what I'm going to tell you that we did. There was a crisis in Tony Blair's family while he was in Downing Street, what looked like an emergency in the family. Nobody reported it. If you search it now, I did before coming out, you will find no mainstream news, not The Daily Mail, not the BBC, nobody reported it

Baroness D'Souza:

That was amazing.

Nick Robinson

Now there are blogs out there I've found when I was searching today who will say "*it was all a wicked conspiracy to defend*". The truth is it was a personal crisis within their family, it was over relatively quickly. The interesting thing, the history of it is, and we all knew about it, and the interesting thing is everyone assumed that one or other paper or broadcaster would go first so they were nervous about being left off covering the story. Interestingly, the paper that wanted to break it was The Observer. Just to back up what Ann says, in order to look less bad, the editor of The Observer rang the editor of The Mail on Sunday to say "*if you go, we'll go and we're going to do it together and then we'll share the flack*" and to the credit of the editor of The Mail on Sunday and my editor, I was then at ITV news and assumed that ITV would have a slightly more fluid attitude, a bit more bold attitude to this, I was told by my editor The Mail on Sunday's editor had said "*you forget it. If you want to breach somebody's privacy like that, you go ahead and do it but we'll all condemn you*" and to this day that story's never been printed.

Baroness D'Souza:

That was a very decent time. Another point I just wanted to mention about that, an example was that, I don't know what people feel about this as an example, there was a time when, the Anthony Wakefield time when MMR was being broadcast as something which might cause autism in children, do you remember? And it persuaded a huge number of people, mothers not to take their children for this vaccination for fear of the damage it might do and at that time the Blair's youngest child was due for his vaccinations and the government was very strong in promoting the idea that everyone should take the MMR, this was the responsible thing to do, you could save your child's life but it would not be revealed as to whether or not he allowed his own child to have that particular vaccination. Now the thing that I think the dilemma here is, is that a matter of public interest and public information or is it a question of privacy because it involves a very young child and a family matter. It's different from the example you're talking about and I wonder about how many people in the audience would think that that's a matter of public interest and that should have been exposed? No one? One, two, three, four, five, but very few of you. You think it

was perfectly alright for the Prime Minister of this country to promote something that he himself was unwilling to inflict on his own child? Yes, can I have your question please?

Audience Member:

Alan Taylor, this is a question for Nick Robinson regarding the renewal of the BBC Charter. It seems to me that when that renewal comes up the BBC comes under political pressure. Is there any possibility that that the BBC could be 100% independent therefore not come under such pressures?

Baroness D'Souza:

Nick, can I take one more question?

Nick Robinson

Yes of course.

Baroness D'Souza:

Gentleman here.

Audience Member:

My name is Malcolm O'Hagan, I live in Washington, I'm not going to ask you about Trump

Baroness D'Souza:

That's good!

Audience Member:

There are two parts, there's the reporting of journalists that reports facts and information and then there are the opinions of the editors and I'm interested in the conflicts between the reporters and the editors, the editor express in most cases a political opinion which is not necessarily balanced so you have either right wing or left wing newspapers which is unfortunate instead of ones that are giving us a balanced view, both sides of any particular issue.

Baroness D'Souza:

It's interesting you brought up this question of balance, maybe you could bring that in? Nick, can you answer perhaps Alan's question first?

Nick Robinson:

Sure, OK. I'm reminded when people say to me "*is the BBC 100% independent?*" of the old sore about democracy's the worst of all possible systems except for all the others. The independence of the BBC it's the worst of all the possible systems except for all the others that we've seen on the planet. I mean there is no doubt that if the BBC, as it does, requires legislation and requires government approval for the size of its budget, there is no doubt that the BBC can from time to time become liable to political pressure and it's an illusion to pretend that it isn't and it can't but all the more important that you build in as many safeguards as possible to mitigate that and to limit it. It's why in my view for example the license fee should be set, so long as we have a license fee, for as long as possible in advance, rather than allowing this or that chancellor or this or that Prime Minister to haggle over the size of the license fee because once the BBC is treated as if it's like a government department in which it's begging for its funds, clearly you're right Sir, that the danger is that there's a temptation to compromise what you do in order to get what you

want. That's precisely why the license fee was invented. It was in order to avoid us being part of the taxation system, having each and every year to say "*would you like to trade Strictly Come Dancing for a hospital?*". That was the point to have an arm's length relationship. Now in my view, the last chancellor and the last Prime Minister made a gruesome error by trying to interfere, somebody saying the BBC should be responsible for paying for old people's licenses for example, the free license that the elderly get because that compromised that independence. It's one of the reasons I was worried about this new board that is being created and I could go through it but I won't because time is limited. My broad point is, it's nevertheless a whole lot better to the current alternatives; either being a European model which is where the new president comes in and stacks the state broadcaster, which the BBC is not, we're not a state broadcaster, we're not a government broadcaster, we're an independent broadcaster, but if you go to France or Italy, a new President means a new head of the channel because they... Now we don't want that model and I would argue we don't want the system in the United States where there are now no shared facts for political debates because political activists on the right watch Fox News and political activists on the left was MSNBC so that when you have a health care debate nobody can agree on any facts about healthcare. You either believe that Obama is planning socialists death camps if you watch Fox News or you believe that Republicans are in favour of killing the poor if you watch MSNBC. Now for all the warts and flaws, and there are plenty, of our broadcasting here, we get things wrong, I'm not saying we don't, at least you have people who everyday come to work doing their best to get about as close to the truth as they can that day and that seems to be better than most of the alternatives.

Baroness D'Souza:

Ann, can you talk a little bit about this vexed issue of balance? It's a question about how do you achieve balance?

Dame Ann Leslie:

Well, a newspaper, newspapers...

Baroness D'Souza:

As I understand it, to some extent you're talking about balance over a period of time or balance within a particular...

Audience Member:

I am talking about facts versus opinion. Why you can't present a balanced point of view or both points of view so people can make an informed judgement.

Baroness D'Souza:

Yes. Why can't you present the facts and opinions on both sides within a single journalistic piece so that people can form opinions

Dame Ann Leslie:

I think the thing is that we have no obligation legally or anything else to be balanced newspapers. He [Nick] has. It used to be ridiculous that within one programme you'd have to be on the one hand on the other hand, it destroyed programmes but overall you have to by law, by charter, be balanced. We're not and the balance lies in the market. If you don't like the views of the newspaper that I was employed by, you buy another one.

Baroness D'Souza:

Yes

Dame Ann Leslie:

If you don't like The Guardian you buy another one. I think balance, the idea of balance comes into this whole issue of responsible journalism. It's difficult to even define it because sometimes, in The Mail, you will have a large piece which is totally against what the leader, which is supposed to be the official view of the newspaper, totally against it and in fact I remember one editor, I wrote a piece which was against the line of the newspaper and he said "*Ann, brilliant piece but I can't print it*" I said "*why not?*" He said "*well you know why not*" and I said "*well you just put your point of view in the leader, and then I'll put mine over two pages in the features*" and he said "*yes but then you'll win won't you?*" I said "*yes that's the whole idea*" and I often used to do that, I used to get this "*I don't agree with you*" and I'd write this piece and he would then write a leader which nobody read, they always read me.

Baroness D'Souza:

And we've got a gentleman here, yes?

Audience Member:

My name's Roddy Porter. In the public debate that goes on day by day we see, I think, increasingly a relativisation of truth and right at the start you both put a lot of emphasis on identifying what you believe the truth should be. I'm not necessarily suggesting it's in the question of "*did he or did he not say that?*" but in the realm of ethics and morals that underpin much of our society it seems that these days, one person's view of what is ethically or morally right is just as good as anybody else's. In terms of editing a newspaper or seeking an editorial line in an institution like the BBC; is identifying what an ethically or moral approach to a certain issue might be as something you can live with, is that important or is it rather more of you setting a context in which the various views can play out in a kind of free-fire way. I hesitate to suggest that journalism has any didactic role to play in this but how do you approach establishing an editorial line in the moral and ethical domain?

Baroness D'Souza:

Claire?

Claire Foster-Gilbert

Thanks, Claire Foster-Gilbert, it follows on really, that point, I think you have identified what the public good is that journalists are for, which is service of truth and service of truth in itself is a good. I think that is the moral compass for you so our real problem lies when we don't know whether you're telling... you journalists are telling the truth or not

Baroness D'Souza:

Nick?

Nick Robinson:

No no, I think you're right that that is, I hesitate to use the word "moral compass" because it seems grand and I'm nervous about being grand about it, making great claims but you're right that what motivates me as a journalist is, as I've said, getting as close to the truth today as I can, aware that tomorrow I might discover that what I thought was true yesterday isn't. So I don't claim to produce "the truth" and anybody who does you should be very deeply suspicious of but I do think, and I've seen it whether I worked at ITV and when I now work at BBC, I've never worked at Sky but I believe it's true that the vast majority of the journalists who work there, that is how they go about their daily business. Now that doesn't mean they're not capable of getting

things horribly wrong, it doesn't mean that their backgrounds; where they're brought up, their religious backgrounds, their prejudices, the fact they now live and tend to be liberal, metropolitan types don't distort their idea of what the truth... I'm open to all those criticisms, it's perfectly valid but it still seems to be of value that they think their task, they think their job is to get close to the truth.

Now, I think coming to your question Sir which is, the difficulty is what sort of truth are we talking about? There's truth as in factual, I do think and I alluded to this in the healthcare debate in America, that there's a real and growing need for journalism to tell you what the factual basis for debates are. I do think for example, in the recent referendum, it was right to say, and I did say on air *"it is a lie to say that 350 million pounds is being sent to Brussels"*. It's not one person's interpretation, and I know how they reached the calculation; take 19 billion, which is the gross figure, divide it by 52, it's just not true. Crucial word incessantly if you follow these things is "sent" to Brussels. If they'd not said "sent to" you could've defended it a bit more and I said on air *"this is not true"* and I put a large cross through it and I do think we need journalism which is bolder and in a way it deals with Douglas's point which is if people are going to make preposterous claims, we need to call them out on it where we can. Can't always but where we can, but to go to moral truth, to go to ethical truth as it were there are some values that we should make a call on, is asking us to be on the side of a group in society that have a particular definition of morality, which is not shared by another group of what we'd call in my business "license fee payers", and the difficulty of us taking a role in which we claim to be arbiters of moral truth is tricky. Now, do we never do it? I think that my producer guidelines tell me what I'm allowed to do and not allowed to do. For example say that I don't have to be balanced on racism. We do have a policy that allows BBC journalists to say *"racism is a bad thing"*. We're not required to say *"some people think the races are inferior and other people do not"* so there is some leeway and you might argue, it would be interesting to know, if you want to come back, whether you think there are other areas where we should go broader than that but you can tell I'm nervous about it.

Baroness D'Souza:

Ann? Thank you.

Dame Ann Leslie:

Yes, one of the problems about deciding what is the truth and how to get it across; sometimes the audience does not want the truth and that's sometimes because a kind of groupthink has come in and I remember this very much when I was in Bosnia and everybody knew, "knew", that all the massacres, all the torture were all done by Serbs, no question. However, because I was often on this Serb lines, behind their lines and not with the Bosniaks, with the Muslims in Sarajevo, I would come across, and there was one particular massacre I came across and of course the Serbs said to me *"oh the Croats did this"* or *"the Bosniaks did this"* and the massacre, even to find out, I mean they say *"anyway they were all soldiers"* because these were in a ditch, one old man wearing a uniform, one old woman wearing a uniform, as if she would be wearing... and I did literally look to see where the entry holes were in these fake uniforms and the exit ones so you could tell whether they'd been shot in the back and so on. I came to the conclusion, and there was evidence and it was proven so to be, that in fact it was the Croats who'd done this but back here, nobody wanted to know, no no because the only people who were monsters were the Serbs. Civil war is disgusting, nobody behaves very well in it and I finally got The Mail to print me describing this massacre and not giving the names because some people could recognise whether they were Muslim names or Serb names and so on, just the whole ghastly thing and then right at the end I said *"something must be done, these blood thirsty Serbs, we must go and bomb them. Only trouble is, it wasn't the Serbs"* and it actually caused quite a... just stop

assuming that you've got it right, I'm talking about the groupthink. Everybody said *"Every massacre and rape was committed by Serbs"* and it took a lot of me fighting my own newspaper to say *"this was not the case"* and it was not the case, everybody behaved disgustingly there were no black hats and white hats.

It's quite difficult to just simply give the facts if people are not prepared to want them and actually it did have an effect, unfortunately... an awful lot of fan mail from the Serb diaspora but that wasn't what I wanted. So it's very difficult in some situations if people don't want to hear facts because it disturbs the sort of binary attitudes they have.

Baroness D'Souza:

I'm going to ask if I can have the last question and I think to some extent you've already answered it Ann but, what makes you proud to be a journalist? Nick?

Nick Robinson:

Now there's a tough one. I suppose the thing... how do you answer this question without sounding immodest? I suppose the thing that people...

Baroness D'Souza:

No no go on, be immodest

Dame Ann Leslie:

Show off, go on

Nick Robinson:

The thing people say to me that I'm most pleased that they say, let's put it that way, rather than *"here you're that bloke of the telly and weren't you rude to George Bush once?"* The thing that people say which I'm pleased to do, and I think that's a bit of a difference from broadcast to print, is they used to say when I did my old job, television news, was *"you helped me understand that, I found it complicated and you helped me understand"* and the thing that I find satisfying about the job is the world is a fantastically complicated place, it's a rather frightening place and I think that one thing is by no means the only thing you can do, I've never shown the personal bravery that somebody like Ann has shown, I've not shown the determination in the face of people who would have me shot or beaten up as some investigative reporters do but there's a role for men in suits like me to say *"we're going to try our best to help you understand the choices that you have to take"*

Baroness D'Souza:

Good answer. Last word, Ann?

Dame Ann Leslie:

Well it was a job I didn't want in the first place. I must say I do love Betty Davis's famous remark about *"growing old isn't for sissies"*, which is why I'm no longer clambering on tanks and interviewing war criminals who tell me the best way to intimidate your opponents is to scoop their eyes out with rusty spoons. He ended up in the Hague. It's just because it is actually the most interesting job in the world and it's tiring, sometimes extremely dangerous but one of the dangers of the sort of journalism I was doing most of the time was you became a war junkie or an adrenalin junkie because the excitement, the thrill that you'd pulled this off, you survived, all the rest of it and one of my best friends was a wonderful journalist called Marie Colvin who lost an

eye covering the Sri Lankan trouble and I remember she and I were sitting in Jerusalem having a jar or two because we were both quite fond of jars in those days. There she was looking very glamorous with her black eye patch and I said *“how much longer are you going to go on doing this?”* and she said *“I’d rather be shot dead in a firefight than retire”* and I said *“but why? why?”* she said *“because you never have so much excitement, so much feeling of living on the edge”*. It’s what skydivers do and all the rest of it so I’m afraid that is really why I stuck at it, but I also think we do have an actual human obligation to tell the facts, particularly from the point of view of the victims, ordinary people who are carrying on their daily lives and suddenly the whole thing becomes a nightmare. That’s why I never used to wear, to the horror of the insurance company and my husband, any of the double kevlar flak jackets and all the rest of it because I didn’t want to go and interview people done up like a Knight at Agincourt because they had no way of protecting themselves, it was insulting to them and so I never did, I never wore anything like that.

Baroness D’Souza:

Can I end by extending extremely warm thanks to Jane, to Claire for organising this, to you the audience for being such a good audience and most of, above all to our two very distinguished panelists. Thank you so much