

FREE Press

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LEVESON

OATH OF LOYALTY

THE TORY government has sworn to defend the lying right-wing corporate press to the death against all their critics and rivals. The decision on March 1 to ditch the Leveson Inquiry was consistent with a stream of policy announcements.

In recent months the government has

- Forced the BBC to give up £8 million of licence fee income to subsidise reporters on local papers, giving them the opportunity to sack more staff
- Instigated an inquiry into “fake news”, by which it means internet news, to undermine new media and authenticate the press
- Launched a review to boost the “sustainability of our national and local press”, after heavy lobbying from the industry
- Ignored any ways to help the new small, mostly local, media that are the green shoots of the next generation of news media
- Supported press barons in their regular attacks on the internet giants that profit from the dissemination of material lifted from the press for free
- Indicated that the reviews are likely to lead to measures that tax or raise levies from the internet giants to subsidise the press; it's even been hinted that more could be creamed off the BBC
- Scrapped the law based on recommendations of the Leveson report (Section 40 of the Crime and Courts Act) that would penalise publications that refuse to offer cheap and accessible arbitration of complaints
- Endorsed and praised the sham press regulator IPSO, which has failed in four years of existence to comply with Leveson standards.

A lot of this was reaffirmed by culture secretary Matt Hancock in a parliamentary debate on Leveson and section 40. There was no surprise in the decisions to scrap both the proposals.

The CPBF said in a statement: “It is not press freedom the government is protecting but the press owners – the companies responsible for the phone-hacking and bribery laid bare by the first stage of Leveson, the prejudice and hatred aimed at anyone – racial, sexual or political groups – they don't like, and the decline of the local press as they slash their workforces

Propping up the profiteers – whatever the press barons want

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Leveson wanted to go on, rejected government arguments

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and their coverage to preserve their profits”

The section 40 law was passed by the Tory-led government in 2013 to guarantee cheap and easy access, through an arbitration process, to people seeking redress for unfair reporting without going to court. It posed no threat at all to responsible journalists who are prepared to treat their readers fairly.

The law was intended to encourage publishers to sign up with a regulator that complied with Leveson's recommendations, notably that there be such an arbitration system. There is only one such regulator, called IMPRESS, which not a single national paper has joined.

Instead nearly all of them, together with what's left of the local press owned by the big corporate media groups, are members of their fake regulator IPSO. Hancock said IPSO was offering arbitration itself, but that is not true. It has announced a voluntary scheme that publishers do not have to join, and can decline to co-operate with in individual cases. It has never had a single case!

As the previous week's baseless attacks on Jeremy Corbyn showed, the wealthy corporate right-wing press is moving further away from popular opinion, while new small-scale media struggle to offer a better service to the public. The government has declared it stands firmly with the old press barons and that is bad news for everyone.

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For all campaign news and info go to cpbf.org.uk
Email: freepress@cpbf.org.uk

To them that hath it shall be it given ...

THE GOVERNMENT is riding to the rescue of the discredited commercial press as it struggles to maintain profits in the face of lost sales and revenue.

The Prime Minister announced a review of the “sustainability of our national and local press”, after heavy lobbying from the industry. It is likely to lead to measures that tax or raise levies from the internet giants that make free use of material from old media, to subsidise those media rather than invest in the new digital news media that are struggling.

Theresa May warned that: “When trusted and credible news sources decline, we can become vulnerable to news which is untrustworthy.” She said the review would consider whether “the creators of content are getting their fair share of the advertisement revenue” from the articles they produced.

The new culture secretary Matt Hancock said: “A key focus of the review will be the local and regional press, who face an uncertain future. Also within the review’s remit will be an examination of how data created or owned by news publications is collected and distributed by online platforms.”

Commentator Roy Greenslade summed it up in the Guardian: “Her message is: forget phone-hacking, forget press misbehaviour, let’s bring Silicon Valley to heel!”

There is no doubt about the pitiful state to which the Big Media groups have reduced Britain’s local and regional press. But with all the cuts they have made they are still highly profitable, while new small-scale independent media – most of them online but some in print

WHO GETS THE NEW REPORTERS

Allocation of “local democracy” reporters under the BBC/NMA Local News Partnership scheme

PUBLISHER	REPORTERS
Trinity Mirror	63
Newsquest	37
Johnston Press	30.5
DC Thompson	4
Kent Messenger Group	2
Lincolnshire Reporter	2
Archant Community Media	2
The Hackney Citizen	1
London Evening Standard	1
Manx Radio	1
Shetland News	0.5
TOTAL	144

as well – are desperately underfunded.

Many of them are registered with the independent regulator IMPRESS, whose director Jonathan Heawood said: “It could be the rebirth of the local newspaper if we work out how to help the new business models thrive in the long run, not prop up the old ones.”

Since 2005 more than 200 local papers have closed in the UK and the number of regional journalists has halved, to around 6,500, with staff cuts, centralised newsrooms, sub-editing and printers relocated miles from local communities.

The newspaper trade body, the News Media Association (NMA), has long complained about

the rise of digital news. It says that Google and Facebook are stealing their stories, paying nothing in return.

They also attack the BBC, especially its news website, which the NMA says “risks damaging the local press sector, which is currently in transition to a sustainable digital world”.

Last year the BBC went into co-operation with the NMA to launch a government-sponsored Local News Partnership Scheme. The object was to reduce the widely acknowledged “democratic deficit” in local reporting.

Local courts and councils are no longer being covered because the big newspaper groups have cut staffing to such low levels that there is no-one to do it. So the BBC allowed £8 million of its licence fee income to be used to pay 150 “democracy reporters” working around the country. There is no shortage of publications that could use this help, but virtually all have been allocated to the big groups’ titles, and none to new micro-locals.

The scheme also includes a shared data unit where local reporters can learn new skills, and access BBC News video and audio material.

Of the 144 reporters designated so far, the biggest regional group Trinity Mirror was awarded 64, the second biggest, the US-owned Newsquest, has 37, and the third, Johnston Press, 30.

Julian Petley, former chair of the CPBF, wrote on The Conversation blog: “It all suggests that the outcome of the review is largely a foregone conclusion, and one that will simply benefit the press barons to whom the government, like all its predecessors, is permanently in hock.”

... But to those that hath not ...

ALAN SLINGSBY of the Brixton Blog and Brixton Bugle in south London tells how the needy missed out while the BBC subsidised the big groups

HYPERLOCAL journalists were briefly excited when the BBC announced its Local News Partnership designed to create 150 new journalism jobs.

But in this scheme forced on it by government, the BBC has worked almost exclusively with the News Media Association, a private company created by the 2014 merger of two employer organisations, the Newspaper Society and the Newspaper

Publishers Association.

The NMA website home page does not mention journalism, but says it will “promote the efficacy of newsbrands in all their forms as news and marketing media” and be a source of best practice for commercial, marketing and technical issues.

Sean Kelly of NeighbourNet Ltd, which provides software and hosting to nine local news websites in London, asked the BBC



about being part of the scheme and obtaining one of its “local

democracy” reporters.

All of the NeighbourNet tenders were rejected. “Initially, the BBC said that it was because we were a franchise business,” Sean Kelly reports. “When we pointed out that we were not, they said it was because we should have filled in individual applications for each title.”

“We pointed out that we filled in a single application because the BBC told us to do so. No reply.”

NeighbourNet affiliates will not even be allowed access to the Local News Partnership “news hub” that will allow 700 “approved” organisations to use BBC video and audio.

The approved list is a litany of

IN COME FREE REPORTERS OUT GO OLD STAFF

THE RAPACIOUS Trinity Mirror group (TM) showed how it will use any subsidy it receives by sacking 49 journalists the same month that it took 63 free ones from the BBC-funded Local News Partnership scheme.

TM is Britain's biggest overall biggest newspaper publisher with more than 200 titles – Murdoch has only national papers – and has just bought the Express group. It has been ruthlessly cutting back its staff for 15 years, and has taken the opportunity of the partnership to sack some more.

National Union of Journalists organiser for the North of England Chris Morley said: "Trinity Mirror bragged that



it was a 'very profitable' company and paid £127 million for the Express.

"Shareholders are being handsomely rewarded with a 6.4 per cent dividend and the company has effortlessly stumped up £10 million to smooth over the hacking scandal victims. And now it has gobbled up the lion's share of £8 million that has been cut from the BBC's budget for journalism to provide local democracy reporters.

"Yet all the time, senior managers have been plotting these huge numbers of job cuts that will have a major impact on already badly weakened newsrooms."



publishers who have presided over the collapse of local journalism.

One of the criteria for getting on the list is "having journalists subject to oversight by a recognised regulator such as IPSO".

Just 15 news outlets on the list were described by the BBC as "hyperlocal".

One of these is the Cambridge Independent published by Iliffe Media, which last year bought the Kent Messenger group of 13 titles and a radio station and another 13 titles from Johnston Press. Transparency note: Its associated company, Iliffe Print, prints the Brixton Bugle on contract.

Also "approved" is Cool FM in Northern Ireland, owned by Bauer Media, Europe's largest privately owned media group. It will also benefit from BBC services. Its website promises "the perfect mix of music combined with witty, warm-hearted locally relevant banter as well as life's essential news and market specific traffic updates and weather".

Of organisations that will get BBC reporters, only the The Hackney Citizen, whose owner also publishes the East End Citizen, and Lincoln-based online business publisher Stonebow Media appear in any way to match the hyperlocal tag.

The fight goes on to the end

THE BIG Media corporations were manoeuvring around Sky TV as Free Press went to press, with the US cable TV giant Comcast launching a surprise bid to buy the network from under the noses of its Murdoch and Disney rivals.

The takeover battle started in 2016 with the bid by 21st Century Fox to scoop up the 61 per cent that the Murdochs do not already own, which will be stuck in the UK regulatory machine until May at the earliest.

In January the Competition and Markets Authority (CMA) released a provisional finding that the buy-up would be against the public interest, giving the Murdochs too much media power.

But by then the Murdochs had agreed to sell their Sky stake, with other Fox interests, to the US entertainment giant Disney Corporation.

This complicated things not least because the US regulatory process would last over a year, but if that takeover succeeded there would be none of the problems that the Murdochs face in the UK.

The CMA had to continue with its scrutiny of the Fox bid, since the takeover might not happen. So the CPBF fought on with its campaign of opposition, alongside the other groups in the Media Reform Coalition. Its £20,000 crowdfunding appeal (last issue) ran until March 13 but supporters can still donate to the campaign.

While the CMA ruled against the Sky bid as a threat to media plurality, it did, like the media regulator Ofcom in the previous round of consideration, give it the green light in terms of commitment to broadcasting standards.

As before, it was astounding to think that the Murdochs with their record might be committed to the kind of standards that UK broadcasters have to comply with, so the CPBF again put in

a protest, urging the CMA to look at that question again. Ofcom's earlier approval had been overturned, to the surprise of many, by the then culture secretary Karen Bradley, and we are looking to her successor Matt Hancock to do the same.

Meanwhile the Murdochs were attempting to turn the decision to their advantage, making offers of "remedies" to safeguard the supposed independence of Sky News, which is the biggest problem with the takeover. With their dominant newspapers and radio news interests – not to mention the way they abuse these media – nobody can allow the Murdochs to control the news.

So in February Fox offered to separate off Sky News from the rest of the company, to

be independently run but funded for ten years. This was similar to the offer the Murdochs had made in 2011 when they first bid to buy up Sky – the bid that collapsed with the outbreak of the phone-hacking scandal.

Then came the thunderbolt from Comcast, to buy outright just Sky and none of Fox's other interests.

The price they offered shareholders – £12.50 a share, compared with Fox's £10.75 – was so high that the share price shot up to £13.30.

There's so much money to be made in Sky that, who knows, there could even be further bids – and further complications.

Of the current rivals, Disney owns the US TV network ABC and Comcast owns NBC. Last year the third big network, CBS, owned by Sony, was also said to be interested.

Let the Big Media bullies fight it out. Whatever they do, the CPBF will carry on campaigning. Please donate to the crowdfunding.

■ cpbf.org.uk/stopmurdoch



Desperate to destroy the Labour Party's revival, the right-wing national press launched a mindless red-baiting attack in February. They just don't get it, says **TIM GOPSILL**

And they call Corbyn a dinosaur!



WE KNEW the way the world was going from last year's election campaign. There were two murderous terror atrocities, in Manchester and London, and a heightened state of public apprehension.

The day before the vote, the Daily Mail and the Sun both filled their front pages – and in the Mail's case 12 pages inside – with attacks on Jeremy Corbyn over his supposed support for terrorism.

The Mail's headline over photos of Corbyn, John McDonnell and Diane Abbott, was: APOLOGISTS FOR TERROR. The Sun had JEZZA'S JIHADI COMRADES.

These were based on Corbyn's well-known activities over the years, as an independent Labour backbencher giving a platform to anti-imperialist and solidarity movements that had trouble otherwise getting much of a hearing in Britain.

These movements included Sinn Féin and the IRA, which he helped bring into the Northern Ireland peace process. That is any decent left-wing Labour MP's job.

But it's hard to think of a more damaging slur, at a time when people were being blown up and run down in the street, than "terrorist sympathiser". And what happened the next day, June 8? Labour's vote went up.

You'd think they might learn, but they don't, and in February they made fools of themselves again with a rehash of the same

old story. The Sun kicked off with CORBYN AND THE COMMIE SPY, brandishing the fantasies of a minor Czech intelligence functionary of the 1980s, as if they had unearthed a top-secret plot.

Out came the brigade of old Soviet-bashing commentators like Dominic Sandbrook in the Mail: "The useful idiot: Jeremy Corbyn's assignments with a secret agent were part of the gullible British Left's love affair with a totalitarian Russian regime that murdered millions". The Times had Edward Lucas with "Corbyn's sickening support of Soviet empire".

In the late 20th century many people on the left had come across these characters. In the Soviet bloc system Czech intelligence was assigned the task of spying on the UK. Its agents would cultivate the British Left and send reports back to Prague that inevitably exaggerated the significance of the material they managed to gather. They enjoyed life in the west and needed to justify their presence here.

At the time the British left was infiltrated and spied on rather more seriously by MI5. But MI5 was surreptitious, while the eastern Europeans – there were Russians

around as well – were open, often comradely and convivial people. Everyone hated the Cold War and welcomed contact with activists from the east.

In 1990 we were officially told that the Cold War was over and for 20 years people believed it. Now everyone can see that American and Russian warmongers still see

benefits for themselves in cranking up militaristic confrontations.

And the right-wing press, facing an uncertain future in the digital world, can relapse into the familiar comforts of brainless red-bashing. For

people who remember the tabloid press in their Thatcherite pomp of the 1980s the recent stories about Momentum "thugs" supposedly terrorising the Blairite Claire Kober and Haringey council have an almost nostalgic twang.

Just as with the "baa baa green sheep" fictions of those times – when the papers made

up ridiculous stories about Labour councils – the Sun, the Mail and the rest know perfectly well that allegations that Corbyn was a communist spy are not true.

If anything is "fake news" then all these stories qualify as deliberate and conscious lies.

For one thing, Corbyn was among those on the left that supported the rising opposition to the dictatorship of the Communist regimes. In 1989, when the Tory press would have him selling state secrets to the USSR, he signed a Parliamentary motion saying: "This house welcomes the magnificent movements in eastern Europe for full democratic control ... and recognises that this outburst of discontent and opposition reflects deep anger against the corruption and mismanagement of the Stalinist bureaucracy ..."

Now the press's rationale, if you asked, would be that press freedom entitles them to print what they like and anyone who challenges them is an enemy of freedom, which is what the west said throughout the Cold War.

It has been widely pointed out that their real intention in attacking Jeremy Corbyn and his supporters is to defend themselves from the

If anything is 'fake news' these stories must qualify, as deliberate and conscious lies



The owners of Britain's national press. Portrait by Tim Sanders

popular clamour to call them to account. There were calls for the long-promised and now abandoned resumption of the Leveson Inquiry into their criminal conduct, for a tougher regime of self-regulation, and for laws to curtail the extent of ownership by Big Media corporations.

Jeremy Corbyn articulated these aspirations – which have long been advocated by the Campaign for Press and Broadcasting Freedom – in his campaign video in response to the stories. He began by making fun of them:

"In the last few days, The Sun, The Mail, The Telegraph and The Express have all gone a little bit James Bond ... They've found a former Czechoslovakian spy whose claims are increasingly wild and entirely false ..."

He ended: "Well, we've got news for them: change is coming". Despite intoning this with a rather uncharacteristic air of menace, he did not mean that Labour is going to trample on the free press; as he also said: "A free press is essential for democracy and we don't want to close it down, we want to open it up."

He meant that the change is happening anyway. People

are turning away from the Tory press. Their sales have halved this century. It's not just technology that threatens them, nor the shifting advertising market, but a changing world.

The left-wing Labour Party network Momentum has said that its membership shoots up every time the right-wing papers attack. It reported that 1,800 new members joined in February, 50 per cent more than normal.

National co-ordinator Laura Parker said: "The fact that attacks by the right-wing press have actually increased support for Momentum shows how low they have sunk in the eyes of the public. Being hated by the Daily Mail has become a seal of approval."

The movement that propelled Corbyn to the Labour leadership is the clearest possible indicator of the change, but the right-wing press can't see it. Indeed, they call Corbyn old-fashioned, a political throwback.

But it is they that are the dinosaurs, doomed, beached and sinking in the political climate change.

And yes, on the weekend after their Corbyn stories, Labour's ratings went up, again, by 1 to 2 percent in the various polls.

BROADCASTING

BBC should be run for the people

THE BBC must be truly independent of government and made accountable to the public instead. This is the conclusion of a study by the Media Reform Coalition, of which the CPBF is a member.

To ensure this, the members of the BBC Board should be directly elected by licence fee payers and BBC staff, says the study, produced by a group convened by sociologist Tom Mills, the author of last year's groundbreaking book *The BBC: Myth of a Public Service*.

REGULATION

The corporation should be supervised by a new, independent, non-market, regulator, acting solely in the public interest, which would also set the level of the licence fee.

FUNDING

The licence fee system should be maintained but based on internet access rather than possession of a TV. All households would pay it via their internet service provider.

DIRECTION

The BBC must move away from the present approach of "market failure", in which it is expected to provide only what the market will not, to a positive one in which public and democratic programme making, to rigorous professional standards, can improve the range of the whole media.

DECENTRALISATION

A system of localised, democratic management and commissioning should be established, with national and regional boards elected by staff and local licence fee payers.

A DIGITAL PUBLIC PLATFORM

The BBC should provide a shared space free from commercial imperatives. Data collected via its sign-in services should not be geared towards the BBC's public purposes, with licence fee payers able to adjust the algorithms according to their personal preferences.

All BBC content should be made available to licence fee

payers in perpetuity. Radio programmes should be freely available indefinitely, as should the majority of TV news and current affairs programming.

DIVERSITY AND INCLUSION

Ensuring adequate diversity will require complete transparency about the makeup of the workforce, publishing equality monitoring data at the programme and production level for all producers of BBC content.

The BBC must re-establish itself as a provider of expertise for industry professionals, targeting under-represented and marginalised groups in its training.

At least half of board members should be women, and minority groups should be guaranteed adequate representation.

COMMISSIONING AND PROGRAMME MAKING

The process of hiving off production into separate competitive companies must be reversed, with in-house production guarantees restored, to ensure the BBC remains a public source of independent programme making and a provider of training and expertise.

Strict stipulations should be introduced into commissioning to ensure adequate diversity within workforces.

When programmes are externally commissioned, they should be sourced from smaller, independent producers rather than big international companies. A proportion of funding should be earmarked to support the development of alternative models of ownership in the media industry such as cooperatives.

A proportion of regional programme commissioning, meanwhile, should also be allocated to audience-led commissioning by panels, selected by lot and paid modestly for their time, or by voting facilitated by the BBC's digital platforms. Programmes would also have to satisfy the BBC's policies on diversity and inclusion, with a minimum proportion of news and current affairs programming.

THE BIG D

FOR THE second time in four months a clutch of public figures and their family members have been given big wads of money from Rupert Murdoch's London papers to drop their cases over the hacking of their phones.

On January 18 cases brought by comedian Vic Reeves, TV presenter Kate Thornton, Coronation Street actor Jimmi Harkishin and talent agent Chris Herbert against Rupert Murdoch's Sun and News of the World were confidentially settled, just hours before a six-week trial was due to hear allegations of a cover-up by senior executives including James Murdoch and Rebekah Brooks.

James Murdoch, the younger son of Rupert Murdoch, was executive chairman of the tabloid's then British owner News International and is now chief executive of 21st Century Fox, while Brooks has returned to her old job as chief executive of the renamed News UK.

The sums paid were not disclosed but according to legal arguments revealed at a later

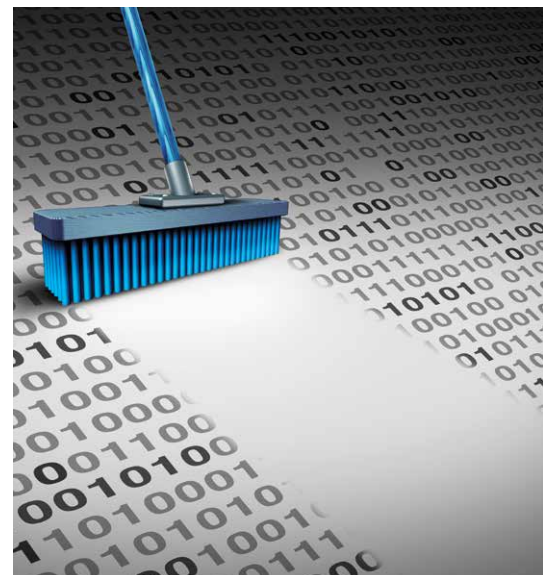
hearing they totalled £650,000. Costs were estimated at £4 million.

It is reckoned that the scandal has so far cost the Murdochs £600 million, according to former Sky TV head of programmes David Elstein, speaking at a London meeting in February. Settlements have been reached with more than 1,000 victims, but not a single civil action has come to court; all have been bought off.

Last September News Group Newspapers Limited (NGN) settled 17 "advanced cases", which again were approaching trial and again for undisclosed sums, but there were still 51 on the register of the latest wave of claims.

These cases allege phone-hacking by the Sun, as well as by the now-closed News of the World; while NGN has been forced to concede the practice was widespread on the Sunday paper, it has never admitted it on the daily.

On February 5 the judge, Mr Justice Mann, ordered the parties to prepare the remaining



Millions of missing

BOSSES AT News Group Newspapers (NGN), the Murdoch subsidiary company that owned the Sun and the News Of The World until the latter closed in 2011, engaged in a massive and illegal cover-up of the crimes of phone-hacking and bribery that flourished in their Wapping offices throughout the 2000s.

As well as the lies that were told – with the collaboration of the Metropolitan Police and the Press Complaints Commission – there was a systematic programme for the deletion of well over 20 million emails, ordered by chief executive Rebekah Brooks.

She was prosecuted and sensationally acquitted of phone hacking and paying police officers in 2014, but documents quoted in the claim presented to the High Court by lawyers for the 50-plus claimants allege that she closely directed the cover-up.

Most of these allegations are not formally denied. The defence document submitted to the court states that nearly all are neither admitted nor denied, but merely "not admitted".

The judge has required NGN

to explain these non-admissions since court rules do not allow "bare" non-admissions.

These are some of the allegations in the claim document:

FROM 2008 onwards, NGN was well aware that it was under a legal obligation to preserve all documents or evidence relevant to allegations of voicemail interception or related unlawful information gathering activities because of civil claims arising from them; later police enquiries reinforced the obligation.

Yet millions of emails were systematically deleted through the operation of an "email deletion policy".

The policy, dated November 2009, was intended, the pleadings say, to eliminate in a consistent manner (subject to compliance with legal and regulatory requirements) emails that could be unhelpful in the context of future litigation.

Throughout 2010, according to the claim, Brooks sent a series of increasingly concerned emails about the policy:

How come we still haven't done the email deletion policy

discussed and approved six months ago? (29 July 2010)

Everyone needs to know that anything before January 2010 will not be kept (August 2010)

She decreed that there should be "no company-wide comms", that no written communication containing her instructions about this email deletion policy should be recorded in a document disseminated throughout NGN. Andrew Hickey (chief investigating officer) sent an email to (chief legal officer) John Chapman saying that Rebekah Brooks was

adamant on Jan 2010 and has discussed it with JRM [James Murdoch] who wants to draw a line under Wapping and pre 2010.

On September 9 2010 the IT department was informed that

The data deletion work needs to be done by today so please align a resource ... [due to] a senior

NI management requirement to delete this data as quickly as possible.

In that month around 4.5 million emails for the period up to the end of 2004 were deleted from the system without any back-up being made.

This was after the company had received a letter of claim from actor Sienna Miller specifying the preservation of documents.

In January 2011 and February 2011 all remaining pre-January 2010 emails were to be deleted – approximately 20 million according to the document. This was after the police had begun Operation Weeting to investigate the phone hacking, and more civil claims had been launched as well.

NGN deliberately did not mention the deletion of millions of emails to the police, who only discovered in May or June 2011, by which time it was too late to recover the majority of them.

It turned out that a consultant it firm employed by NGN called Essential Computing had back-up tapes as part of its routine practices – not at the request of NGN.

ELETE

(roughly 40) cases for a trial date in September. Because the “generic” evidence in all of them is substantially the same the High Court has until now selected a handful of “test cases”, intended to settle the main issues of liability, but every one has been bought off.

January’s last-minute deal was attacked by the judge, who complained that, after years of work by the courts and the reserving of precious court time, the claimants in the queue had been deprived of a determination of the central issues.

The Murdochs seem prepared to fork out endless millions to stop the evidence against them coming out in court. The settlements protect them from a public airing of the crimes they and their papers committed – evidence that could be fatally damaging as their bid to take over the whole of Sky TV grinds its way through the regulatory process.

Settlements happen because if a claimant fails to beat a previous offer when the judge

makes an award of damages, he or she is liable for both sides’ costs of the trial which would bankrupt them. The judge said at the latest hearing he would consider finding a way to protect claimants from such a costs penalty if the interests of justice required a trial of the generic issues.

The way the Murdochs run their companies – their “corporate governance” in the regulators’ jargon – has become a central question since the previous culture secretary Karen Bradley referred the takeover to the Competition and Markets Authority on the question of their commitment to the high broadcasting standards required for a public service licence in the UK.

Some of this evidence can now be published, because the judge had ordered both parties – with the claimants all acting as one – to produce amended claims and defences, and these were presented in open court at the February 5 case management hearing.

messages

NGN had not made any reference to this back-up. The existence of this back-up tape, with the potential for revealing emails which NGN had thought had been permanently destroyed, was a matter of serious concern to them.

In reply to an order from Mr Justice Mann last year, NGN chief technology officer Paul Cheesbrough stated that the batch deletions of emails that took place in September 2010, January 2011 and February 2011 related to emails dated up to 31 December 2007.

The deletions in September 2010 related to emails up to 31 December 2005; those in January 2011 related to emails up to 31 December 2006 and the deletions in February 2011 related to emails up to 31 December 2007.

NGN has only ever disclosed one email sent by James Murdoch. In this message dated 7 June 2008 he responded to one from Colin Myler (then editor of the News of the World) concerning the case brought by Professional Footballers Association chief Gordon Taylor and the revelation of the famous “for Neville” email. This revealed once and for all that phone hacking was

wider than the “one rogue reporter” (royal editor Clive Goodman) that NGN had been insisting on.

The James Murdoch email was not found in the email archive but in hard copy in Colin Myler’s office and later on Murdoch’s personal laptop.

On 18 January 2011 Essential Computing sent NGN a report showing statistics for the extraction of mailboxes from the email archive system to a new system.

A section of the report entitled “1st Jan 2009 batch” contains the names of several NGN bosses including James Murdoch and Rebekah Brooks. It confirmed that more than 125,000 emails in their mailboxes were deliberately not transferred to the new system, and lost when the old system was deleted.

The claim alleges that these emails would have revealed the knowledge of senior executives about the unlawful activities and events that took place in 2007 and 2008, covering the sentencing of Clive Goodman and the allegations he made when he appealed against his dismissal. There are none in existence, and only a

handful from the mailboxes of Rebekah Brooks, James Murdoch and other company chiefs.

The targeted deletion of emails of senior executives was carried out on about 14 January 2011 by NGN IT staff at the instruction of Paul Cheesbrough, because Essential Computing was not prepared to “press the button”.

The deletions also prejudiced the Metropolitan Police investigation into the illegal activities by NGN and its employees, and thereby prejudiced the disclosure process and fair trials for the phone-hacking victims.

In its amended defence, NGN says the under the email deletion policy (which it does admit existed) some messages were to be saved to meet legal requirements.

The company says: “a large proportion of the emails which had been deleted were subsequently recovered.”

These include 77 per cent of those which could have been located in April 2010; 99 per cent of those from the year 2005 and 83 per cent for 2006.

The case continues.

THE MIRROR OWNS UP

ACTOR HUGH Grant has settled his case over phone-hacking against Mirror Group Newspapers in return for an apology, some admissions and an undisclosed six-figure sum.

The publisher of the Daily and Sunday Mirror and Sunday People accepted the illegal actions it had taken against the actor “should never have happened and were morally wrong.”

It admitted that “a number of its senior employees, including executives,

‘Senior employees, including executives, editors and journalists, condoned, encouraged or actively turned a blind eye to the widespread culture of unlawful information gathering’

editors and journalists, condoned, encouraged or actively turned a blind eye to the widespread culture of unlawful information gathering activities at all three of its newspapers for many years and actively sought to conceal its wrongdoing from its many victims of intrusion”.

Hugh Grant has donated the payment to the campaign group Hacked Off. He said: “This newspaper group has misled the public and its shareholders for many years and it has let down its readers and its hard-working journalists.

“Those journalists have paid the price for the wrongdoing of executives who have left with large pay-offs and share options.”

Leveson says that 'inquiry should go on'

LORD JUSTICE Leveson wanted to go ahead with Part 2 of his inquiry, a letter he sent the government has revealed.

Leveson wrote that phone hacking had proved to be more widespread than was known at the time of the first stage of his inquiry. The evidence he heard was "far from complete ... neither Part 1 nor the criminal trials have provided answers to 'who did what to whom,'" Such investigations were the precise purpose of Part 2.

The government was obliged by the Inquiries Act to consult him before taking the decision on the future of his inquiry. He responded on January 23 but his letter was not released until after the announcement on March 1.

He wrote: "There has been no investigation of corporate governance and management failures at News International and other newspapers" and added that Part 2 could deal with the question as to whether new media outlets should be subject to greater regulation.

He concluded: "I have no doubt that there is still a legitimate expectation on behalf of the public and, in particular, the alleged victims of phone hacking and other unlawful conduct, that there will be a full public examination of the circumstances that allowed that behaviour to develop and clear reassurances that nothing of the same scale could occur again: that is what they were promised".

STEFANO CAGNON/REPORTDIGITAL.CO.UK



How to deal with the 'IPSO problem'?

THE NATIONAL papers' tame self-regulator IPSO is facing two legal challenges to its rulings, one of which exonerated an offensive article by a member of IPSO's board.

Last October IPSO dismissed a complaint over a column about refugees by Trevor Kavanagh in the Sun that referred to "the Muslim problem". He was a member of IPSO's board at the time.

IPSO said he "was entitled to speculate on the validity of the status of refugees ... and the reference to 'a million more so-called refugees' was clearly presented as his speculation". The complaint was brought by equality trainer Rachel Elgy, who is seeking a judicial review of the decision.

A similar case has been launched by Jonathan Coulter over IPSO's reports in the Times and Sunday Times of a meeting on the centenary of the Balfour Declaration in the House of Lords. Both have crowdfunded their cases.

The High Court has agreed to

take the Coulter case. He is backed by the campaign group Hacked Off. Executive director Evan Harris said: "This case will set a vital precedent; he is fighting on grounds similar to those of many others whose valid complaints have been rejected. IPSO can be exposed as a fraud in court."

■ THERE WAS embarrassment for IPSO when its chairman Sir Alan Moses appeared before the Commons Home Affairs Committee on February and was forced to admit that the regulator had found only one case proven on grounds of discrimination out of more than 8,000 last year. Hate speech in print is banned by clause 12 of the Editors' Code of Conduct.

Yet in all the flood of anti-Muslim commentary in the press, only one complaint was successful from 8,148 that specifically cited clause 12. This is because IPSO will only consider cases brought by individuals claiming to have suffered discrimination; it will not hear cases affecting whole communities.

WAY OFF THE MARK

IPSO MAY not be too smart at regulating but it has got itself a smart new logo. IPSO said: 'In an era where the public's trust in journalism has been undermined because of the rise of fake news, the new IPSO mark is a way in which the 2,500 newspapers, magazines and websites can show that they embrace high editorial standards and public accountability.'



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