

<b>Institution: Liverpool John Moores University</b>
<b>Unit of Assessment: 36:</b> Communication, Cultural and Media Studies, Library and Information Management
<b>Title of case study: Regulation of the Press</b>
<p><b>1. Summary of the impact</b> (indicative maximum 100 words)</p> <p>The last 10 years leading up to the Leveson Inquiry have been a significant period for journalism. Research at LJMU has concentrated on standards, the effectiveness of media regulators and dealings between reporters and their sources. This work has demonstrated the weaknesses in press regulation that underpin poor standards of press journalism (evidence given to Leveson). This research has directly influenced policy makers, campaigners, and the regulators in their examination of how reporters work. This includes a fuller understanding of the expectations of both reporters and sources in reporting bereavement that is of relevance to all working in victim support.</p>
<p><b>2. Underpinning research</b> (indicative maximum 500 words)</p> <p>Since 2004 journalism research at LJMU has focused on media standards. Professor Chris Frost led research on regulation in conjunction with the National Union of Journalists. Jackie Newton has led research examining the relationship between reporters and sources in circumstances of bereavement. The so-called 'death knock' - intrusion into private grief - is covered by all the major UK journalism codes of practice. The central importance of journalism to UK and Irish democracy makes the study of their regulators, and their ability to do the job expected of them, crucial. The press in particular has come under considerable scrutiny this century following the revelations of phone hacking. Long before these revelations journalism research identified as key the issues of the media's ability to carry out its role responsibly with regard to sources and to be regulated appropriately. Frost's work being a key contribution to the field both academically and professionally. The work was inherently engaged with stakeholders and intended to impact on journalistic practice and media regulation. Frost's work over the past ten years exposed the weaknesses of the PCC as a regulator, provided evidence for its many critics, informed the NUJ's policy of seeking reform and then abolition. The PCC was set up as, and claims to be, a press regulator but the research carried out showed it to be a complaints body rather than a regulator, a finding finally accepted by Lord Hunt, recently appointed as chair of the PCC. The research concentrated on examining complaints made to the PCC in order to evaluate its effectiveness as a regulator. Quantitative examination of complaints allowed the researcher to identify the key performance elements of the PCC and how the PCC was able to influence the industry. A similar process was introduced with Ofcom following its inauguration and publication followed after five years. The research on the PCC (see Frost 2004, 2010, 2011, 2012) demonstrated that from the start it was unwilling to take on the role of regulating the press, preferring to conciliate and deflect criticism. Qualitative examination of the data published in key peer-reviewed international journals identified how newspapers circumvented the regulatory processes in order to avoid criticism. However, there were areas where the PCC was effective. The research showed that it had been able to influence the press's coverage of minors and discrimination against individuals. Despite these improvements the research results with regard to its overall performance indicated it to be unfit for purpose. The research on Ofcom however, found it to be taking an entirely different approach that gave clear guidance to the industry on regulatory matters generally viewed as acceptable. The research on sources (Duncan and Newton 2010, Newton 2011) examined the relationship between reporters and the bereaved by carrying out a number of qualitative interviews with both reporters and families who had suffered bereavement. This showed unequivocally that despite concerns from reporters and a general feeling that contact was wrong, the bereaved often welcomed the opportunity to talk about their loss.</p>

### 3. References to the research (indicative maximum of six references)

#### Monographs

Frost, C (2011) *Journalism Ethics and Regulation* (3rd Edn) Harlow: Pearson 978-1408244685

Frost, C (2012) *Ofcom: an evaluation of six years of UK broadcast content regulation* Ethical Space: The International Journal of Communication Ethics Vol 9 No 1 pp22-31 London: Abramis Academic ISBN: 978-1-184549-536-7

Frost, C (2010) *The Development of Privacy Adjudications by the UK Press Complaints Commission and Their effects on the Future of Journalism* Journalism Practice 4(3) London: Routledge

Frost, C (2004) *The Press Complaints Commission: a study of ten years of adjudications on press complaints.* Journalism Studies London: Routledge 5(1) pp 101-114 ISSN: 1461-670X

Newton, J. (2011). *The knock at the door: Considering bereaved families' varying responses to news media intrusion.* Ethical Space: the international journal of communication ethics, 8(3/4), 7-13. Retrieved from <http://www.communication-ethics.net/>

Duncan, S., & Newton, J. (2010). *How do you feel? Preparing novice reporters for the death knock.* Journalism Practice, 4(4), 439-453. doi:[10.1080/17512780903482059](https://doi.org/10.1080/17512780903482059)

### 4. Details of the impact (indicative maximum 750 words)

The impact of the research has been to inform and influence policy makers and campaigners around media regulation and the “death knock” throughout the census period. In 2009 the PCC held an independent review to answer criticism of its ability to deal effectively with complaints about press behaviour led by Vivienne Hepworth. Frost was one of three academics out of 30 witnesses invited to give oral evidence – after submitting a research-led report for the NUJ. No significant recommendations made by the NUJ to the review were accepted. These recommendations included the ability to investigate issues and the right to apply punishments such as fines for breaches of the code of practice,. These recommendations were included in the Leveson report.

Frost's research was influential in alerting other policy-making bodies, journalism professionals and campaigners to matters of concern that formed part of the Leveson Inquiry. MediaWise, a charity supporting the victims of media abuse, for instance, used the research into the PCC and the PCC's ineffectiveness in dealing with complaints to inform their policies and in reports and blogs. The research papers (2004, 2011) and work based on them were also taken in evidence by Select Committee on Culture, Media and Sport in its Fifth Report in (2003), the Select Committee on Culture, Media and Sport in its Seventh Report in (2007) and the select committee of Culture, Media and Sport in its report on Press Standards, privacy and libel in 2009. This was usually to provide background support to the views of the NUJ. Specific points on the performance of the PCC with regard to complaints were identified as significant by various select committees such as the 2009 DCMS hearing and 2011 Home Affairs hearing.

The NUJ used the research and additional reports that flowed from it in its various committees and policy forums to inform its own concerns about media regulation. The research and prior select committee evidence was used to underpin the NUJ submission to the Leveson Inquiry. The NUJ had already called for major reform of the PCC through the early part of this century and finally in 2011 called for a campaign to abolish the PCC shortly before Leveson and the PCC's announcement it was to close.

Frost also provided the direct evidence to the Leveson Inquiry with much written evidence including the research papers and work based on them (see: [www.levesoninquiry.org.uk/evidence/](http://www.levesoninquiry.org.uk/evidence/)). He also gave oral evidence in module four on the future of regulation (<http://www.levesoninquiry.org.uk/wp-content/uploads/2012/07/Transcript-of-Morning-Hearing-10-July-2012.pdf> ). The key and high profile a recommendation made by Leveson of the need for statutory underpinning for a press regulator to give it authority and to bring it more closely in line with Ofcom, was directly supported by the research (Frost 2012). This followed NUJ policy and was and the union's experience with the formation of the Irish Press Council, again informed by the research (2004). The final Leveson

report identifies some of evidence derived from the research as a matter of significance on pages 1701 1706-7, and 1986. Newton also provided research based written evidence to the Leveson (see: [www.levesoninquiry.org.uk/evidence/](http://www.levesoninquiry.org.uk/evidence/)).

Following the launch of the Leveson Inquiry, other countries decided to investigate their media regulation and Prof Frost was invited to South Africa in 2011 by the South Africa Press Commission to advise the chief justice Pius Langa investigation into press regulation. The Ghanaian Press Commission later visited the UK to investigate press freedom and regulation to recommend a suitable model for Ghana, consulting with with Frost. The research is also cited in the Australian Finkelstein report on media regulation (their version of Leveson).

One of the key areas of the Leveson Inquiry was how the press deal with sources. Newton worked on his aspect the research, looking at the so-called “death knock” – reporters dealing with the recently bereaved. The DART Centre Europe invited her to give a seminar with her co-writer. The Dart Centre Europe is a regional hub for journalists and filmmakers who believe in the importance of effective reporting on violence and trauma. It was attended by journalists (including BBC and CNN), NGO representatives (e.g. British Red Cross) and members of the Disaster Action Committee. Ms Newton was part of a podcast with Steven Abell, then Director of the PCC, and Sal lalji from the Samaritans on the ethics of death reporting. Her research has been used to support the approach of reporters on the Belfast, in Australia, on the UK Daily Express, and the main journalism website (Journalism.co.uk).

#### 5. Sources to corroborate the impact (indicative maximum of 10 references)

Documents and evidence published on the following web sites:

##### **The Leveson Inquiry**

[www.levesoninquiry.org.uk/](http://www.levesoninquiry.org.uk/); <http://www.levesoninquiry.org.uk/hearing/2012-07-10am/>;

<http://www.levesoninquiry.org.uk/evidence/> Listed alphabetically as Frost or NUJ

##### **National Union of Journalists**

[www.nuj.org.uk/](http://www.nuj.org.uk/); <http://www.levesoninquiry.org.uk/wp-content/uploads/2012/06/Submission-by-Chris-Frost-on-behalf-of-the-National-Union-of-Journalists.pdf>

##### **Press Complaints Commission**

[www.pcc.org.uk/](http://www.pcc.org.uk/): *Press Complaints Commission (2010) The Governance of the PCC: an independent review.* pp19

##### **Select committee reports:**

*Commons Committee on Culture, Media and Sport (2010) Press Standards, privacy and libel* pp127, pp163

##### **The DART Center**

<http://dartcenter.org/content/journalist-calls-reporting-death-in-post-leveson-climate>

##### **Journalism.co.uk**

<http://www.journalism.co.uk/skills/how-to-report-on-death-and-suicide-responsibly-as-a-journalist/s7/a547931/>

##### **Users**

*General Secretary, National Union of Journalists*

*President, National Union of Journalists*

*Director, Mediawise*

<http://www.funeralmap.co.uk/news/post/111-liverpool-and-strathclyde---research-regarding-press-activity-following-deaths-revealed>

<http://www.belfasttelegraph.co.uk/opinion/columnists/readers-editor/complaints-commission-needs-more-local-input-28715968.html>