

Institution: Kingston University
Unit of Assessment: 29, English Language and Literature
Title of case study: Impact on the Leveson Inquiry and press regulation in the UK
<p>1. Summary of the impact</p> <p>Prof Brian Cathcart's research, investigation and analysis led him to co-found the Hacked Off campaign, which campaigned for a public inquiry into the newspaper phone hacking scandal. The Prime Minister set up such an inquiry under Leveson LJ. In response to the inquiry report, the Government developed legislative and other proposals to implement Leveson's recommendations. Cathcart, who became executive director of Hacked Off, was involved at a high level in the development of these proposals. This led to the approval by Parliament of a new Royal Charter for press regulation.</p>
<p>2. Underpinning research</p> <p>Brian Cathcart joined the Journalism department of Kingston University in 2003 and became Professor of Journalism in 2006.</p> <p>From 2007/8, he investigated issues of press abuse, including the phone hacking scandal, in which journalists working for national newspapers illegally accessed the telephone communications of members of the public, police officers, celebrities and politicians.</p> <p>He published the results of detailed investigations of the behaviour of the press towards Kate and Gerry McCann, parents of the missing child Madeleine McCann. Eleven newspapers made allegations against the McCanns of grave criminal offences, allegations which they later conceded were without foundation, and which led to the McCanns and their associates being paid substantial damages by Express Newspapers and other groups.</p> <p>In 2011, Cathcart produced detailed reporting and analysis of the behaviour of the press towards Christopher Jefferies, wrongly accused by eight national newspapers of murdering his tenant, Joanna Yeates. The newspapers admitted in court that their allegations were untrue, and paid substantial damages to Mr Jefferies.</p> <p>His investigations into these and other press abuses, including phone hacking, bribery, libel and gross invasion of privacy, and his analysis of the cultural crisis in the British press, were set out in a lengthy article "Code Breakers", published by Index on Censorship.</p> <p>In 2008-10, Cathcart acted as adviser to the House of Commons Culture, Media and Sport Select Committee. His role involved identifying and recommending witnesses to be heard and drafting questions. He helped to draft and then edited the report "Press Standards, Privacy and Libel", which detailed allegations of unethical, damaging and illegal behaviour by national newspapers. This included a catalogue of hundreds of false articles about the McCann case for which newspapers had paid compensation and made apologies.</p> <p>Cathcart's book "Everybody's Hacked Off" covered the later developments in the press abuse stories and the Leveson Inquiry (see Section 4).</p>
<p>3. References to the research</p> <p>Cathcart, "Code Breakers", Index on Censorship, 2011 http://www.indexoncensorship.org/2011/06/code-breakers/</p> <p>Cathcart, "The Real McCann Scandal", New Statesman, 2008 http://www.newstatesman.com/law-and-reform/2008/10/madeleine-mccann-daily-british</p> <p>Cathcart, "The Ordeal of Christopher Jefferies", FT, 2011 http://www.ft.com/cms/s/2/22eac290-eee2-11e0-959a-00144feab49a.html</p> <p>Cathcart, Written evidence to the Joint Parliamentary Committee on Privacy and Injunctions, 2011 http://www.parliament.uk/documents/joint-committees/Privacy_and_Injunctions/JCPIWrittenEvWeb.pdf pp147-153</p>

Impact case study (REF3b)

“Press Standards, Privacy and Libel”, Second Report of Session 2009-10, Culture, Media and Sport Select Committee, House of Commons (Volumes 1 and 2) (drafted and edited by Cathcart):

<http://www.publications.parliament.uk/pa/cm200910/cmselect/cmcmumeds/362/362i.pdf>

<http://www.publications.parliament.uk/pa/cm200910/cmselect/cmcmumeds/362/362ii.pdf>

Cathcart, “Everybody’s Hacked Off: Why we don’t have the press we deserve, and what to do about it”, Penguin, 2012

4. Details of the impact

In spring 2011 Cathcart co-founded Hacked Off (with Dr Martin Moore of the Media Standards Trust) to press for a public inquiry into phone hacking and ensure that the victims and the public were included in the subsequent political process.

In July 2011 the Prime Minister announced a public inquiry. Cathcart and colleagues met him and made suggestions on the remit of the inquiry which led to 16 separate wording changes, notably extending the inquiry’s scope.

In autumn 2011, Hacked Off took victims of press abuse to meet the Prime Minister. The public inquiry under Lord Justice Leveson ran from November 2011 to June 2012. Cathcart addressed its opening seminar, and provided written and oral evidence as Professor of Journalism at Kingston University. Hacked Off made a written submission, drafted by Cathcart.

During and after the inquiry Hacked Off worked with victims of press abuse such as Christopher Jefferies, Hugh Grant, Brian Paddick and the McCanns. Among other things it arranged support meetings for those giving testimony, and in November 2012 it arranged meetings between victims and the leaders of the three main political parties.

The day after the Inquiry reported in November 2012, Hacked Off launched a petition for full implementation of the recommendations, gathering more than 140,000 signatures in 10 days. Hacked Off next published a draft ‘Leveson Bill’ which Labour and the Liberal Democrats both adopted as the basis for their proposals, with minor amendments.

Cathcart was a lead participant for Hacked Off both in cross-party talks at this time and in associated consultations with, among others, the Prime Minister (David Cameron), the Deputy Prime Minister (Nick Clegg) and the Leader of the Opposition (Ed Miliband). After the Conservatives proposed introducing change by Royal Charter, Hacked Off produced a draft charter derived from its Leveson Bill.

Hacked Off continued to help victims make their case for reform, notably coordinating an open letter to the Prime Minister from more than fifty victims. It also worked to counteract the propaganda of press organisations, with Cathcart writing in the press, broadcasting and blogging.

In March 2013 the cross-party talks stalled, the Conservatives favouring a charter put forward by press organisations. At the instigation of Hacked Off, amendments were tabled to two Bills then before Parliament which taken together were tantamount to the Leveson Bill. At the same time Labour and the Liberal Democrats proposed a Royal Charter based on the Hacked Off draft. The Conservatives then agreed to a version of the Royal Charter very close to that proposed by the other two parties. This was put to the Commons on 13 March and supported by every party.

On 31 July 2013 the Royal Charter was awaiting sealing by the Privy Council. Supporting legislation had received Royal Assent as clauses of the Crime and Courts Act 2013 and the Enterprise and Regulatory Reform Act 2013, with Hacked Off again closely involved in the drafting. (The Royal Charter was subsequently approved by the Privy Council on 30 October 2013.)

The distinct and material contributions of the underpinning research to this impact are as follows:

- The Hacked Off campaign was founded as a result of and in response to the investigations cited in sections 2 and 3 above. The subsequent activities of the campaign were thus underpinned by this research, and motivated by it
- The input by Hacked Off to the terms of reference of the Leveson Inquiry was based on an assessment of the results of the underpinning research

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- The evidence provided to the Leveson Inquiry by Hacked Off drew substantially from the underpinning research
- The investigative results detailed in Cathcart's book "Everybody's Hacked Off" contributed to the later impact on the Royal Charter.

The ability of Hacked Off to influence the delivery of a Leveson-based Royal Charter with supporting legislation depended in large measure on research-based expertise: knowledge of the experience of victims, of the inadequate past performance of press regulation, of press conduct and abuses, of the role of courts and the law, of the arguments surrounding privacy and press freedom. Without this the drafting, submissions, negotiation and public debating that were essential to Hacked Off's actions would not have been possible. Cathcart's research thus played a leading role in almost every aspect of Hacked Off's work.

5. Sources to corroborate the impact

Personal corroboration: Professor of Media and Communications, Goldsmiths University of London. Member of Board of Directors of Hacked Off, able to corroborate all impact claims. (Corroborating Contact Identifier: 1)

About Hacked Off: <http://hackinginquiry.org/about-2/>

Open letter to Prime Minister from victims: <http://www.theguardian.com/media/2012/oct/06/david-cameron-celebrities-phone-hacking>, <http://www.theguardian.com/politics/2012/oct/06/open-letter-david-cameron-hacking>

Hacking victims meet party leaders: <http://www.telegraph.co.uk/news/uknews/leveson-inquiry/9694492/Father-of-Milly-Dowler-and-Kate-McCann-meet-Cameron-over-press-regulation.html>

Corroboration of petition signatures: <http://news.sky.com/story/1021805/leveson-hacked-off-calls-meetings-a-charade>

Amendment to Enterprise and Regulatory Reform Bill: <http://www.pressgazette.co.uk/peers-fresh-attempt-pass-leveson-law-changes-enterprise-and-regulatory-reform-bill>

Amendments to Crime and Courts Bill: <http://www.lawgazette.co.uk/69915.article>, <http://blogs.spectator.co.uk/coffeehouse/2013/03/ministers-avoid-awkward-vote-on-foreign-criminals-as-tories-rebel-on-press-damages-plan/>

Royal Charter deal struck by political parties: <http://www.bbc.co.uk/news/uk-21825823>

Detailed timeline and analysis of Royal Charter negotiations: <http://mediastandardstrust.org/mst-news/the-story-of-six-charters/>

Hacked Off involvement in cross-party negotiations on Royal Charter:

<http://www.independent.co.uk/news/uk/politics/leveson-sustained-by-kit-kats-how-the-parties--and-hacked-off--swallowed-their-differences-and-the-sunday-night-deal-was-done-8539718.html>

Draft Royal Charter agreed in cross-party talks and approved by the Prime Minister, Deputy Prime Minister and Leader of the Opposition: <https://www.gov.uk/government/publications/leveson-report-draft-royal-charter-for-proposed-body-to-recognise-press-industry-self-regulator>