

*The Governance foundation*



**The Leveson Inquiry  
and the  
Culture of Journalism**

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The Leveson Inquiry into the culture, practices and ethics of the press has focused on the behaviour of the organisations that make up the British media. The Inquiry, mainly concerned with relationships between national newspapers and politicians and the police, has only occasionally touched on the culture of journalism as a profession. Not everyone agrees that journalism is or ever should be a profession but, if it were, there would be a national membership organisation with a code of conduct that would have regulated the behaviour of its members and could have made Leveson's Inquiry unnecessary.

When Tony Blair used the concept repeatedly in his evidence to Leveson, it prompted the Daily Mail's Quinton Letts to argue that journalism is not a profession and that he hopes it never becomes one, 'for that way barriers and ossification lie'. This is an age-old debate. In the 1970s, when journalism was still seen as a craft, Sam Smith argued that 'when reporters become merely agents of an overly powerful profession, democracy loses one of its most important allies, free journalists practicing their craft'. In 2002, Philip Meyer of the University of North Carolina argued that the craft model was no longer relevant, the environment was changing, the knowledge base had expanded, and journalists had to redefine themselves as a profession. If Meyer was right, and journalism followed the route of other professions, there would be an ethical code that would be enforced by the ultimate threat of exclusion from working as a journalist.

The commitment of Letts and Smith to the freedom of journalists is no doubt sincere, but it confounds the freedom of media organisations with the freedom of individual journalists. Journalists who are employed by global organisations are not free to do as they like. Ask the National Union of Journalists, who nevertheless agree with Letts and Smith. In their submission to Leveson, the NUJ were concerned that any system of registration for journalists 'would make journalists an elitist group instead of ordinary citizens fortunate enough to be paid to express their right to free expression'. Ignoring the fact that journalism is increasingly elitist, they also argued that registration is 'by far the easiest way for those keen on suppressing the media to achieve their ends'. How that could come about if the profession was democratically controlled by journalists, as is the case in other professions, is not at all clear.

Throughout Leveson, politicians were eager to express their view that good British journalism is the best in the world and everyone was at pains to stress the need for 'independent' regulation, rather than control by the state. Leveson himself stated this to

almost all the participants and this view was in turn embraced by all the politicians who gave evidence. However, because the participants tended to see the press and journalism as the same thing, there was little consideration of the role of journalists as members of a profession, rather than employees of media organisations.

In the discussion of regulation, two assumptions became apparent. First, to the extent that culture was an issue, it was conceived of as organisational culture; and second, the behaviour of media organisations was confounded with journalistic practice. With the exception of the NUJ's evidence, there was apparently no conceptual separation between the journalists and the organisations that employ them. The role of News International in recent events ensured that the focus was maintained on media *organisations*, rather than on journalism itself.

It was striking that when the issue of the culture of the media was raised at various points in the evidence, it was glossed over by the inquiry and subsequent media coverage or, when it was raised by Leveson himself, it was ignored by those giving evidence. Tony Blair, for example, made it clear that he thought the culture of the media was more important than the concentration of media ownership or whether it was nationally or foreign-owned. Leveson apparently missed the point, moving swiftly on to discuss his preoccupation with regulation of media organisations. It was also missing from the newspaper reports of his evidence the following day.

Later, in a discussion with David Cameron about the closeness of politicians and journalists, Leveson suggested that it may be a cultural thing that cannot be dealt with by regulation, to which Cameron responded that we need to fix the regulation, but that this should not be done by politicians. This inclination towards a regulatory fix for media organisations was reinforced by John Major, when he suggested that owners are responsible for the culture of their organisations.

The 'culture' of the press, the leading concept in the terms of reference for the Inquiry, disappeared from sight as the proceedings progressed towards the final phase, the creation of a new regulatory regime for the press. The main objectives became confined to regulation of the bad and redress for the wronged. Organisations can be regulated, and the press *will* be regulated, but the key to creating an ethical culture for journalism requires journalists themselves to determine the limits of their freedoms and responsibilities. However, because the need for independent regulation is seen as urgent and changing culture is a longer-term

project, the search for a quick fix for errant organisational behaviour has meant that the culture and ethics of journalism have slipped below the horizon.

If there is a problem of culture in journalism, it goes beyond the organisational culture of employers such as News International. In its broadest anthropological sense, culture involves attitudes, beliefs and ways of behaving that are passed down from generation to generation. In the media, one only has to listen to the apologists for the News of the World to realise that some things will not change quickly. Perhaps it is not an organisational culture that we need to be most fearful of, but ways of seeing the world that are ever more deeply embedded in journalistic practice.

It has been long recognised that professionals participate in two distinct, sometimes irreconcilable, systems - the profession of which s/he is a member and the organisation where s/he works. Each domain attempts to control his or her occupational activities. The former establishes professional standards and norms and the latter specifies shorter-term objectives and controls the means by which they are realised. In discussions of the media, there is little consideration of this. It appears to be assumed that there is a common culture which is embraced by proprietors, editors (who act as managers on behalf of proprietors and continue to write for their newspapers) and reporting journalists.

If journalism was a profession, an inquiry into the culture, practices and ethics of the press would be able to separate the horizontal associations of journalists as a profession from the vertical associations of their everyday working lives in newspapers and other media organisations. If at the end of Leveson we end up with a regulatory system that concentrates on redress, journalists will have missed an opportunity to make long-term changes that will affect their professional practice for generations to come. This, of course, assumes that journalism could become a profession.

Alan Milburn's report on Fair Access to Professional Careers in the UK pointed out there is no universally accepted definition of the professions in the UK but that, typically, they have recognisable entry points, with standard qualification requirements; codes of ethics that set out aspects of professional responsibility; systems for self-regulation that set and regulate standards for professional development; and a strong sense of vocation and professional development. It could be argued that journalism in the UK has none of these characteristics. Milburn nevertheless devotes a chapter of his report to journalism and the media professions

where he argues that journalism has been radically professionalised over recent decades. It is a very short chapter.

The notion of recognisable entry points with standard qualifications implies that there is a systematic body of knowledge that is the domain of the professional. No one would doubt this in relation to doctors, lawyers, architects and engineers but the systematic body of knowledge that journalists would claim to possess is not clear. The skills of writing, editing and critical thinking are generic skills that are expected in any profession, although they are more important in journalism than elsewhere. The use of modern newspaper and broadcasting technology is also important, but this is not what is meant by 'a systematic body of knowledge'. These are no more than the 'tools of the trade'.

Entry into mainstream journalism, as distinct from blogging and other forms of internet 'journalism', has increasingly required a university education; and, in parallel, the training of journalists has become a university-based occupation. However, there is no professional body that determines what the content of the courses should be, validates them in conjunction with universities, and awards recognition on completion.

The lack of complexity and depth of the knowledge base is a serious issue for journalism. A brief glance at the length of journalism courses raises questions about this. In a suite of postgraduate courses offered by one of the country's leading schools of journalism, for example, one module on journalism practice is said to give students all the skills they need to work effectively in the journalism industry, reaching a high enough standard to work with 'technical and professional fluidity'. One module of study, which claims to provide the student with the professional and technical competence to be a journalist, is hardly an argument for the existence of a specialist body of knowledge.

Although ethics are taught on almost all courses in journalism, the absence of a professional body means that there is no professional code of ethics for journalists. The employers and the journalists' trade union do have codes. According to the Press Complaints Commission's Editors' Code of Practice, all members of the press have a duty to maintain the highest professional standards. It is the responsibility of editors and publishers to apply the Code, but it has been generally accepted by contributors to Leveson that the PCC, dominated by owners and editors of the newspapers it is supposed to regulate, has consistently failed to enforce its own code. This may be in part because there is a lack of will to apply it rigorously, but it is also due to its inbuilt contradictions.

In its preamble, the PCC says that the code should not be interpreted so broadly 'that it constitutes an unnecessary interference with freedom of expression or prevents publication in the public interest'. Further reading makes it clear that the code is rendered ineffective by this declaration. There are 16 clauses, the first two of which deal with the need for accuracy and the provision of the right of reply. Of the 14 other clauses, however, there are 10 where 'the public interest' can be used to over-ride some or all of the contents. The public interest includes detecting or exposing crime or serious impropriety, protecting public health and safety, and preventing the public from being misled by an individual or organisation. Few would disagree with issues of crime and public health and safety being in the public interest. On the other hand, the public interest is a much disputed concept and during Leveson many witnesses criticised the press itself for its misleading statements and, in these cases, it is clear that the PCC has been incapable of preventing the public from being misled by the statements of media organisations.

For all 16 clauses, however, the PCC insists that 'there is a public interest in freedom of expression itself'. That is, the editors appear to be claiming that their right to freedom of expression, however misleading, overrides all the clauses of their Code of Ethics, including those referring to the need for accuracy and the right of reply. No one wants to interfere with the freedom of the press to pursue the powerful, but a code of practice in which every paragraph is over-ridden by this principle is not an ethical code at all. A cynic might argue that freedom to lie and mislead, in what editors and owners claim is in the public interest, supersedes all ethical considerations.

For the NUJ, exceptions in the public interest only appear in relation to the need to obtain material by honest, straightforward and open means and the avoidance of intruding on private grief. In the case of investigations that are 'overwhelmingly' in the public interest and where evidence cannot be obtained by straightforward means, it become acceptable to use subterfuge; and where there are 'overriding' considerations of public interest, intrusion into the private life, grief or distress is also acceptable. Defining overwhelming or overriding can be a matter of debate, but the public interest argument is much more tightly constrained for the journalists than for the editors, without losing the commitment to freedom of expression. Nevertheless, the tension between free speech and ethical behaviour remains unresolved.

The Society of Professional Journalists in the United States recognises that their code is not legally enforceable under the First Amendment, which guarantees freedom of speech and freedom of the press. Conscientious journalists, seeking truth and providing a fair and comprehensive account of events and issues, should strive to serve the public with thoroughness and honesty: 'Professional integrity is the cornerstone of a journalist's credibility'. However, having debated the question of enforcement over decades, the SPJ does not have a mechanism for investigating complaints or enforcing discipline on its members. In theory, preserving free speech and a free press is considered to be 'every bit as important' as sound ethics but they go on to argue that constitutional rights to free speech and a free press 'are placed in jeopardy whenever we allow them to be confused with or limited by the professional responsibility to act ethically'. In practice, the freedom of the press is more important than ethical conduct. This dilemma is at the heart of journalism's flirtation with professionalization.

The role of the state in recognising professions is extremely problematical for journalism. In order to confirm entry restrictions and control the employment market, the professions enter into a contract with the state. Practice only becomes possible through registration with the professional body, as agreed under the 'regulation bargain' with government. This is a prize that potential professions pursue, but it is the fear of the potential implications of this that lies behind the opposition of the NUJ and others to professional registration.

Educational exclusivity allows professionals to actively seek a regulation contract with the state, the state recognises the licence to practice and, with varying degrees of enforcement, supports exclusionary measures to restrict entry. This presents journalists who wish to advance their claim to being a profession with a fundamental contradiction. The 'professional project' depends on the good will of the state, for although the knowledge base resides in the universities, to obtain formal recognition the profession has to convince the state that its professional project is consistent with the government's educational and other policies. The agreement on exclusivity becomes a contract that flies in the face of journalist's claim to 'speak truth to power' and it clashes with journalism's expressed preference for freedom of expression and freedom from the state. There are, however, other developments within journalism that are informally leading to exclusivity and suggest the dominant mode of practice in the future may be compliance journalism rather than investigative journalism, undermining the idea that the default mode for journalistic practice is to hold authority to account.

Milburn pointed out that journalism has become ‘an increasingly exclusive profession’, but this is not exclusion that is achieved by traditional professional means. A generation ago, many senior people in newspapers did not have a university degree. Roy Greenslade has described the changes he has seen in journalism since he began his career as a working-class baby-boomer at a day-release course in a technical college in the 1960s, through to the dominance of highly qualified middle-class entrants to the journalism course at City University at the present time. In 2002, the Journalism Training Forum found that the profession was becoming increasingly middle- and upper-middle class, with only 3% of new entrants coming from semiskilled or unskilled households. In 2006, the Sutton Trust found that 54% of top journalists were independently educated (an increase from 49% in 1986) and that the University of Oxford accounted for a third of leading journalists in both years. Higher education statistics for 2010/11 indicate that 49% of those studying journalism came from the top three socio-economic classes.

Over recent decades, social mobility into journalism and progression through the occupational hierarchy for young working class people have deteriorated. In seeking reasons for this social exclusion, the problem becomes clearer. We could point to the £9,000 fees for postgraduate courses, on top of the debts already accrued by undergraduates, but this is only one aspect of the problem. Unpaid internships are a key entry route into the sacred realm of journalism. After graduating, more than 50% of journalists complete work experience placements, receiving little or no payment for their work. The entry process excludes not only those who cannot afford the additional post-graduate fees and living costs but also those who cannot afford to work for nothing. Access is increasingly through wealth and connections, rather than ability, and entrants bring a privileged world-view to the job.

Rather than holding the powerful to account as the dominant narrative of the Leveson Inquiry has proclaimed, this process suggests that the mainstream media will increasingly become dominated by upper middle class culture – beliefs, attitudes and ways of behaving that have no connection with working class experience. There is no doubt that some parts of the media have always been part of the establishment, but there is a danger that both the press and the broadcasting media will increasingly serve to reinforce the preferred narrative of dominant groups in society. As access becomes increasingly exclusive and this is further reinforced by progression to the top jobs, it will lead to a media that, in its culture and practice, strongly favours the arguments and perspectives of the wealthy and powerful over those of the poor and powerless.



This process is not inevitable, but it is intimately linked to the professionalization project. Not all professions require full-time education. In the fields of accountancy, banking, surveying, housing and architecture, for example, it is possible to study for chartered qualifications through part-time study whilst working. This route to qualification and certification, however, is not likely to lead you through Oxford and Cambridge. It is a mode of study that is most likely to be found in the new universities, the ex-polytechnics whose courses are ridiculed by many in the media. These universities have grown out of the technical colleges that Greenslade attended some 50 years ago. A professional body for journalists could agree the content of such courses and validate them in conjunction with new universities. Journalism training, however, appears to be heading in completely the opposite direction.

It is the conflicting demands of freedom and ethics that are most difficult for the professionalization project for journalism. The contradiction in itself does not mean that journalism cannot become a profession, but despite its claim to hold authority to account, any failure to resolve the freedom/ethics dilemma will reinforce the fear that it is an occupation whose membership is increasingly and inevitably becoming more elitist. Even in a newly regulated world, the idea of journalism as a calling with a public service ethic will be ever more difficult to sustain, particularly if it cannot connect with the experience of the majority of the population.

Professional independence, freedom of expression, ethical behaviour and self-regulation are not just issues for the corporate workplace. Journalists need to decide, independent of their employers and whatever replaces the PCC, how they are going to reconcile the conflicting demands of freedom of expression and ethical conduct. These are elements of a professional project that are beyond the scope of Leveson and they are not going to be resolved any time soon.

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