

The Press Freedom Myth, by Jonathan Heawood (Biteback Publishing, pp130, £10.00)

Jonathan Heawood was for seven years the Director of English PEN, where he campaigned for free speech and media freedom. He served as Director of Programmes at the Sigrid Rausing Trust, one of Europe's largest human rights foundations, where he developed a strategy to support investigative journalism. In 2015, he founded the independent press regulator IMPRESS (The Independent Monitor for the Press), of which he was CEO until March 2020. He is currently Executive Director of the Public Interest News Foundation.

Given its author's impressive track record in defending media freedom, the opening of this book is particularly striking, as it's a declaration of loss of faith in press freedom. However, as the book progresses, it becomes clear that what Heawood is rejecting is a particular *conception* of press freedom, one particularly dear to the owners of Britain's national newspapers, namely their freedom to do with their titles just as they damn well please. In other words, it's a property right masquerading as a free speech right.

Heawood charts his disenchantment with this notion of press freedom via the phone hacking revelations, the trashing of the subsequent Leveson Inquiry by the massed ranks of Fleet Street, press vilification of people who have done nothing wrong other than to hold views or lead lives of which pundits such as Richard Littlejohn and Trevor Kavanagh disapprove, and, more recently, the rank hypocrisy of newspapers demanding the kind of regulation of social media which they would loudly denounce as state censorship were it to be applied to them.

The book is particularly good at taking an axe to many of the shibboleths employed by newspapers to defend their version of press freedom. For example: John Milton's *Areopagitica* – from which newspapers have quoted highly selectively (now there's a surprise) in order to conceal the fact that its author strongly believed in not only the censorship of certain ideas but the suppression of their authors. Furthermore his famous dictum 'Let truth and falsehood grapple. Whoever knew truth put to the worse in a free and open encounter?' is, sadly, largely

irrelevant to the age of Facebook, Twitter and, for that matter, *MailOnline*. Similarly the much vaunted notion of the press as a ‘marketplace of ideas’ is no more a guarantee of reliable journalism than is the so-called ‘free market’ a guarantee of reliable goods and services.

Finally, we have the idea that the press must not be regulated by the state because it would inhibit journalists from holding government to account. This, it is argued, would do a grave disservice to democracy, but such a stance conveniently overlooks the often unhealthily close, mutually back-scratching relationships that exist between governments and press owners and that were roundly criticised by Leveson. Furthermore it ignores the effects on journalism of what has been called market censorship – namely the way in economic forces such as ownership structures, over-reliance on advertising revenues, intense competition and so on tend to force certain kinds of journalism out of the market. In other words, the state is by no means the only source of press regulation, although, of course, newspapers which are such vociferous advocates of the ‘free market’ are hardly likely to take such an argument on board.

The *Press Freedom Myth* is, however, by no means just a slaughterhouse for some of Fleet Street’s most sacred cows, and is at pains to advocate measures for regulating the press which not only do not amount to censorship but would also enhance press freedom, albeit as understood in a quite different way from that of the dominant newspaper interests in the UK. Thus Heawood is keen to promote the ways in which the state can act positively and constructively in the journalism field by “supporting the conditions for a vibrant public sphere”, and doing so within a framework of human rights (to which, of course, sections of our press have long been bitterly hostile). To this end he argues that the role of the state in this respect should be “to ensure that people have the opportunity to benefit from high-quality journalism in the public interest” and to “protect people from harm, and limit the scope for abuse of media power”.

This is a conception of press freedom quite similar to that of Onora O’Neill (whose work is referenced in the book). It focuses not on the self-proclaimed “right” of press owners to be free

of regulations which prevent them from doing with their newspapers just as they please, but on the right of citizens in a democratic society to enjoy the benefits a healthy public sphere. To this end, Heawood suggests that the state should adhere to five basic principles when it comes to media regulation.

First, it should set and enforce clear legal standards for all forms of expression, including journalism, by creating laws that protect people from harms of one kind or another, such as defamation and privacy invasion. Second, it should ensure that the law is accessible to everyone and not just the wealthy. Third, it must enable everyone to have access to public interest journalism, encouraging and supporting diverse sources of such journalism and intervening in the market in order to prevent the construction of information monopolies or oligopolies. Fourth, it needs to ensure that everyone has the opportunity to go online if they so wish, and to consider underwriting new forms of public service social media. Finally, the state should help people to become active media citizens, in particular by encouraging media literacy and so helping people to get the best out of the modern media and to mitigate the worst.

In Heawood's view, "the press freedom myth overstates the threats posed to the media by the state, and understates the threats posed to society by an absolutely free media. Conversely, it exaggerates the positive role played by the media and downplays the negative". By focussing on the benefits to the public of human rights-based forms of media regulation, his book robustly challenges the terms of debate about press freedom in the UK, terms which have for far too long been dictated by the press owners. If this makes it more difficult for them to get their way in future, this book will have done its job.

Julian Petley

Julian Petley is honorary and emeritus professor of journalism at Brunel University London, and is currently co-editing the *Routledge Companion to Censorship and Freedom of Expression*.

