

Research impact: making a difference

Regulating the news media to balance press freedom with individual rights

Damian Tambini's research influenced the Leveson Inquiry and other media entities around proposed changes in press culture and regulation

What was the problem?

In July 2011, the nation was rocked by revelations that the mobile phone of murdered schoolgirl Milly Dowler had been hacked by someone at the *News of the World*, a popular UK tabloid newspaper.

Two days later, public outcry led to the closure of the *News of the World*. One week after that, the UK Government set up the Leveson Inquiry to investigate the alleged phone hacking of hundreds of people, a list that included actors Sienna Miller and Hugh Grant, supermodel Elle MacPherson, members of the British royal family and dozens of other public figures.

In addition to determining the extent of unlawful or improper media conduct, the Leveson Inquiry was tasked with recommending changes in how the UK media functioned going forward, focusing on two broad challenges. The first was to what extent the press could effectively regulate itself as opposed to being held more closely under Government scrutiny, which had significant implications for the balance between press freedom and individual rights.

A second challenge was how future regulation could most effectively be applied across a rapidly changing media landscape that included not only print and broadcast media but also online and social media with instant reach across global borders...and increasingly, a landscape wherein single media organisations often controlled content, networks, and multiple forms of distribution.

What did we do?

Through research conducted since 2006, Dr Damian Tambini, Senior Lecturer in the Department of Media and Communications, has investigated the tension between media freedom and responsibility, and in particular what role governance should play in this process. Research relevant to this project also involved Manuel Puppis (Zurich); Rachael Craufurd Smith (Edinburgh); Sally Broughton Micova (LSE); Chris Marsden (Essex); and Danilo Leonardi (Oxford).

Tambini's research also focused on media convergence – the fusion of media content, networks, and channels of dissemination – and media plurality, which gauges how many different 'voices' and perspectives are available to a given public. The potential clash of convergence and plurality was underscored by the 2010 attempt by News International to take over British Sky Broadcasting (BSkyB), which was widely criticised for its potential to consolidate too much media

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power in one company. The bid ended largely because of the phone hacking scandal. (News International owned *News of the World*.)

A key finding of Tambini's research was that policymakers often rely too heavily on media self-regulation. He concluded that successful self-regulation is rare rather than commonplace. His research also revealed that journalistic ethics and codes of conduct, while generally strong, have been put under unusual strain by market pressures. The race to 'get the story', which until fairly recently only involved print and broadcast media, now includes digital media that can reach a global audience more quickly than traditional media. Tambini also demonstrated that statutory involvement in media regulation isn't necessarily in conflict with freedom of expression, an oft-stated concern by industry leaders.

'[Damian Tambini] also spoke on this issue at the European Summit on Media Pluralism and his research is cited in the report of the High Level Group on Media Pluralism.'

What happened?

Tambini discussed this work before a wide range of audiences, including European Commission conferences, Ofcom stakeholder days, the Westminster Media Forum, and numerous fora for professional journalists, including the prestigious European Journalism Centre. Tambini also wrote several articles for the *Guardian* newspaper and appeared on BBC Radio 4's Today programme. In mid-2012, LSE workshops on Tambini's research included officials from Government, Ofcom and the Leveson Inquiry.

In July 2012, Tambini gave evidence to the Leveson Inquiry about his proposals for media self-regulation, which encouraged a more sceptical view of self-regulation and a more finely tuned approach by Ofcom and other regulatory bodies as to its application. His evidence with regard to the limits of media self-regulation had a strong impact on the findings of the Leveson Inquiry, which echoed Tambini's recommendations for a more balanced approach to self-regulation and statutory oversight in the context of maintaining press freedom while protecting individual privacy.

Two key recommendations of the Leveson Inquiry particularly reflect Tambini's work: the Inquiry's recommendation to set up an independent regulatory body for the press that is backed by legislation to determine that it is doing its job properly, and its conclusion that the Press Complaints Commission (PCC) was not fit for purpose and needed to be scrapped.

The Leveson Inquiry also echoed Tambini's research on new approaches to measuring the UK's media plurality, used by regulators in assessing mergers like the failed News International/BSkyB bid. Such measurements have largely been confined to print and broadcast media, which Tambini

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has long argued to be an outmoded limitation. He also spoke on this issue at the European Summit on Media Pluralism and his research is cited in the report of the High Level Group on Media Pluralism.

Tambini's research also resulted in Ofcom developing a code of conduct for self-regulatory bodies, including a strong emphasis on industry incentives to self-regulate and to enforce standards of transparency and due process. A broader impact of Tambini's work was to prevent a move towards creeping 'privatised censorship' of the press and media, in which media organisations – often in the context of self-regulation – make decisions to withhold or substantially alter content of potential public interest, outside of statutory scrutiny.

Damian Tambini is the Research Director of the LSE Media and Communications Department, Chair of its Research Committee, Director of the [Media Policy Project](#) and convenor of the MSc in Media and Communications (Governance). He is an Associate Fellow at the Institute for Public Policy Research (IPPR) and at the Oxford Internet Institute. He is a fellow of the Royal Society of Arts and serves on the Advisory Groups of: The Oxford Media Convention, Reporters Without Frontiers POLIS and the Open Rights Group.

Email: d.tambini@lse.ac.uk

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