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Chilling at the grassroots? The impact of the Leveson Inquiry on journalist-source relations and the reporting of the powerful at local level

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Abstract

No sooner had the Leveson Inquiry opened in 2011 than journalists and politicians were warning of a ‘chilling effect’ on the willingness of the press to continue using informal avenues to research stories. A particular fear was that tougher regulation might deter newspapers from using off-the-record briefings – and occasional subterfuge – to legitimately investigate public-interest issues that would go unreported if they relied solely on official channels. But a wider concern was that a putative ‘Leveson effect’ could also discourage both journalists and sources from engaging in the day-to-day communications on which newspapers relied for routine content. Drawing on first-hand testimony from practising local journalists, this article argues that, while there is early anecdotal evidence for some chilling at the grassroots, this is affecting sources more than journalists. Moreover, their concerns are based on a (perhaps wilful) ‘scapegoating’ of Leveson for other factors hampering their relations with reporters: notably, longer-term institutional moves to regulate their relations with journalists and, perhaps more significantly, financial cutbacks.

Keywords

Leveson

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sources

Introduction

Much has been made of concerns that, far from bequeathing a more responsible and accountable UK news media, the abiding legacy of the Leveson Report will be a ‘chilling effect’ on legitimate public-interest journalism (e.g., Swinford 2013). Throughout Lord Justice Leveson’s sixteen-month *Inquiry into the Culture, Practices and Ethics of the Press*, editors, reporters, civil liberties groups and even the Information Commissioner lined up to warn of the risks of heavy-handed regulatory reform (e.g. Panter, quoted in Webster 2012; Walker, quoted in Turvill 2012; www.ico.org.uk 2012: 11) – and the even more baleful unintended consequences for the fourth estate of the ‘statutory underpinning’ (in their eyes, state censorship) demanded by campaign group Hacked Off and victims of the phone-hacking scandal that sparked the enquiry (Leveson [November](#) 2012: 17). Some, notably then Education Secretary (and former *Times* journalist) Michael Gove and *Private Eye* editor Ian Hislop, used platforms granted them as witnesses at the enquiry to air their fears (Watt 2012; Hislop [January](#) 2012: 13). And, according to the most vocal opponents of the Royal Charter that eventually flowed from Leveson – among them *Daily Mail* editor Paul Dacre, erstwhile chair of the Press Complaints Commission editors’ code of practice committee (Leveson [November](#) 2012: 12) – this chilling effect would not be confined to the handful of national tabloids whose unethical actions had provoked it. Rather, by conscripting provincial papers into the new regulatory framework they proposed, our politicians would be piling unnecessary and unjustified road-blocks – including costly red-tape and the threat of ‘exemplary damages (Levenson 2012: 42)’ – in front of a dedicated local press already battling to survive an era of ever-intensifying online competition and ever-dwindling print sales and advertising revenue.

So, three years after the publication of the 2000-page Leveson Report– and with industry-wide consensus on a new regulatory settlement still as elusive as ever – how much has actually changed for Britain’s jobbing journalists? Has the threat of swift referral to a new arbitration panel, or ultimately the courts, for alleged harassment of private individuals cowed editors and reporters into adopting a more supine, play-it-safe attitude towards reporting the affairs of the rich and powerful – as many warned it would (e.g. Walker, quoted in Turvill 2012)? And to what extent, on a day-to-day basis, has Leveson affected (for better or worse) routine relationships between reporters and their contacts - in particular official sources, like the police and local authorities, on which they traditionally rely so heavily for stories? In short, what evidence is there, to date, for a chilling effect at the grassroots?

This exploratory article analyses first-hand testimony from local journalists working in the field to explore whether there are, indeed, signs that a chilling effect has begun to encumber their reporting practices. Specifically, it examines changes reporters (and editors) have observed in their relations with official sources, particularly representatives of the institution most heavily criticized for its complicity in unethical conduct at News International (now News UK): the police. Following a short overview of the (limited) existing literature on this subject, the article presents findings from semi-structured qualitative interviews carried out with eight local newspaper journalists: six reporters, one deputy news editor, and one editorial director (editor). It goes on to argue that, while there is indeed some evidence of chilled reporter-source relations, Leveson is far from the only (or principal) obstacle facing journalists – with commercial factors, notably pressure to go soft on valued advertisers, proving as much of a hindrance. Moreover, it argues that the early signs of a ‘post-Leveson’ chilling effect it *does* uncover are largely emanating from sources (especially the police),

rather than journalists. Moreover, their increasing reluctance to engage in once-routine media relations appears to be based less on genuine ethical concerns or rational fears about overstepping the mark than a combination of unduly risk-averse misreadings of the Leveson Report; the disingenuous use of Leveson as an excuse for changes to PR policy caused by other factors, chiefly earlier rule changes set by the Police Service itself and staff cutbacks; and a conflation of Leveson's recommendations with those of a separate report into the Metropolitan Police, published by Dame Elizabeth Filkin some months earlier.

From hearsay to anecdote: Early dispatches from the grassroots

Thus far, the overwhelming mass of literature on the supposed 'Leveson effect' has been speculative, rather than empirical – with much of it confined to op-ed pages, leader columns and, occasionally, news and feature sections of newspapers themselves (e.g. Dunn and Burrows 2013; Ingham 2013; Phillips 2013). Of these, numerous appeared while the enquiry was still in progress, let alone after it had concluded or its ensuing report been published. Of the press articles purporting to present evidence of a chilling effect, the most noteworthy include a blog-post by *Daily Mail* assistant news editor Stephen Wright, complaining about a ban by the Crime Reporters Association on police officers meeting journalists for Christmas drinks (2014³), and a number of articles blaming a post-Leveson chill for cowing newspapers into withholding entertainer Rolf Harris's identity from their readers for months after they first learned he had been questioned by police over alleged historic sexual offences (Phillips 2013; Bingham 2014).

To date, academic literature on the fallout from Leveson for reporters and editors has been minimal. However, a handful of endeavours are worthy of note. Of these, the most substantial

has been an as yet unpublished (but nonetheless *publicized* – Muir 2013) dissertation for the Chartered Institute of Public Relations (CIPR) by BBC London home affairs correspondent Guy Smith. This presents anecdotal evidence from interviews with police communicators/PCs (PRs and officers authorized to speak to the press) and crime journalists (CJs) to support the argument that relations between the two cooled significantly in the initial twelve months after Leveson reported his findings (Smith 2013). Drawing on a survey of 101 individuals (a mix of PCs and CJs), and in-depth qualitative interviews with three communicators and three journalists, Smith concluded that trust between police and reporters had suffered in the post-Leveson environment, with the two sides expressing ‘low opinions of each other in terms of manipulating information’ and the latter characterizing the former as increasingly ‘obstructive (Smith 2013: 22)’. He argued that, on balance, journalists were ‘more dissatisfied’ than police with the state of their relationship – attributing this, at least in part, to the ‘significant damage’ caused by the continuing pursuit of criminal investigations into alleged press corruption (Smith 2013). The most revealing quotes Smith obtained from practitioners make for compelling reading: one PC referred to ‘a swing towards mutual paranoia which is not good for anyone’, while an experienced crime reporter complained that ‘since Leveson, it has been almost impossible to do the job. I am unable to speak to officers I have known for two decades (Smith 2013: 21)’. Importantly, Smith also presented testimony pointing out that Leveson’s enquiry was only one of several investigations into reporter-source relations that had impacted on the police. Most notable were his interviewees’ citing of Dame Filkin’s January 2012 report into the Metropolitan Police, *The Ethical Issues Arising from the Relationship Between Police and Media* (2012), which led to its Commissioner, Bernard Hogan-Howe, implementing new rules limiting officers’ contact with journalists; the still unfolding outcomes of a 2011 review of by Her Majesty’s Inspectorate of the Constabulary, which called on all UK forces to introduce ‘clear boundaries and thresholds’ to

limit ‘risks arising’ from, among other things, ‘relationships, information disclosure, gratuities’ and ‘hospitality’ (HMIC 2011: 62); and the criminal prosecutions of serving police personnel accused of accepting corrupt payments from journalists arising from Operation Elveden (www.theguardian.com 2011).

However, for all the strengths of Smith’s study, it contains methodological weaknesses. Although he teased out many illuminating quotes and observations, his choice of survey questions was limited, focusing not on the detail of what had *changed* about the relationship between police and journalists since Leveson/Filkin but much broader questions relating to ‘perceptions of’ the ‘role of public relations’ and ‘role of journalism’ respectively (Smith 2013: 12–13). By Smith’s own admission, both his survey and interview samples also betrayed a ‘London-centric’ bias (2013: 12), with the inevitable result that much of the testimony they generated focused on relations between national journalists – including, one assumes, those working for papers directly or indirectly implicated in the unethical practices that prompted Leveson – and the (similarly implicated) Met. It is, perhaps, unsurprising that such practitioners should be especially guarded in the wake of the Leveson findings. What, though, of the wider impact of his report on day-to-day relations between journalists and police/other sources in the local and regional press?

Accusations of London-centric bias can also be levelled at a 2013 article by Duncan Campbell for *British Journalism Review*. Though noteworthy for featuring lively testimony from named (and, in some cases, widely recognizable) journalists, Campbell’s piece exclusively focuses on national news media (both press and broadcast). Like Smith’s, it does include some striking anecdotal evidence of post-Leveson chilling: John Twomey, crime reporter for the *Daily Express*, argues evocatively that the ‘chilling effect began before Leveson got under way but his inquiry helped turn a chill into a freeze’ (Campbell 2013: 40).

To illustrate his point, he describes how ‘detectives who were quite willing to discuss a wide range of issues with crime reporters are now reluctant to meet – in some cases even to return phone calls’, while ‘even press officers, whose job entails fostering good relations with the media, are wary of talking informally to reporters either on the phone or face to face’ (Campbell 2013). By way of solid evidence for the ‘freeze’ Twomey describes, Campbell reiterates Smith’s reference to a new document, *Guidance on Relationships with the Media*, issued to police officers and PR staff by the College of Policing following the Leveson Report (2013). He draws attention to clause 3.6 (entitled ‘Notifiable associations’), which sets out the bureaucratic new steps staff must take to register any ‘relationship with a specific journalist’ they have ‘on a personal basis’ – by ensuring it is ‘logged within your force in accordance with local policy and procedure (College of Policing 2013: 9)’. Like Smith, however, Twomey makes no mention of the fact that, a year before Leveson reported, the Association of Chief Police Officers (ACPO) had already issued new ‘Media Relationships Guidance’ to the Police Service as a whole – prompted not by the recommendations of a judge but the hacking scandal that had made his enquiry necessary (Trotter 2012: 3).

Other post-Leveson discussions beyond the pages of the press have tended to be as speculative and under-researched as the papers’ own coverage. A February 2013 panel event organized by global media intelligence company Gorkana Group was introduced by its chief executive, Jeremy Thompson, as a discussion about ‘how Leveson may or may not’ change journalism practice and, specifically, whether it would have a chilling effect on newspapers (www.gorkana.com 2013). It proved to be just that: a mix of second-hand anecdote and predictive debate almost solely founded on rumoured censorship pressures on national journalists emanating from politicians. Moreover, all five panellists were national-level journalists or PR practitioners, with not a single representative from the provincial media.

Meanwhile, the most substantive evaluation thus far of the possible medium to long-term outcomes of the enquiry for working journalists, the edited collection *After Leveson? The Future for British Journalism* (Mair 2013), centres primarily on a series of critiques of the report itself and the (then) various options for regulatory reform and a succession of often philosophical essays on the nature, ethos and position of journalism in a post-Leveson environment. The same can be said for the very few other papers to so far address this area (e.g. Barnett and Townend 2014). Empirical research, then, into the *actual impact* of Leveson's conclusions on the day-to-day culture and practices of journalism – particularly at local paper level – remains scant. It is for this reason that the present study was conducted.

Chilling at local level? A new evidence base

Primary research focused on semi-structured qualitative interviews with eight local newspaper journalists: the editor of a family run newspaper group in South East England; the deputy news editor of a South London weekly paper and a trainee reporter on a South East weekly, both owned by one of the 'big three' regional newspaper groups; the crime correspondents of a South West evening paper and a daily paper in the West Midlands (both owned by another of the 'big three'); a senior reporter on a family owned North London weekly; a specialist reporter in the North East working for a third major regional group; and a senior reporter for a small, independently owned group of papers in the North West.

Although all eight interviewees were based in England – contrary to the scope of the Leveson Report, which was UK-wide – the papers for which they worked covered a wide geographical spread, from the North to the West Midlands to the South West and far South East, via two titles located in greater London. The sample also included a mix of four daily and four weekly papers. Moreover, all interviewees but the editor occupied relatively junior frontline positions in the overall pecking orders of their organizations (despite some of their job titles

suggesting otherwise). This presented a significant advantage, in that they were better placed than more senior journalists to comment on the impact of Leveson on reporter-source relations – almost all of them working at (or near) the ‘coalface’ on a daily basis.

One *disadvantage* of their junior status, however, was that it became necessary to guarantee these interviewees anonymity – to avoid any possibility of negative reprisals for their often candid comments. For reasons of consistency, this anonymity was also applied to the editor. To distinguish between the various speakers, they are referred to as follows throughout the remainder of this article: the editor as respondent 1; the deputy news editor as respondent 2; the South West crime correspondent as respondent 3; the West Midlands crime correspondent as respondent 4; the North London senior reporter as respondent 5; the South East junior reporter as respondent 6; the North East specialist reporter as respondent 7; and the North West senior reporter as respondent 8.

To reach a balanced judgement about the extent of any post-Leveson chilling effect, comments and anecdotes that appear to provide *prima facie* evidence for ethical/legal concerns arising from his recommendations have been distinguished from those reflecting the primacy of other inhibitors that have emerged in the recent past, such as pre-Leveson rule changes issued by communications departments and organizational/commercial pressures. A further distinction has also been drawn between post-Leveson chill factors journalists face in *their own* workplaces and those impinging on them *vicariously*, through pressures affecting their sources. To draw clear lines between these various factors, we begin by examining accounts that appear to justify fears about a ‘Leveson effect’, before moving on to consider those that point towards other forms of hindrance facing today’s journalists.

The ‘Leveson effect’ in action? Editors’ fears of legal/regulatory action

An apparent early manifestation of a post-Leveson chilling effect mentioned by four interviewees was their editors’ increasing reluctance to report anything critical about powerful individuals in their communities. In general, this new-found caution was attributed to the mistaken belief that, under the embryonic new regulatory regime, it had become easier for those alleging, for example, defamation or breach of privacy by journalists to sue them and their publishers. This was despite the fact that the Leveson recommendations and Royal Charter terms arguably guarantee news organizations prepared to sign up to a regulator operating according to the report’s principles *greater* protection from litigation than previously – by obliging complainants to initially take their complaints to arbitration, and forcing them to pay the legal bills of publishers if they insist on bypassing this procedure ‘in the hope that the financial risk [to the publisher] would compel settlement’ (Leveson [November 2013](#)^[s1][2012](#): 17). Particularly critical of this was respondent 5, who described the owners of the paper she had worked on for four years as increasingly ‘terrified of powerful individuals and the fines they can impose [and their] potential to sue’. She explained:

Last February I was interviewed on a [name of TV] show about a story I had written about a councillor... We had a stack of evidence that he used derogatory language on Facebook referring to [a particular ethnic group]. I mentioned this on the... show and then the councillor came after me with a lawyer’s letter demanding that I publish an apology or he was going to sue me...So I consulted the union and a lawyer and knew that I was under no obligation to even answer the letter. However, the powers-that-be in the office – the publisher and the editor – were... terrified that the paper would be liable for any of my legal bills if it did ever go to court. Without ever getting their

own legal counsel, they simply told me that because the paper has no libel insurance then I'd be on my own if anything legal did happen.

'The response of the management' – which included a ban on this journalist writing follow-up stories– 'spoke volumes' to her 'about how terrified they were of anything to do with this guy', with 'every reporter' getting 'the message loud and clear' that their managers were increasingly 'spooked by any mention of a complaint, no matter how spurious and no matter how valid and truthful the story was'. Speaking more generally about her post-Leveson working environment, she added:

The fear of new regulators and what could be done to newspapers in the post-Leveson atmosphere of hanging papers out to dry manifested itself in bullying and pressuring the reporters into keeping their heads down and away from good stories. It translates as an instruction to reporters that boils down to, 'don't investigate powerful people, as they are too powerful. Don't publish stories which criticize the establishment. Don't attract too much attention to yourself'.

Respondent 4, who also began her career around a year before the Leveson Report was published, had a similar tale, lamenting how her paper was too timid to publish key details concerning the death of a local woman and her two children until they had been formally confirmed by police – even though many other media outlets were already running them and she had independently verified them herself by talking to friends and neighbours of the deceased. She recalled:

We did have the names of the family and other witness accounts of the husband finding the bodies etc – which, by the time of the [police] briefing, was on the *Daily Mail* website but not ours, as news-desk wanted to have everything confirmed by the police.

And, as well as being more cautious than previously about when to publicize certain information, editors had become more sensitive to allegations of harassment – no matter how specious. So hard-wired has this concern become, said respondent 5, that journalists had to routinely ‘prove’ to their paper’s publisher and ‘head of advertising’ that they were not ‘in the habit of penning “hatchet jobs”’ – particularly when writing critical stories about local schools, which often had the added dimension of raising concerns about harassment of children (a key plank of first the PCC then Independent Press Standards Organisation Editors’ Code of Practice – www.pcc.org.uk^[s2] 2014; www.ipso.co.uk 2014). ‘I feel now readers tend to lump all reporters together under the heading “good-for-nothing-phone-hackers”’, she complained, arguing that errant head-teachers and other individuals in positions of influence were ‘able to get away with a lot’ by simply ‘pleading that they are the victim of press intrusion’. She said of one story involving claims of misconduct at a school:

The school tried to claim that by talking to parents at the school gates, I was harassing children, even though obviously I didn’t speak to any pupils – only their parents.

Their lie to parents was able to be sustained as they held an assembly directly attacking my reporting – telling parents that I was essentially out to ‘muckrake’ because I wanted a sensationalist headline... The paper’s publisher and owners did not want to take on the ‘might’ of the head-teacher or the school establishment, so they asked me to leave the story and even got a fellow reporter to write a puff piece

about how wonderful the school was. This was an indication that people in the wake of Leveson were easily persuaded that all stories were the result of stalking children, taking pictures with long lenses and generally making stuff up...

Though respondent 6's experience of this new trend towards editorial caution was less dramatic than respondent 5's, and she had only become a journalist around the time the Leveson Inquiry was entering its final stages, she confirmed that her bosses had also become more sensitized to the need to do everything by the book – placing 'more emphasis' on their journalists' ability 'to back up where you got your information from', by noting 'who you've spoken to, where and when, and getting official statements from authority figures where possible'. In other words, reporters were expected to rely more than ever on the pre-scripted word of official sources like the police and town-hall press officers, potentially distorting their news agendas with an underlying elite bias akin to those noted in previous studies (e.g. Tuchman 1978; Fishman 1978 and 1980). Respondent 7, a reporter of seven years' standing, described a similar story in the North East. Despite her colleagues' initial feeling that Leveson 'wouldn't affect us, in as much as we were never paying for anything [e.g. information from police]', in practice a 'panic' had ensued among her editors, not about Leveson itself 'but about IPSO'. This had manifested itself in the form of e-mails circulated to reporters 'every couple of weeks', passing on new information from the regulator 'that might affect how we operate'. Describing her newsroom culture as more 'individualized' and less 'collective' since IPSO replaced the PCC, she said morale had been dented by the sense that, if a reporter overstepped the mark (deliberately or unwittingly), 'they'll [the editors] wash their hands of whatever we're doing'. She added:

There's been a shift of responsibility: they send you all the notices and there's a sense that, if you make a mistake, you'll have to fend for yourself. There's a lot more talk about the money involved, the costs involved – I've never had that before...

Not *all* local editors, however, had become more timid in the wake of Leveson. Respondent 3, an experienced specialist with more than a decade of journalism behind him, argued that his paper was more defiant than ever – buoyed by the fact that the report had explicitly exonerated the regional press from most, if not all, of the dubious practices exposed at certain national papers (Leveson 2013: 13). Describing his editor's message as 'basically, "get on with what you were doing before, because what you were doing before was fine and even Leveson said so"', he asserted:

Leveson praised regional and local press and noted in his report that we'd not done anything wrong and that, if anything, we were the best examples of diligent ethical journalism.

The 'Leveson effect' in action? Caginess of sources

The most common manifestation of a chilling effect cited by reporters and editors was the increasing reticence of day-to-day sources on whom they routinely relied for quotes and information – especially police. Despite brushing off suggestions of a chillier atmosphere in his newsroom, respondent 3 complained that officers had 'become much more nervous about speaking to me – from Pc [police constable] up to inspector level'. His local constabulary had introduced a 'new rule' that every interaction with daily (though not weekly) media – 'who it was with, when it occurred and what it was about' – had to be logged on its computer system 'to be collated by the press officer'. Complaining that he could not 'recall a time since I

became a journo in 1997 when it was as bad as this’, he illustrated the general attitude officers now took to requests for quotes with the following anecdote:

Needless to say, many [officers] said it was either a) ‘too much extra... paperwork, so we’re not talking to you, so I can save time’, or b) ‘a means to get me fired from the force as part of the cutbacks, so we’re not talking to you’...

This anecdote reflected a repeated feature of journalists’ testimonies: the conflation of evidence for a tangible *Leveson* effect on the obfuscation of sources with separate (if connected) issues relating to the tightening of internal police protocols and *budgetary* pressures, – largely stemming from funding cuts imposed by central government. Though distinctions between these factors were generally recognized by those expressing their frustrations, there was often a sense that the coincidence of timing of the Leveson Report with austerity cuts had given their sources an *excuse* to be unhelpful. As respondent 3 relayed acidly:

We’re far too busy now to talk to you. We need to go through the press office. Leveson proved you’ll just twist my words and make me look bad. Leveson means I’m being watched like a bloody hawk by the public when I speak to you... You guys in the media are out to get us – look at Plebgate [reference to media reports about the alleged police conspiracy against former Minister Andrew Mitchell – www.bbc.co.uk 2015] – so we can’t trust any of you...

The link between increased police bureaucracy and a post-Leveson – and/or post-Filkin and Elveden – climate of mutual suspicion were echoed by respondent 5:

During one briefing, we were talking about a particular issue and I was saying we would need stats and possibly a case study to back this up. He agreed to have this ready before the next meeting but, as I was leaving, asked, ‘do you mind just sending me an email with that request when you get back to the office? It’s just [that] I’ll need that in case there’s ever some kind of audit’.

This respondent explicitly blamed Leveson for the introduction of a byzantine new police press enquiry system – which, in her case, required even the most humdrum queries to be routed through an outsourced ‘call-centre in Watford’, before finally wending its way, via e-mail, to the local officer for whom it was originally intended. ‘Not only do we have to wait 24 hours for responses’, she complained, ‘but it also means the people we speak to have no idea what we’re talking about half the time’. While acknowledging that police funding pressures were partly to blame for this change, she reasoned:

I suspect this is less to do with budgets but rather it is about trying to ensure reporters don’t get too close to the police – the less interaction between reporters and police the less likely there is to be inappropriate stuff like bribes and quid pro quo set-ups...

Underlining her concerns about post-Leveson chilling, the same reporter described being ‘increasingly’ regarded with ‘distrust’ by everyone from regular (non-police) contacts to members of the public she encountered incidentally while doing her job. Referring to her investigation into ‘another’ local school rumoured to be ‘up to no good’, she said that, although it was ‘local parents who are giving me the info about it’, it was ‘taking much longer than ever before’ to earn their ‘trust’. In this case, however, her efforts had been

compounded by another factor besides Leveson: the revelation that police had routinely used their own form of phone-hacking to monitor conversations between journalists and their sources, by abusing the Regulation of Investigatory Powers Act 2000 (RIPA), a law ostensibly passed to help the authorities track the communications of suspected terrorists (Ponsford 2014). ‘They [the parents] are deeply concerned about me being forced to reveal my sources’, she explained, suggesting that ‘this could be more the result of the police’s enthusiastic use of RIPA powers than Leveson per[s4] se’.

However, the only editor interviewed (respondent 1) confirmed that, even though various other factors were also involved – including cutbacks to public services, like the police, and their PR operations – the fallout from Leveson had certainly deepened sources’ reluctance to engage with papers. He argued:

There has been a sea change for the worse in the relationship between official sources and journalists in recent years. This is partly post-Leveson, with a real fear among police officers and other traditional contacts of sharing information with journalists...When I was a reporter at the [named local paper], the...crime reporter had almost unchecked access to the local police station. He would literally wander the corridors seeking out stories. That would never happen now, with all access tightly controlled and all enquiries channelled through media liaison teams. We also find these teams actively discourage victims of crime from talking to the press...

These views were echoed by respondent 2, who added local authority press officers and even councillors to the list of routine sources who had become less cooperative in the aftermath of Leveson – arguing they ‘have a tighter control over what they will provide us with than

before', and will only now provide 'a generic quote – the bare minimum' or 'no comment at all'. The suggestion that wariness about speaking to the press had extended to councillors – elected politicians who have customarily enjoyed considerably more freedom than paid officials to talk to the press – was endorsed by respondent 6, who said that, in her experience, they sometimes 'refuse to comment on something to a reporter but may issue a press release through the press office later the same day'. She translated this as an increased reluctance 'to comment on the spot, particularly if it's a controversial issue'. Summing up the overall impact of Leveson on people's willingness to talk to journalists, respondent 2 said:

People – especially those in a position of power or authority – are clearly terrified about saying the wrong thing. Usually they'll refer you to a press officer who'll give you a generic quote, so have a far more tight-lipped approach with the press...I think the public are [also] much more wary of the press than they have been in the past. For example, when a reporter goes door knocking after an incident, people seem to have a more negative attitude towards him or her, knowing they are a journalist, than they had previously...

Indeed, for some journalists it was relations with ordinary people and/or those occupying more *junior* posts in organizations like councils and the police that were proving most difficult – rather than formal sources, like press officers and senior police personnel. Though he insisted that the strong local reputation of his independently owned newspaper group meant that sourcing stories post-Leveson was generally unproblematic, respondent 8 (a reporter of seven years' standing) conceded that individual officers and council employees were now 'quite tetchy' about speaking to him, while NHS workers had become 'paranoid about saying anything at all'. Recalling a 'vox-pop' he had conducted in Cumbria shortly

before the September 2014 Scottish independence referendum, in which he had asked members of the public how they would vote if they had a say, he said several people had responded with remarks to the effect of ‘I can’t answer that: I work for the NHS’.

Police/public-sector cutbacks

As we have seen from some accounts relating to the perceived prevalence of a post-Leveson chilling effect, an equal, if not greater, hindrance to reporter-source relations appears to have been the impact of public-sector spending cuts – particularly those affecting the number of police officers/PR staff authorized to speak to journalists and the overall way media relations is organized. One of the starkest illustrations of how these cuts have adversely affected reporters’ ability to make even prosaic enquiries was this from respondent 4:

It’s... annoying at weekends as the press office is closed and we are not allowed access to the on-call press officer. We are told to call 101 and ask for the duty inspector if something happens – although we rarely get put through to him when we do as, understandably, he’s incredibly busy managing the under-resourced control room.

In the case of the murdered family, the absence of an on-call press officer meant she was left ‘sitting there for a good hour or so with absolutely no confirmation from the police as to what was happening’ – forcing her to ‘publish a very short “police are attending an incident” type story on our website’, without knowing when (or whether) she would receive confirmation ‘before deadline’. This issue had been repeatedly ‘raised in the past’ with the police, but they retorted that there were simply ‘no press officers at weekends and evenings because of cost’. Similar gripes were aired by the other crime correspondent (respondent 3), who said:

Leveson has been compounded by massive police cuts, so there's fewer and fewer cops around to talk, with less time to talk. Pressure from the press officers has grown – everyone's trying to justify their role and why would you need a police press officer if cops spoke directly to reporters, eh? So more cops are told to ensure everything they want to say goes through the corporate comms [communications] team.

The Leveson *excuse*: Post-enquiry 'fears' as a smokescreen for PR obfuscation

Although all interviewees appeared to acknowledge the *genuineness* of (some of) their sources' concerns about post-Leveson media relations, there was also a sense that PR staff and police officers sometimes cited 'Leveson' disingenuously: i.e. as an *excuse*, rather than a *reason*, for denying journalists the access and information they desired. According to respondent 4, 'the days of getting a steer on something [off the record] are quickly coming to an end', thanks to a combination of risk-averse PR edicts and general officiousness – spuriously justified as the 'fault' of Leveson. Returning to the subject of the local family whose deaths attracted national press attention, she said that, on being 'called in for a briefing with a senior neighbourhood officer the day after we broke the story', it became clear that he would be 'sticking completely to a script designed to reassure the community and give very little information away'. This involved refusing to confirm the family's name or nationality, or even the ages of the children and the nature of their injuries – let alone whether a weapon appeared to have been used or whether the police were looking for anyone else in connection with the incident. She added:

In response to [the question of] if they were looking at a murder, they said they were looking at a 'homicide'. Too much [television crime drama] *CSI*? I was also told that

there would be ‘no chance’ of us having a chat with someone in CID...Apparently they had brought in some external comms person to give them advice and this is where it might have come from. But we were looking really silly when the nationals published all the stuff we knew – all because we were trying to play ball with the police.

The increasingly controlled (and controlling) approach to media management routinely adopted by police and other official sources was also highlighted by respondent 1 – though primarily as a *separate* pressure on the media, *in addition to* any ‘Leveson effect’, rather than an outcome of the report itself. ‘The rise of social media has... had an impact, with most forces running their own Twitter feeds and Facebook pages’, he explained – stressing that, while the public might view this as a sign of the police ‘being very open’, in practice they are ‘only highlighting the things they choose to highlight’. As he put it:

If burglary statistics suddenly shoot up, I doubt you’ll see it being tweeted.

This sense that journalists’ work was being frustrated not only by *obstructive* police PR machines but also officers’ increasing tendency to bypass the press entirely by connecting directly with the public via social media was echoed by respondent 4. The fact her local police force was ‘using Facebook a lot more to send out press releases’ meant reporters had ‘to keep glued to the force’s Facebook page throughout the day, as we know it won’t come by email’.

(Fear of) losing advertising sales

Although not echoed across the board, a ‘chill factor’ raised by respondents 2, 4, 5 and 7 was

their editors' fear of losing income as a result of publishing stories or other articles that were critical of the individuals, companies and other organizations on whom they relied for paid advertising. As respondent 5 put it:

It is hard sometimes in local news to distinguish between what has been caused by the Leveson effect and what is a result of the desperation brought on by the drop in advertising revenues. In the case of my newspaper group, it is the fear of losing advertising revenue that has the biggest chilling effect on stories.

By way of illustration, she described how a story she had written about a school accused of 'lying to parents about entering their children in Sats [Key Stage 2] exams' led to a blanket 'boycott' by an organization representing the head-teachers of all local primary schools, which refused to buy any future 'ad space for job announcements etc'. Describing the lengths to which her editors went to placate the schools to avert this boycott, she said:

This did have a repressive impact on us, as reporters were told to gather together all positive stories we had written in local schools – to show to the heads' organization that co-operating with us was better in the long term.

Others confirmed that pressure from advertisers and their own advertising departments routinely led to their papers publishing positive articles about local businesses – including controversial ones or those that would not otherwise be judged newsworthy. Respondent 4 recalled how, in a previous job on a weekly paper in the West Country, she had regularly had to write 'fluffy pieces' about a local shopping arcade, adding that, though she 'wouldn't say' she 'would ever purposely choose to write something to keep a business happy', she was

‘sure some of the stuff we get told to write about from on high is related to this’. Respondent 7, meanwhile, described how she and colleagues were effectively censored by their publisher to avoid jeopardizing relations with one major advertiser:

We’d taken quite a lot of advertising from one particular company which is quite controversial and there are often stories about. We were told by our publisher to be very careful about how we referred to this company so as not to be too negative.

However, there was again disagreement about the *extent* to which threats to pull advertising in retaliation for negative/lack of positive editorial coverage influenced editorial policy.

While confirming that his paper did receive ‘threats from advertisers’ – in the form of ‘the classic, “oh... you do know I advertise with you...?”’ – respondent 3 said he would pass such comments to his news editor, who would generally tell those making threats that ‘if they wish to pull their advertising, that’s their choice’. Despite such shows of defiance, though, he acknowledged that threats could be intimidating – recalling one advertiser vowing to ‘crush’ his paper, and describing how in his previous job a council had temporarily withdrawn its advertising following ‘a run of stories criticizing them’. He added:

I’ve heard of other councils threatening the same as well and it’s a big cut for a paper who [*sic*] can often rely on council job adverts and the like for its income.

Respondent 2 had also encountered such pressures, describing the ‘inhibiting effect’ some advertisers had on stories. Although he and colleagues ‘probably piss off advertisers more

than we appease them’, he conceded it was ‘inevitable that it’s going to affect things to some extent’.

Conclusion – chill or no chill?

Though far from comprehensive in scope, this article has presented early circumstantial evidence for the emergence of a limited post-Leveson chilling effect in local journalism – particularly in the context of reporters’ increasingly frosty relations with sources on whom they depend for stories. Of these, the most reticent appear to be the police, whose increasing evasiveness and/or use of bureaucratic processes designed (supposedly) to make their media relations more transparent has dramatically reduced the speed and precision with which newspapers are fed information – at a time when audiences acclimatized to 24-hour breaking news coverage on TV and online demand ever-more instantaneous news reports. The irony is that, as Lord Justice Leveson has himself repeatedly clarified, much of this chilling on the sources’ side is unnecessary – based, as it is, on a misreading of his recommendations. In comments reported on 29 May 2012 (www.holdthefrontpage.co.uk 2012), he said:

It is obviously important that, for example, neighbourhood police officers should be able to speak to local press about events in the neighbourhood – good news stories, concerns, seeking witnesses, all that sort of material – and it seems to me sensible that everything one can do to encourage that sort of contact is worthwhile.

This article has also uncovered anecdotal evidence that it is not only sources who have been chilled by the post-Leveson environment, but editors (and, by inference, proprietors) – with greater editorial timidity arising from a combination of fears about being sued for libel or other alleged offences by those they criticize and a common misreading of the likelihood of

their facing vexatious readers in costly arbitration hearings (which, however time-consuming, would be otherwise free under any regulatory system enshrining Leveson's principles).

However, for all the genuine (if ill-founded) concerns arising from the Leveson Report, it appears that some of what might superficially be interpreted as evidence of a post-enquiry chilling effect should be attributed to other factors. Chief among these is the impact of recent cutbacks to public services, particularly the police, arising from government-imposed austerity measures. This has led to fewer staff being available to field media enquiries at a time when they also face longer paper trails, as a result of their employers' panicky responses to Leveson, Filkin and new guidelines issued by the College of Policing and ACPO.

Moreover, the testimony suggests that editors' reluctance to take on powerful vested interests in their communities with critical editorial has as much to do with their fears of losing vital revenue at a time when the provincial press is both weathering the impact of a prolonged recession and still struggling to adapt to a fast-changing digital environment in which competition for advertisers has, in any event, become more intense than ever (Sweney [2012](#)^[55][2009](#)).

Clearly, the current impasse between many (if not most) newspaper publishers and those advocating full implementation of the Leveson principles means that it may be some time before we can make definitive judgements about the impact of the enquiry on reporter-source relations. More interviews with both journalists and sources will be needed in coming years to determine how their relations are affected both by implementation of the Royal Charter – to which, at time of writing, most press organizations remain opposed – and the threat of exemplary damages for publishers refusing to sign up to a new regulator enshrining it, such as the mooted Independent Monitor of the Press (IMPRESS), if they ever flout its rules.

The main reason we should be concerned about any chilling of reporter-source relations, though, is if this in any way hampers journalists' ability to investigate legitimate issues of public interest – or whistle-blowers' readiness to confide in them. Equally concerning would be any sign that routine reporting was becoming more timid, sterile or prone to PR-driven 'churnalism' (Davies 2008). Further research involving comparative textual analysis of newspaper output before and after the Leveson Inquiry, and/or implementation of the Royal Charter, could show us the extent to which any such chilling goes on to affect the most important link in the news chain: the interface between press and public.

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