

Daily Universal Register

Spain: Philip Hammond, the chancellor, meets Luis de Guindos, the economy minister of Spain, in Madrid.

Nature notes



Flocks of redwings are some of the largest flocks to be seen at this time of year. Where the fields are snowy, these wintering

thrushes with scarlet underwings have come into woods to look for food among the leaf litter on the woodland floor. There may be as many as 100 of them going up and down between the treetops and the ground. They often get noticed first by their soft, clucking, nasally calls, a call often unmentioned in bird books. They can also be seen in sheep fields where the first lambs are about to be born. Some of the hawfinches that invaded us last November are also forming large flocks. There have been an astonishing 170 of them in Bramblehall Wood near Box Hill in Surrey. Small parties and single birds are still numerous, many in churchyard yew trees. DERWENT MAY

Birthdays today



Claire Bloom, pictured, actress, *Limelight* (1952), 87; John Adams, minimalist composer and Pulitzer prizewinner, 71; Dame Frances Ashcroft, professor of physiology, University of Oxford, 66;

Clive Aslet, author, *The Birdcage* (2014), 63; Mick Avory, drummer, the Kinks, 74; Sir Tim Barrow, permanent representative to the EU, ambassador to Russia (2011-16), 54; Marisa Berenson, actress, *Cabaret* (1972), 71; Adam Boulton, Sky News presenter, 59; Susan Brownmiller, writer, *Against Our Will* (1975), 83; Prof Edward Byrne, president and principal, King's College London, 66; Ali Campbell, singer, UB40, *Red Red Wine* (1983), 59; Sir Mick Davis, chief executive and treasurer, Conservative Party, 60; Nathan Davis, jazz musician, 81; Frank Dunlop, founder (1960), the Pop Theatre, Edinburgh, 91; Ben Foakes, cricketer, Surrey and England, 25; Dr Philip Goodwin, chief executive, Voluntary Service Overseas International, 53; Rt Rev Jonathan Gledhill, Bishop of Lichfield (2003-15), 69; Lord (Leslie) Griffiths of Burry Port, president, Methodist Conference (1994-95), 76; Matt Groening, creator, TV series *The Simpsons*, 64; Desmond Haynes, cricketer, West Indies (1978-94), 62; Richard Hone, QC, Old Bailey judge (2005-17), 71; Miranda July, artist and film-maker, *Me and You and Everyone We Know* (2005), 44; Sir Timothy Kerr, High Court judge, 60; Sir Jonathan Marsden, director of the Royal Collection, 58; Keith Ridge, chief pharmaceutical officer, NHS England, 56; Martin Rowson, cartoonist, 59; Antoinette Sandbach, Conservative MP for Eddisbury, 49; Jane Seymour, actress, *Live and Let Die* (1973), 67; Art Spiegelman, cartoonist, *Maus* (1980), 70; Clare Short, MP (1983-2010), Labour international development secretary (1997-2003), 72; Dr Peter Steer, chief executive, Great Ormond Street Hospital, 59; Sir Adrian Swire, chairman, John Swire and Sons (1987-97, 2002-04), 86; Sir Alan Ward, Lord Justice of Appeal (1995-2013), 80.

On this day

In 1965 Canada flew its newly adopted red maple leaf flag for the first time; in 1971 Britain adopted decimal currency.

The last word

"There's a man all over for you, blaming on his boots the faults of his feet." Samuel Beckett, playwright, in *Waiting for Godot* (1953).



In Self-Defence

Privacy campaigners have no business undermining press freedom and the rule of law, however deep their pockets

The Data Protection Act 1998 was passed by parliament to protect personal data from misuse in an age when more and more of it is accessible online to any company, government or hacker who knows how and where to look. It was not passed to muzzle the press.

The act is nonetheless being used by lawyers for the privacy campaigner and former Formula One boss Max Mosley to do just that. They have written to newspapers including this one demanding that they stop publishing new stories, and purge their online archives of old ones, on two subjects. Those subjects are a tabloid sting in 2008 that led to a court case that Mr Mosley won, and his subsequent decision to financially back the government's preferred press regulator, Impress.

After what was deemed a violation of his privacy, Mr Mosley sought and won legal redress nine years ago. His decision since then to devote time and money to the causes of privacy and press regulation is of course entirely within his rights. Others have joined him, notably the actor Hugh Grant, and their efforts are part of a broader balancing act that any free society must foster between privacy and openness.

Enlisting a law never intended for the purpose to try to prevent reporting on past public court

proceedings or present debate on press regulation is another matter. It is an attack on press freedom generally and on the freedom of the press to express opinions in particular. Both are hard won, easily eroded and central to the functioning of a free society.

The details of Mr Mosley's complaints are complex, verging on arcane, but they boil down to an assertion that the public does not have a right to know that he has donated some £3 million to support Impress, the country's only state-backed regulator, via a charity set up in his late son's name; and that to this extent the regulator is reliant on his largesse. The public has a right to know this regardless of the wider context, but the wider context is significant.

An updated version of the Data Protection Act, the Data Protection Bill 2017, is currently before the House of Lords. Peers more concerned about privacy than press freedom have tabled amendments that would distort the legislation's true purpose not just on an ad-hoc basis, as Mr Mosley seeks to do, but permanently. If passed, the amendments would bolster the power of Impress and its code of conduct for editors, and undermine those of the Independent Press Standards Organisation (Ipso). Impress has the backing of

the state via royal charter and the press recognition panel, but not of a single major newspaper or broadcaster. Ipso is independent and successfully regulates hundreds of local and national titles. One of the peers seeking to use the Data Protection Bill to strengthen Impress, Lord Skidelsky, is a close friend and Oxford University contemporary of Mr Mosley's. He is also the author of a flattering biography of Mr Mosley's father, Sir Oswald Mosley, the wartime leader of the British Union of Fascists.

If it appears self-serving for *The Times* to give prominence to a dispute such as this, that is because it is. But it is also emphatically in the public interest for the free press to defend itself.

If the law can be used by people of means to persuade the press that a quiet life is preferable to legitimate scrutiny, then the rule of law is at risk. It is no coincidence that democracy and the free press have grown in tandem over the past two and a half centuries. They need each other. Nor is it by chance that Vladimir Putin's first target as he consolidated power in Russia was the country's most popular independent TV station. The traditions and liberties of a vibrant free press occasionally leave bruises but they serve the common good, and they cannot be taken for granted.

Bye Bye Bibi

The Israeli premier should step down to answer accusations of corruption

Israel stands out in the Middle East as a country that respects the rule of law. As Israeli police were recommending that the prime minister, Binyamin Netanyahu, be indicted on bribery charges, their Egyptian counterparts were cracking down on critics of President Sisi. Israel's readiness to hold to account its leaders should be an object lesson to its authoritarian neighbours.

There can, however, be no room for complacency. The two cases against Mr Netanyahu follow a thorough 14-month investigation and are destined to shake up Israeli politics. One case alleges that he tried to promote the interests of an Israeli businessman in return for generous gifts. The second claims that Mr Netanyahu discussed changes in the regulation of Israeli media law that would have benefited a newspaper in return for "indefinite" positive political coverage. The prime minister has denied the police interpretation of the various meetings and has branded it a witch-hunt. A key witness, it now emerges, is the centrist politician Yair Lapid, the prime minister's chief rival.

Mr Netanyahu is not on the face of it wrong to urge Israel to wait until the attorney-general has

sifted the evidence and decided whether to press the charges. His supporters suggest that this would be a precarious moment to paralyse the Israeli government. An Israeli fighter was shot down last weekend over Syria in a mission that was supposed to block attempts by the Iranian-backed Hezbollah to launch surveillance and attack drones over the border. The Syrian war, which already pits Turks against US-backed opposition forces, Russia against the US and Saudi versus Qatari-backed rebels, is now increasingly a stand-off between Israel and Iranian surrogate forces. Mr Netanyahu has made the struggle against the Iranian regime a defining part of his premiership and it forms a crucial binding ligament between Israel and the administration of President Trump. The resignation of Mr Netanyahu could send out a signal of weakness in the midst of a swirling international crisis. Yet step down, he must.

Like any citizen the prime minister is innocent until proven guilty, but his is a difficult enough role without the distraction of corruption charges. In 2008, Ehud Olmert, then the prime minister, resigned after facing a slew of police and judicial

inquiries. At the time Mr Olmert noted that "the prime minister is not above the law". He ended up serving 16 months of a 27-month jail sentence. Throughout this upheaval, Mr Netanyahu, then the opposition leader, fiercely argued that a prime minister buried "up to his neck in investigations" could not give full attention to government.

That comment will come back to haunt the Israeli leader unless he recognises that staying in power turns him into a lame duck. He may hope that he can bluster his way to the formal end of his tenure in November 2019. He may even count on winning an early election and silencing his critics with the help of hefty popular support.

Mr Netanyahu has brushed off scandal before and survived. There is, though, no disguising the fact that he is a wounded leader and that will weaken him in the eyes of his Middle Eastern rivals and enemies, as well as diminishing the pivotal US-Israeli relationship. Mr Netanyahu is not short of courage. He should draw on it now to demonstrate that Israel's hidden strength is not so much its sophisticated army as its capacity to take difficult decisions in the name of its democracy.

Bet Noir

New restrictions on gambling advertising are welcome but do not go far enough

Britain's gambling problem is far too big and growing quickly. More than two million people in the UK are either problem gamblers or at risk of addiction, the Gambling Commission says, among them 25,000 children aged 11 to 16. It is no coincidence that the number of gambling adverts on television has also exploded in the past decade.

The committee of advertising practice, the industry body that regulates the sector, has announced a crackdown on the worst excesses of gambling advertising. It will not allow ads that create an "inappropriate sense of urgency", for instance by encouraging viewers to "bet now!", or

advertisements that promise anything "risk free". The committee has also pledged to end campaigns that trivialise gambling.

This is a good start, but no more than that. Ultimately, tougher action is needed and it should come from government. Campaigners have argued that all gambling advertising on television before the 9pm watershed should be banned. At present any child watching a football match after school is bombarded by betting adverts in every break. Even those children who are not mischievous enough to get hold of bank details and bet online can be forgiven for taking it as a given that

sport and gambling go hand in hand. The government hinted at plans for such a ban in October 2016, but backed away from the idea. A gambling review published last year was disappointingly barren of any commitments on advertising. It did promise to cut the maximum stakes on fixed-odds betting terminals, known as the "crack cocaine" of gambling as addicts can lose hundreds in a single minute, but even then it did not put a number on the cap. Industry and the government are both making the right noises — but they need to get tough and change the rules as well, starting with a pre-9pm advertising ban.