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Leading articles

proceedings or present debate on press regulation is ... Beckett, playwright, in Waiting for Godot (1953).

Nature notes

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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 and on television. Hundreds of thousands of people 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 report. The proposed changes are 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 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 they need legislation to hand them the rules.

No 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 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.

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 government’s Gambling Commission said 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 to create an "irresistible, irresistible, irresistible" urge, 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. It 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 a bank account online can be forgiven for taking it as a given inquiries. At the time Mr Olmert noted that "the prime minister is not above the law". He ended up leaving office months of a 27-month jail sentence. Throughout this upheaval, Mr Netanyahu, then the opposition leader, fiercely defended his former 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 means turning 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 petty 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.