

## **Text of Evan Harris's speech at the Lib Dem Conference backing Public Interest Defences and RIPA safeguards for journalist sources October 2014**

I start with a declaration of interest: that I run campaigns for Hacked Off which seeks to improve the effectiveness and independence of press regulation.

That in itself is of course is no threat to real press freedom and the Liberal Democrats support Leveson and the Royal Charter scheme. I have the opportunity now to repeat my thanks to the party on behalf of the victims of press abuse for that.

But the Liberal Democrats, just like my organisation, believe there is much more that can be done to enhance press freedom; especially in the areas of public interest journalism and investigative journalism.

And there are two areas in which this amendment can do that.

First is RIPA, and the lack of safeguards for journalistic material, including confidential sources and indeed for legally privileged material. The report of Operation Alice into the Plebgate affair revealed, as it had to do because it had to be published, that the police had got the phone records, both the mobile phone and the desk phone, from Tom Newton-Dunn, the Political Editor at The Sun. Now it's unlikely they'd have found many friendly calls to and from Liberal Democrats. But that's not the point. There is no judicial oversight or indeed any oversight for the police for that decision. The police authorised themselves to do that, something they cannot do under PACE and should not be allowed to do under RIPA. There must be greater safeguards.

And the Press Gazette, the trade journal, has run a superb campaign called "Save Our Sources" that I want the Liberal Democrats to sign up to, that calls for there to be safeguards to protect journalistic sources.

The second area dealt with in this amendment are public interest defences. For example in the Computer Misuse Act, which would mean that when Sky News hacked into the computer of the "canoe man", who you may remember faked his death to get insurance money, they would not have been threatened with the chilling impact of a police investigation.

Similarly with the Bribery Act. The Sun, which occasionally does good investigative journalism – should do it more often – and it ran an operation to expose fraud at a magistrate's court in London where a clerk was letting people off speeding tickets. And they ran the risk of a police investigation because they were effectively breaking the Bribery Act and had no statutory defence.

If the News of the World, instead of their thousands of innocent victims of hacking, had hacked the phone of Jimmy Savile to expose him when the police were failing to do so, then they should not have faced for that example the threat of a police investigation. But there is no public interest defence.

There is a public interest test for prosecutors, and that's good, but that comes after in many cases police investigation, after arrest, after interviews under caution, after the deployment of search warrants – and that is chilling.

Liberal Democrats have a fine record of freedom of speech - better than any other party and has been for decades.

For example my own work on blocking religious hatred laws, repealing blasphemy, sedition and criminal defamation laws, and on libel reform; and the work of Tom McNally with the Defamation Act which is proving better in practice than I feared it might be.

But there is always more to be done and Liberal Democrats should, and we have the opportunity now - within a superb paper - to make clear that they will press in Government, including through our Ministers, to make these changes.

We will pledge to do this so that press freedom, which is so critical in the field of public interest journalism in our democracy, can be enhanced, improved and safeguarded.

Please support the amendment.