

## **21ST CENTURY FOX/SKY MERGER INQUIRY**

### **Summary of hearing with John Witherow (Editor, The Times) and Pia Sarma (Editorial Legal Director) of The Times and The Sunday Times on 30 October 2017**

#### **Introduction**

1. John Witherow (JW) stated that he has been the Editor of The Times for nearly five years and before that was the Editor of The Sunday Times for eighteen years.
2. Pia Sarma (PS) stated that she has been Editorial Legal Director for The Times and The Sunday Times since 2010. She advises on legal and regulatory issues.

#### **The Times and the current media landscape**

3. JW stated that The Times has to reach the highest standards of reporting across all areas and considers its relationship with readers as very important. This is especially the case given the fierce competition that The Times and The Sunday Times – which have a paywall – face from numerous news providers including free news sources available online.
4. JW stated that The Times chooses to focus on quality and charge subscribers and readers to purchase its newspapers and online news.
5. JW explained that columnists interact with The Times' readers online, as a way to keep readers engaged. The Times has also introduced a registration system online, where two articles a week are offered free, in order to encourage people to subscribe to The Times.
6. JW stated that The Times' readers tend to go to other sources such as the BBC for breaking news and to use The Times for more comprehensive reports based on detailed investigations.
7. JW stated that all forms of social media including Twitter and Facebook are relied on by The Times to attempt to attract more readers.
8. JW stated that The Times does not aim to attract any specific group or demographic of readers.

9. JW stated that he considers broadcasters as very strong competitors as they have the resources to provide more video news online. Broadcasters now run excellent websites and have themselves become publishers.
10. JW explained that he felt The Times can be set apart from broadcasters in that it can provide readers with more detailed analysis and opinion.
11. JW stated that most readers rely on a small number of news sources for news. JW, as an example, explained that, whilst getting their breaking news elsewhere, a lot of The Times' readers will just read the Times.

## **Editorial processes**

12. JW stated that, generally the editing for The Times' offline and online content is the same. Titles of articles and news pieces may be changed occasionally to attract more readers on one platform. JW explained that this is done in a way so as to not distort content or mislead.
13. JW stated that the running order of articles online and in print is broadly the same. However, there may be differences where, for example, in the print version there might be a lighter story on page 3, but that would look wrong online.
14. JW opined that news coverage needs to be objective. JW explained that the objectivity of The Times' news is tested on the basis of feedback from readers.
15. JW opined that newspapers should be unbiased in news coverage, but could have an opinion in editorials.
16. JW stated that broadcasters' running order of news is sometimes influenced by the order in newspapers, although the influence of print media on broadcast media is overstated.
17. JW stated that, if The Times makes a mistake in the news, it will correct it rapidly both digitally and in print. He believed that readers respected The Times for acknowledging mistakes.
18. JW stated that there is no editorial contact with the editors of The Sun in the context of editorial matters and decision-making. He confirmed that is also the case with Sky News.

## **Compliance with legal and self-regulatory requirements**

19. PS confirmed that both The Times and The Sunday Times are members of the Independent Press Standards Organisation (IPSO). Journalists at both newspapers are therefore required to comply with the Editors' Code enforced by IPSO.
20. PS stated that she reports to the General Counsel of News UK (owner of The Times and The Sunday Times)
21. PS stated that IPSO publishes decisions it has made with regard to The Times and the newspaper's response to those decisions. The Times will, for example, alter training for journalists to fit in lessons learnt from the decisions. PS explained that this needs to be evidenced to IPSO.
22. PS stated that senior editors may approach IPSO for advice on whether there would be a breach should a particular piece be published. Advice from IPSO is sought after rarely.
23. JW stated that he considers IPSO to be a tougher regulator than its predecessor. PS gave an example where The Times published a correction in relation to a front page article and was then asked by IPSO to refer to the correction on the front page to ensure it reflected that the newspaper had been adjudicated against.
24. PS stated that she also reports to auditors on matters such as litigation.
25. PS explained that there is a team of lawyers who are responsible for reading the two newspapers before they go to press in order to detect any potential legal risks. They all report to PS.
26. PS stated that she is expected to raise issues of potential risk early on. These could include legal matters such as libel, privacy, contempt, data protection, criminal issues and reporting restrictions. PS confirmed that The Times and The Sunday Times have separate physical offices with different editors. They both share the services of the legal and managing editors' offices.
27. PS explained that her legal team trains journalists on legal and Editors' code matters. The training starts from graduate trainee level.
28. PS stated that senior editors take a decision on what to publish, having considered potential issues which can include privacy, freedom of expression and integrity of the relevant source and also legal advice.

29. PS and JW stated that they could not think of any situations where the newspaper had to choose between its commercial interests and the requirements of the Editors' Code.
30. PS explained that The Times rarely pays for stories from sources. When it does plan to, payment has to be signed off by General Counsel in both London and New York with oversight from the Compliance Officer. Prior to this, external advice from Queen's Counsel may be taken on bribery laws.
31. PS explained that like other papers The Times and The Sunday Times do not support IPSO seeking recognition from the Press Recognition Panel because the Royal Charter allowed considerable government involvement in press regulation.

### **Views on media influence**

32. JW stated that he has contact with Rupert Murdoch (RM) at times. JW explained that RM asks him about the news landscape in the UK.
33. JW stated that RM does not make comments to him on editorial views, the running order of news or choice of stories. RM may occasionally comment to him that a particular day's newspaper was particularly good.
34. JW stated that he as editor and RM have had diverging views on important political issues such as support of Tony Blair's government, Scottish Independence and Brexit.
35. JW stated that he speaks to the Chief Executive of News UK, Rebekah Brooks, from time to time. She attends monthly Times titles meetings and does not comment on what the content of The Times should be. JW stated, in relation to The Times, the Chief Executive's main role is to set the budget and he will discuss budgetary matters with Ms. Brooks accordingly.
36. JW acknowledged that politicians are concerned about whoever has control over the media and how the media, which they see as one means for them to get their message out, is representing them. They want the media to be supportive.

### **Diversity of views**

37. JW stated that with different sources of online news, it is now easier for readers to be exposed to different points of view.

38. JW opined that to be an effective medium of news, choosing the right business model is important. Some media may also choose a particular editorial view to attract more readers.
39. JW opined that there is a wide diversity of views on the internet and that may make newspapers less influential.
40. JW stated that whilst some news media are reducing the number of journalists they have, other new platforms and also traditional newspapers are expanding. Diversity of views should not be reducing given that there still will be a large number of journalists employed and the quality of reporting is still exceptionally good.

### **Views on the impact of news**

41. JW gave two examples of reporting by The Times' that changed public opinion - journalistic reporting on child abuse in Rochdale and Rotherham and certain out of patent drugs that were being sold at excessive prices.
42. JW stated that generally he does not require approval to pursue or invest in stories. However, if an exclusive story involved potential illegality and a substantial amount of money, he would consult with the Chief Executive.