


# Privacy and the media: time for an inquiry?

 [blogs.lse.ac.uk/polis/2008/07/27/privacy-and-the-media/](http://blogs.lse.ac.uk/polis/2008/07/27/privacy-and-the-media/)

2008-7-27

The [Max Mosley](#) case raised all sorts of questions about media and law but the debate about what we actually mean by “the right to privacy” went largely undiscussed. Is it time for a proper public inquiry? 


I think that everyone accepts that we all have a right to a private life. What I do in the bedroom or anywhere else in my own time should be my own affair. I do not want Howard [Davies](#) (the Director of the LSE) to judge me on how I behave when I go to the football and swear at referees.

But what if I was arrested at the [match](#)? what if I had racially abused one of the players? what if I was found to be taking money from the club to edit their programme? (It's a lifetime ambition) Aren't those private matters that would effect my ability to do my job at what is a very public [institute](#) within a very public [university](#)? As a journalist I spend my life judging others, so shouldn't my life be open to scrutiny?

[Adrian Monck](#) poses some very good questions along those lines but for real people. Adrian asks whether the following matters should be private?:

- The state of [Steve Jobs' health](#). Jobs heads a business valued at US\$140bn, its stock trades publicly on the NASDAQ.
- The possible extra-marital liaisons of [John Edwards](#). Edwards is a former Senator, V-P candidate, and ran for the 2008 Democratic Presidential nomination. He is not a current office holder. His wife is suffering from breast cancer.
- The extra-marital sexual proclivities of **Max Mosley**. Mosley is President of the *Fédération Internationale de l'Automobile* which controls Formula 1, a sport franchise that makes about US\$4bn a year internationally.

[Adrian](#) makes the point that all these issues would probably fall under European [Human Rights](#) legislation on privacy. He adds that other [cases](#) are extending privacy to include whatever an individual might do in a public place.

 At the same time there is a trend for increasing disclosure and information-gathering by other public bodies using CCTV, store cards, ID cards, social networking websites etc. We are volunteering mountains of data about us.

For journalists this is frustrating. There is more information out there. There is better technology than ever before to scrutinise that data. There is a growing need for informed oversight and appraisal of that data for the public good. And yet the media is increasingly restricted in what it can say.

Here at Polis we have begun a series of high-level seminars with media lawyers and politicians in partnership with the LSE Law Department. But I think that this debate needs to include everyone from Internet philosophers to Anti-Terrorism experts. And the debate must be turned into a national conversation with the citizen. Privacy is being re-defined by technology and we don't know what it means.

Take phones. You used to make phone calls in your house with a plastic thing attached to the wall. Occasionally you would go in to a metal and glass box on the street to make phone calls, too. Now people walk along the street holding forth about their private lives to what appear to be imaginary friends. This is a change in custom and practice that indicates how ideas of what is private are shifting.

Celebrities trade their private lives with the media and then use the law to block scrutiny when shadier secrets are uncovered. From Max Mosley to Amy Winehouse it is clear that we need a major re-evaluation of privacy and the

media.

I think I am right in saying that the last time the Media Select Committee reported on this was [2003](#). This is tricky territory for lawmakers. If you act to limit the media you are accused of attacking freedom of expression. If you allow greater powers to journalists you risk encouraging muckrakers. But I know the Conservatives are interested in re-examining the issue so I hope a thorough-going review could be in hand. Let us know if you are interested in talking part in Polis' work on this by contacting us at [polis@lse.ac.uk](mailto:polis@lse.ac.uk)

paparazzi\_2.jpg



- Copyright © 2014 London School of Economics and Political Science