



**FSU**  
FREE SPEECH UNION

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Dame Carolyn McCall  
2 Waterhouse Square  
140 Holborn  
London  
EC1N 2AE

10<sup>th</sup> March 2021

Dear Dame Carolyn,

I am writing to you as General Secretary of the Free Speech Union, a non-partisan, mass-membership public interest body that stands up for speech rights in the United Kingdom.

This letter concerns Piers Morgan's recent departure from ITV's Good Morning Britain. We understand that Mr Morgan left the show – or was asked to leave, the details are not yet clear – following his statement live on air on Monday the 8<sup>th</sup> of March that he “didn't believe a word” said by the Duchess of Sussex in a recent television interview.

Whatever the merits of Mr Morgan's opinion about the Duchess, I was alarmed to read an [article](#) in the *Telegraph* today reporting that senior managers at ITV had asked Mr Morgan to apologise for his comments. More alarming still is the [report](#) by CNN, also from today, that the Duchess herself made a formal complaint to ITV about Mr Morgan's comments.

I would be grateful if you would clarify whether ITV, as Mr Morgan's employer, did indeed demand an apology from him for the comments, and whether any complaint by the Duchess prompted that demand, or otherwise had any bearing on Mr Morgan's departure.

The Free Speech Union, together with doubtless many ITV viewers, would like reassurance that you have protected Mr Morgan's journalistic freedom, especially if it is the case that this freedom was attacked by a famous and powerful member of the Royal Family.

I applaud the concern you have expressed regarding mental health issues, and I agree that it is a matter of great public interest, especially in light of the effects of the recent Covid-related lockdown. I accept also that Mr Morgan's comments *did* in part relate to claims by the Duchess that she had suffered mental health difficulties.

My concern, however, is that Mr Morgan's comments were not reasonably likely to cause harm, or to give ITV any legitimate grounds not to comply with section 5.9 of the Ofcom Broadcasting Code:

Presenters and reporters (with the exception of news presenters and reporters in news programmes), presenters of “personal view” or “authored” programmes or items, and chairs of discussion programmes may express their own views on matters of political or industrial controversy or matters relating to current public policy. However, alternative viewpoints must be adequately represented either in the programme, or in a series of programmes taken as a whole.

It would have been clear to any viewer of Good Morning Britain that Mr Morgan’s comments were counter-balanced by alternative, indeed robustly expressed, viewpoints, both from his co-presenters on the day, and from Mr Alex Beresford the following day.

It would also have been clear to viewers that the Duchess of Sussex is an exceptional individual, living an extraordinary life. It does not seem to me to be reasonably arguable that Mr Morgan’s comments might have induced viewers not to come forward with their own mental health difficulties. Her disclosures were made in extraordinary public circumstances, in an interview with Oprah Winfrey, as part of an internal dispute involving the world’s most famous royal dynasty.

This scenario was a world apart from the day-to-day reality of viewers’ mental health struggles. It is simply not reasonably likely that a viewer would have concluded, as a result of Mr Morgan’s comments on this extraordinary public controversy, that a family member, doctor or employer might be unlikely to respond to a call for help.

In any event, Mr Morgan clarified the following day that by expressing scepticism about the Duchess’s remarks in the interview he was not encouraging people to disbelieve others’ claims about their mental ill-health. He said:

On mental illness and suicide these are clearly extremely serious things and should be taken extremely seriously and if someone is feeling that way they should get the treatment and the help they need every time. Every time.

We accept that ITV has a duty under section 2 of the Ofcom Broadcasting Code to avoid giving harm and offence. I hope you will agree with me, however, that in this instance Mr Morgan said nothing that constituted a ‘health and wealth claim’ or that gave rise to a risk of harm that could justify restriction of his journalistic freedom under section 5 of the Code.

Journalists in a liberal democracy should be free to doubt the veracity of statements and claims made by powerful people. No journalist is obliged to accept an interviewee’s account of events as “their truth” just because that interviewee happens to be a celebrity or a member of the Royal Family. To say otherwise would be to resurrect a long-dead form of deference, now wholly anachronistic in this country.

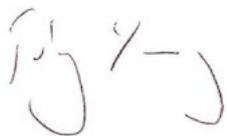
The interview given by the Duke and Duchess of Sussex was controversial and intrinsically political. It concerned the funding of the Royal Family, the duties it expects of its members as public servants, and its attitudes to race (and therefore indirectly, the Commonwealth). Moreover, the interviewees had reputational and commercial interests at stake. Journalistic questioning and scepticism were entirely warranted, even if expressed in the provocative and colourful language for which Mr Morgan is well known and which has been partly responsible for the commercial success of Good Morning Britain.

Nobody should be compelled to believe a version of events given by wealthy and powerful interviewees, or compelled to apologise for expressing scepticism about it. Still less should one of the interviewees be given standing to demand any such apology.

If, therefore, ITV did demand an apology from Mr Morgan, and/or if it did allow any complaint by the Duchess of Sussex to influence its response to Mr Morgan’s comments, I would be most grateful if you

would explain by way of response how such action could be consistent with ITV's duties under section 5 of the Ofcom Broadcasting Code.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Toby Young'.

Toby Young  
General Secretary  
The Free Speech Union  
[toby@freespeechunion.org](mailto:toby@freespeechunion.org)

Cc Peter Bazalgette, Chairman, ITV plc  
Dame Melanie Dawes, Chief Executive, Ofcom  
Julian Knight, Chair, The Digital, Culture, Media and Sport Select Committee, the House of Commons