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Press Complaints Commission

From the Director

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Clerk to the Committee,
Select Committee for Culture, Media and Sport,
7 Millbank,
London,
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10th April 2003

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Professor Robert Pinker
David Pollington
The Right Rev. John Waine KC
Neil Wallis

Director
Guy Black

Dear Fergus,

A number of thoughts, if we may, about some of the issues arising from the oral evidence session on 8th April – in addition to the letter I have already sent about our website.

1. Improvements to the PCC

A number of MPs have asserted that the PCC has seemed hostile to the idea of change and growth, and that any improvements in the system have been forced onto us. Both points are incorrect.

To begin with, I did say a number of times in oral evidence that we always welcomed constructive proposals for change. More importantly, our comprehensive written evidence also makes that clear – see pages 14 and more importantly, page 219, which I reproduce here:

“Of course there will always be more to do, and the PCC is far from complacent. The Commission strives consistently to improve its services – and welcomes constructive proposals for change. Similarly, the Code itself is a flexible document, which has grown organically in strength and authority, particularly in the last five years. The Code Committee will also respond positively to proposals for further change in the Code’s provisions – as it has clearly demonstrated over the years.”

The way the Code has developed is set out both in our own Submission (pages 56-63) and also in the Code Committee’s own comprehensive submission to the Committee.

As importantly, I would like strongly to counter the notion that the PCC is in some ways a passive organisation on whom change is always forced by politicians. This is simply not the case, and I tabulate below the major improvements that the Commission and Code

Committee have themselves pioneered since 1996. All these are, of course, set out in more detail in our Submission, and I would as always be happy to provide further details.

1996:

Complainants' Charter established setting customer service standards
New literature on "How to Complain" launched
PCC website goes on-line
PCC begins proactive programme of regional tours, targeting in particular vulnerable groups of people
Code change on witness payments following West trial

1997:

Full revision of Code, in particular on privacy. Clause 3 of the new Code changed over two years before Human Rights Act took effect.
PCC issues guidelines on reporting of mental illness

1998:

PCC extends jurisdiction of Code to on-line versions of newspapers and magazines
New programme to assist representatives of refugees and asylum seekers

1999:

New initiatives in Scotland, including launch of Scottish Helpline
PCC launches European Alliance of Press Councils
Code changes to protect young people who are victims of crime

2000:

New initiative to enable complaints to be made by e mail
Initiatives to help those whose first language is not English

2001:

PCC issues best practice guidance note on financial journalism
Advice placed on website to assist those suffering from harassment
PCC website overhauled and full library of adjudications established

2002:

Customer satisfaction survey launched after pilot in 2001
New advertisements for newspapers and magazines advertising PCC service
New website launched to assist people from outside UK in making complaints about British newspapers

2003 (to date):

24 hour advice line launched to provide emergency harassment service.

All those are organic changes to the system, which have been driven by the PCC and the Code Committee – not forced on us. They are, of course, in addition to the ongoing proactive programme of public information outlined in detail in Section D of our

submission. I hope that this therefore lays to rest the myth that the PCC only changes when it is forced to do so.

2. Contracts of employment

The Chairman suggested in one of the evidence sessions that the PCC said during the 1993 Select Committee hearings that it would be impossible to get the Code written into contracts of employment. I was obviously not there at the time, but I find this hard to believe. Indeed, coverage of the Code in employment contracts was already progressing apace at that time – as Pressbox was able to announce in 1994. This is all covered in more detail in Professor Shannon’s book on the Press Complaints Commission (see page 131 in particular – the Newspaper Society had already pioneered this idea). Certainly, there was no resistance from the Commission.

3. “Naming and shaming” of paedophiles

I think we have now got to the root of Debra Shipley’s questioning of many witnesses about the naming and shaming of paedophiles.

She suggested in her question to the regional editors that the News of the World had “got away” with a campaign in which it named and shamed paedophiles who had not been charged – and it was this which she suggested was a “big problem.”

It is not for me to speak for the News of the World – and you may wish to inquire further of them on Ms Shipley’s behalf (it is a pity she was not present to question them when Andy Coulson and Rebekah Wade gave evidence as this point could have been dealt with) – but I am certain that all the paedophiles “named and shamed” by them were **convicted**. There is no question of that newspaper – or any other – taking justice into its own hands. Ms Shipley seemed to say that if paedophiles had indeed been convicted there was “no problem” in “naming and shaming” them. In that case, there is certainly no problem which should concern the Committee in its inquiry. And indeed I know of no other case where a newspaper has named a suspected paedophile without arrest, charge or conviction. Quite apart from the terms of the Code, to do so would put them at serious risk of libel proceedings, as David Newell pointed out in his evidence.

I am happy to go into further detail on this point, if the Committee or Ms Shipley wish. But I genuinely do not believe that the issue she has identified exists.

I hope this is helpful.

With very best wishes.

Yours ever

