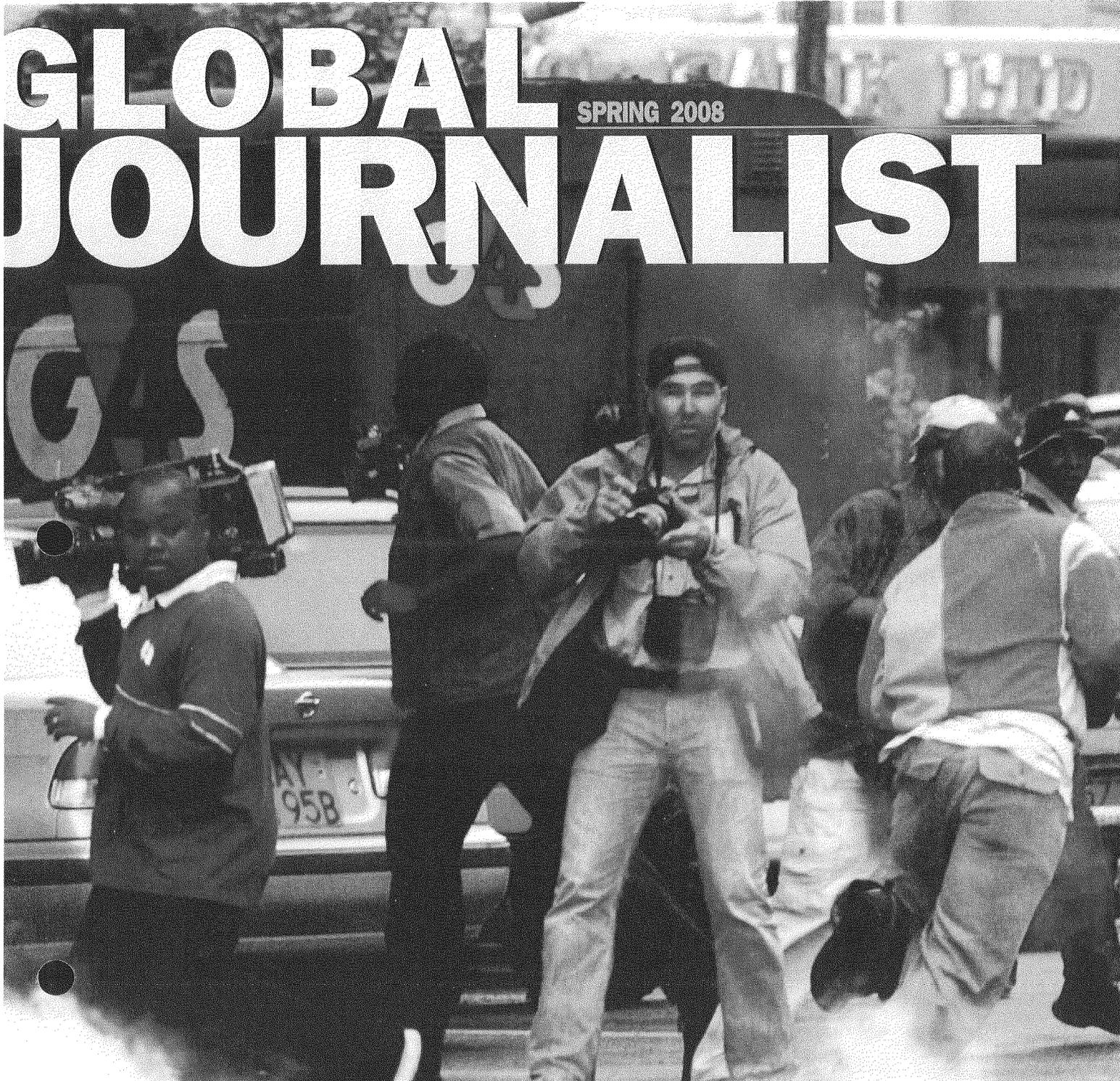


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Press Complaints Commission:

# The Overlord of the U.K. press

By Alison Hastings

**WHEN A DISGRUNTLED** 16-year-old student filmed her disruptive classmates on her mobile phone to explain her poor performance to her parents, little did she know it would lead to a first for U.K. newspaper self-regulation. The footage was posted on the Web site of the school's local newspaper, the *Hamilton Advertiser* in south-central Scotland, and the case resulted in the Press Complaints Commission's first adjudication involving audio-visual material.

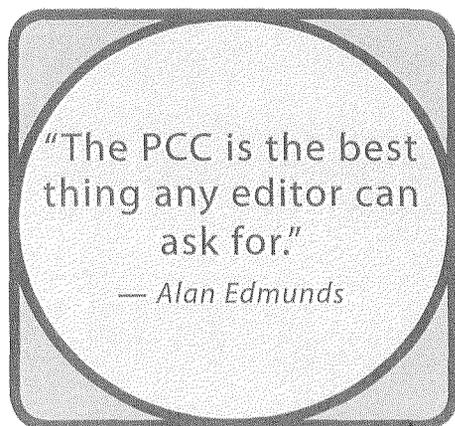
The Press Complaints Commission (PCC) was established in 1991 to deal with complaints from the public about the editorial content of U.K. newspapers and magazines.

The PCC is an independent body that upholds a 16-clause Code of Practice to which editors must adhere. It covers four main areas: accuracy, privacy, newsgathering and protecting the vulnerable. The Commission has 17 members who judge whether the complaints breach the Code of Practice. If so, the Commission aims to resolve the complaint as quickly as possible. It takes an average of 35 working days to deal with complaints and there is no cost to the complainant.

Until earlier this year, the PCC covered print editions and their Web sites but not moving images on those Web sites. After industry consultation, the PCC agreed that audio-visual material

would also come under its jurisdiction because of continuing media convergence and the blurring of long-held distinctions between newspapers and broadcasters.

The PCC censured the *Hamilton Advertiser* because it did not take into ac-



count the students' right to privacy in the video — therefore the newspaper had to publish the full text of the PCC's critical adjudication.

The adjudication said, "Steps should have been taken to conceal their identity or obtain proper consent." The newspaper had breached Clause 6 of the Code of Practice, designed to protect children under the age of 16 from unnecessary intrusion such as being approached or photographed at school without permission.

"I think the new remit regarding audio-visual is very important as there is a temptation for people to think they have more license with that part of the operation, and that is simply not the case," Neil Hodgkinson, Editorial Director of Cumbrian Newspapers and former editor of the *Yorkshire Evening Post*, said. His newspapers have pioneered Web site development.

The Code of Practice has been amended 17 times in the past 16 years. The PCC has also issued a catalogue of guidance notes for editors ranging from appropriate language to use in the re-

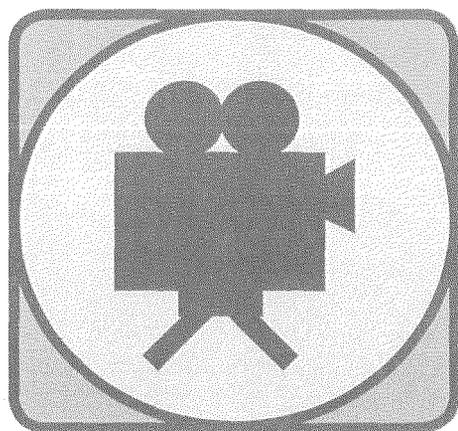
porting of mental health issues and writing about winners of the U.K.'s National Lottery.

In the early 1990s the threat of statutory control was real, and the barrister David Calcutt QC was given the task by the British Government to "consider what measures—whether legislative or otherwise—are needed to give further protection to individual privacy from the actions of the press, and improve recourse against the press, for the individual citizen." The Calcutt Report was published in June 1990, and it recommended that a new Press Complaints Commission replace the Press Council.

**T**HE NEWSPAPER AND MAGAZINE industry grew quickly. The unmistakable logo of the PCC on an envelope drew it to the top of the pile. Editors were expected to respond quickly and diligently, and they were encouraged to mop up obvious errors prominently.

Many journalists now need to abide by the Code of Practice written into their employment contracts, and there have been a handful of cases where the PCC's Chairman has written to the owner of a newspaper with strong words about an editor.

Alan Edmunds, editor of Wales' national newspaper the *Western Mail*, believes that standards in the industry,



ILLUSTRATIONS BY CATHERYN DEATHERAGE

particularly regarding newsgathering, are "immeasurably better."

"When we have got things wrong, we have mopped up very quickly," he said. "I think the PCC is the best thing any editor can ask for."

"It is an immediate and effective mechanism for resolving disputes. If you have got something wrong, it is a helpful way of putting it right, and when you are right it is a brilliant way to prove that to a complainant."

**T**HE COMPETITIVE NATURE of the British Press means that a critical adjudication against a newspaper or magazine will reach a vast audience courtesy of gleeful rivals.

"The PCC is taken very seriously by editors," Hodgkinson said. "I know if I had an adjudication against me, I would feel very embarrassed and feel that I had failed."

Under Chairman Sir Christopher Meyer, one-time Press Secretary to Prime Minister John Major and former ambassador to the U.S., the PCC has raised its profile with speeches about protecting the individual while championing the public interest. Sir Christopher has implemented a range of measures including the numbers on the board favoring lay members over editors — not the norm for an industry self-regulator — and offering regular training seminars.

Sir Christopher has seen a rise in the number of complaints the PCC received during his four years as chairman. He argues this is because of the higher profile of the organization rather than a reflection of a decline in standards in the industry.

In 2006, two thirds of the 3,325 complaints were concerning accuracy. Privacy clauses most often hit the headlines mainly because of the coverage some high-profile celebrities will inevitably receive.

In the same year, the PCC resolved 96 privacy complaints, published 19 adjudications concerning privacy and upheld five of those complaints. Overall, there were 231 cases relating directly to a person's privacy in 2006, a slight increase on 2005.

Interestingly the bulk of privacy cases concern the regional and local press and involve normal people — not necessarily



## OVER THE YEARS

**1953:** The Press Council formed to maintain high levels of ethical journalism practice and promote press freedom

**1980s:** The Press Council experiences the loss of media and Parliament members' respect

**1990:** The Calcutt Report published which suggests the PCC replace the Press Council

**1991:** The PCC's formation

**1999:** The Alliance of Independent Press Councils of Europe established

**2007:** The PCC resolved 96 privacy complaints, published 19 and upheld five adjudications concerning privacy

the image that sticks when you are bombarded with stories about the privacy of Prince William and his on-again and off-again girlfriend Kate Middleton.

Although many complaints are formally rejected by the PCC because they are judged as not breaching the Code, the cases taken up are much higher than those that go through the courts.

**A**S THE MODEL Naomi Campbell has found, the reality and expense of going through open court on privacy issues can be very public, grueling, and take years to reach an outcome. Even on mundane issues, such as small points of clarification, editors are now much more willing to admit when

mistakes have been made. The "badge of honour," prevalent among editors until the 1990s for never apologizing for anything, has largely disappeared.

One service, introduced by Sir Christopher and the PCC's Director Tim Toulmin, who is responsible for the PCC's day-to-day management, is a 24-hour phone line offering advice and guidance to members of the public. The phone line has been primarily used by ordinary people unwittingly caught up in a big story but also by publications testing their methods with PCC officers.

Alan used the prepublication advice on more than one occasion when he was editor of the feisty red-top *Wales on Sunday*.

"It's great to know there is someone on the end of the phone, but I must admit I have not had a PCC complaint at the *Western Mail* for many, many years," he says.

**T**HE PCC ALSO SEES much to be gained through its international relationships. Since its establishment in 1999, the Alliance of Independent Press Councils of Europe (AIPCE) has provided the arena for much of the PCC's international work. The alliance is a loose network of organizations that meet annually. Its conferences enable press council representatives to discuss topical issues, to exchange ideas and to offer and receive advice.

Aside from its work within AIPCE, the PCC liaises with and advises other press councils. The commission has recently worked closely with its counterparts in Bulgaria, Peru, Ukraine, Bosnia and Sri Lanka. It cannot offer financial assistance and will only act in an advisory capacity when its involvement is explicitly requested. Nevertheless, the PCC states it is always keen to help strengthen self-regulatory systems abroad — just as it is forever seeking to improve the service it provides at home. ■



Alison Hastings is former editor of the Newcastle Evening Chronicle. She was a member of the PCC as an editor member for four years. Currently, she is a media consultant and a BBC Trustee.