

PRIVATE AND CONFIDENTIAL**PCC Online Working Group's recommendations on publications' use of Twitter**

In April 2010, the Press Complaints Commission established a working group of Commissioners (both editorial and lay) to examine regulatory issues arising from online publication by newspapers and magazines.

In July 2010, the PCC received its first complaint about the Twitter activity of a local newspaper. The case involved tweets by the news editor, commenting upon the behaviour of a local councillor at a council meeting. The complaint was framed under Clause 1 (Accuracy) of the Code. The newspaper was willing to acknowledge that the Code should apply to this content, and proposed the remedy of removing the tweet and offering a right of reply to the complainant. The Commission did not formally consider the complaint, as the jurisdictional position had not been established, but it was clear that the complaint was susceptible to either resolution or adjudication. Since then the PCC has received had a couple of complaints, where Twitter content has been a feature.

It is likely – with the Twitter trend showing no sign of slowing – that the complaints about editorially-controlled Twitter content will arise more frequently. On that basis, the Online Working Group has consulted widely across the industry on the regulatory issues relating to the increased use, by publications and journalists, of Twitter as part of their online journalism.

The issue now for the industry will be whether the PCC's remit should be extended to include certain, clearly-defined parts of Twitter content.

During the consultation, there was a majority of opinion recognising that, in cases where a Twitter account was marked out as a newspaper/magazine product and subject to editorial controls, the PCC should be able to consider complaints framed under the terms of the Editors' Code.

There were some dissenting voices, raising the practical/philosophical objections that this type of medium (fast-moving, and based on individuals offering instant judgements) was not suitable for regulation. However, those arguments were generally used against regulation for individual journalists' accounts.

The Group can point to several conclusions at this stage:

- newspapers and magazines should be encouraged to develop clear policies as to their relationship to specific social networking accounts. They should be able to state for which accounts they take responsibility and for which they do not. They should take steps to be clear about those for which they take responsibility.
- social networking accounts which are marked out (in their titles) with the name of a publication, *and whose content is editorially controlled*, should generally be considered to fall within the remit of the PCC.

to his status as football correspondent. It is arguable that the newspaper would have to consider whether it is willing for this account to be covered by the PCC.

If the remit of the PCC is expanded to include certain Twitter accounts, then questions around the scope of its intervention arise. For example:

- if a tweet is the subject of a complaint, is it possible for the publication to offer appropriate remedial action in this medium: removing the offending material; sending a corrective tweet?
- if an article has been trailed on Twitter, is it right and necessary that an apology or PCC adjudication should be trailed in similar fashion?

It would seem that the medium is such that current range of PCC sanctions and remedies could work without too much difficulty. However, the industry will have to recognise that this is a consequence of self-regulation being formally established in this area.

We recommend that the next step will be for the industry to be consulted upon the items in this paper, as the first step in reaching an overall position on possible remit extension for the PCC.