

PRESS COMPLAINTS COMMISSION

From the Chairman

John Whittingdale Esq MP
Chairman
Culture, Media and Sport Select Committee
House of Commons
London SW1A 0AA

8th June 2009

Dear John,

I thought I would write to you before the end of your inquiry into privacy, libel and press standards with one or two early thoughts that you might find relevant. I am looking forward to publication of your report, and can assure you that the PCC will examine any recommendations that you might have for us with an open mind.

There is one issue relating to privacy that concerns me. Over the years, the PCC has developed a common sense doctrine that says that – while everyone is entitled to protection under the Code – some people may compromise their ability to protect their private life if they deliberately release information about their personal lives into the public domain. This often involves famous people selling their own private information, and creating a particular image about themselves in the process through the press. The PCC has said that, if people behave in such a way, it may be less easy for them to stop other people from talking about similar matters in public. This also of course protects the rights to freedom of expression of third parties who may wish to speak out if someone misleads the public about their private life.

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Baroness Buscombe

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Our research earlier this year showed that a large majority - 70% - of the public agrees with this approach.

If your Committee also endorses this principle, I wonder if the report could make clear that the Government and others should be vigilant about any legal moves designed to grant people 'image rights' – i.e. to allow people a legal right to control their own publicity by suing people who talk about their private lives, even when the person concerned frequently sells the same sort of information or even creates a misleading impression about their life. If you need any more information on this point, please do let me know.

In general, I thought you should also know that I am in the process of reviewing the PCC structures and procedures, and will of course look carefully at anything your committee has to say on this. On a particularly positive note, I have to say that I have been pleasantly surprised at the extent to which the PCC – given its primary role as a complaints body – has been able to stretch its remit and be proactive, and work behind the scenes to restore people's privacy, in ways that are not always very well appreciated.

With kind regards.

A handwritten signature in black ink, appearing to read "Revd", followed by a long horizontal line underneath.

Baroness Buscombe

