

PRESS COMPLAINTS COMMISSION

From the Chairman

Baroness Scott
House of Lords
London SW1A 0PW

10th August 2010

Dear Ros,

I wish to express concern at a motion (*F13 Press Complaints Commission, see below*) which has been selected for debate at the Liberal Democrat conference on Sunday 19th September and to seek your advice as to how serious inaccuracies contained within it can be corrected. I am troubled that such a flawed motion has been accepted and would not want your members to be misled.

I will now go through the errors in the motion point by point:

It is not true to state that a report by the House of Commons Culture Media and Sport select committee, published in February this year, stated that “the Press Complaints Commission is widely viewed as “lacking credibility and authority’ among the public”. Indeed we have strong public credibility: recent representative polling showed that 76% (of those who had an opinion on the subject) said the PCC was effective or very effective.

All self-regulatory systems have industry involvement, which means that the members have made a public commitment to their regulation. Of the 17 members of the PCC, seven are serving editors or editorial directors. The majority of ten public (lay) members of the Commission to the minority of seven editorial members is the largest majority of any press council in Europe.

It is quite wrong to suggest that a “clear conflict of interest arises if a complaint is made against a publication whose editor is a PCC member”. As we make publicly clear, editors do not consider complaints relating to titles over which they exercise editorial control, with which they have close links (e.g. sister titles), or which are under the control of their Editor-in-Chief. When complaints about such titles are made, the relevant editors receive no information about the cases, and physically leave the room when they are discussed.

CHAIRMAN
Baroness Buscombe

MEMBERS OF THE
COMMISSION
Matti Alderson
John Home Robertson
Anthony Longden
Ian MacGregor
John McLellan
Ian Nichol
Lindsay Nicholson
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Tina Weaver
Peter Wright

DIRECTOR
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It is also wrong (and really an egregious error) to say that an “editor is the PCC chair, as in 2008–09”. I am the PCC Chairman and, in common with all my predecessors since the PCC’s inception in 1991, come from a non newspaper industry background. This is a clear example, needless to say, of the Commission's independence from the industry it is charged with regulating.

The motion refers to the “more than 37,000 complaints from members of the public in 2009”, but does not give any context to this figure. 31000 of those complaints came from just two sources. The ease with which complaints can be made and increasing access to the internet led to over 25,000 complaints about a single controversial article by Jan Moir on Stephen Gately’s death and almost 6000 complaints by the BNP (following an online campaign) relating to 14 different articles. There is no doubt that the PCC is more visible, and attracting (and resolving) more complaints, but the scale suggested by the motion is misleading.

The motion refers to the need for financial sanctions. Our polling has shown that three quarters of the population (77%) prefer a quick public apology to a lengthy process and fine.

I should also draw your attention to the independent report I commissioned into the governance of the PCC (<http://www.pccgovernancereview.org.uk>), which was published last month and has provided us with recommendations for improvement. We are currently working on them, which shows the constant process of evolution that takes place within this organisation. The independent governance review concluded that “the introduction of fines would not benefit the system”. The PCC has the following sanctions, which – as you will see – includes “disciplinary action”:

- negotiation of an agreed remedy (apology, published correction, amendment of records, removal of article);
- publication of a critical adjudication;
- public criticism of a title by the Chairman of the PCC;
- a letter of admonishment from the Chairman to the editor;
- disciplinary action against a journalist on the back of a PCC ruling that confirms a breach of the Code;
- referral by the PCC of the editor to the publisher for disciplinary action.

It is also worth saying that it is not for “the government to make a clear commitment to reforming the PCC”, because the PCC is a part of a self-regulatory system independent of government. This is absolutely as it should be.

You additionally will note that the independent governance review has rejected calls for a name change to “the Press Complaints and Standards Commission”. It has suggested, and we believe, that our role in improving standards should be manifest in what we do and what we say, rather than what we are called. As it stands, our name recognition is high (81 per cent of the public) and we want to make use of that.



Clearly it is for Liberal Democrat members to decide what they wish to debate at their own Conference, and I do not want to interfere with that process. I would be very grateful, however, if you could advise how the serious inaccuracies could be corrected. I am sure you would want your members to debate and vote on factually correct motions.



Baroness Buscombe

cc. Don Foster MP

Lord Clement Jones

Policy Unit, Liberal Democrat HQ

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Sal Brinton

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Jonny Oates



Sunday 19th September 2010 – 3rd item on agenda

Policy Motion

Chair: Sal Brinton

Aide: Jeremy Hargreaves (Vice Chair, Federal Policy Committee)

F13 Press Complaints Commission

Truro & Falmouth

Mover: To be announced

Summation: To be announced

Conference reaffirms its belief in the freedom of the British press and the valuable role it can play in holding people, politicians and businesses, to account.

However, conference believes that the freedom of the press should be exercised with greater responsibility and higher standards; and that this responsibility should respect not only the subject of an article but also the readership, who rely on the press to provide them with the facts of current events.

Conference notes a report by the Commons Culture Media and Sport select committee, published in February this year, that the Press Complaints Commission is widely viewed as ‘lacking credibility and authority’ among the public.

Conference further notes that:

- a) Of the 17 members of the PCC, seven are serving editors or editorial directors.
- b) A clear conflict of interest arises if a complaint is made against a publication whose editor is a PCC member, particularly if that editor is the PCC chair, as in 2008–09.
- c) The PCC received more than 37,000 complaints from members of the public in 2009 – a sevenfold rise on the previous year. Conference believes that for the Press to retain the confidence of the public, it is vital to have an effective and independent regulator that can deal robustly with any breaches of its own Code of Conduct.

Conference asserts that such a regulator should be entirely independent of serving editors, and should have the power to take disciplinary action, including financial penalties, against editors who breach the Code.

Conference affirms its support for a free and independent Press and believes that a stronger, more independent PCC will encourage better standards in the Press and help to protect both the public from unwarranted media intrusion, and the Press itself from a potential privacy law which could restrict Press freedom.

Conference therefore calls on the government to:

1. Make a clear commitment to reforming the PCC to make it independent of serving editors and give it more powers to take disciplinary action against editors whose publications breach the code.
2. Support the recommendation by the CMS select committee that the PCC should be renamed the Press Complaints and Standards Commission, and appoint a deputy director for standards.
3. Affirm their opposition to a privacy law that would restrict press freedom in Britain.

Applicability: Federal.

Mover of motion: 7 minutes; all other speakers: 4 minutes. For eligibility and procedure for speaking in this debate, see 'speaking at conference' on page 8.

The deadline for amendments to this motion, is 12.00 noon, Monday 6th September, to the Policy Unit, Liberal Democrat HQ. See 'amendments' on page 5. Those selected for debate will be printed in Conference Extra.

The deadline for requests for separate votes is 14.30, Saturday 18th September, see 'separate votes' on page 8.