

Reference: RJT/LT/Z0065

Information Commissioner's Office
Promoting public access to official information
and protecting your personal information

Leslie Hinton
Chairman, Editors' Code of Practice Committee
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29 November 2006

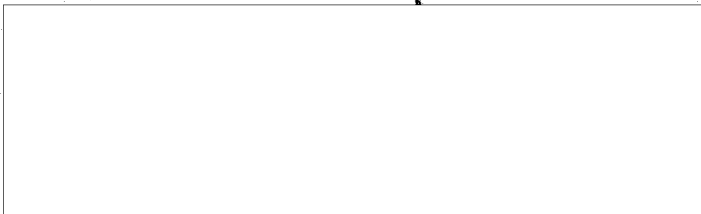
A handwritten signature in cursive script that reads 'Leslie Hinton'.

WHAT PRICE PRIVACY?

Thank you for your letter dated 17 November 2006.

I welcome the willingness of the Code Committee to play its part in addressing the illegal trade in confidential information by including industry guidance in the Editor's Codebook. However, I am disappointed that the Committee appears to have stopped short of considering my suggestion for an amendment to the Code itself which, in conjunction with the supplementary guidance the industry has proposed, would put beyond any doubt which types of behaviour are unacceptable for journalists.

When I met with Ian Beales in September I suggested the attached addition to clause 3 of the Code. I am not committed to this exact wording and would be happy to discuss possible changes suggested by the Committee which achieve the same objective. I would appreciate it if you could ensure that the suggestion is considered by the Code Committee in the normal way, as mentioned in your letter.



Richard Thomas
Information Commissioner

cc Ian Beales, Secretary, Editors' Code of Practice Committee

Suggested addition to clause 3 of the Editors' Code of Practice

It is unacceptable, without their consent, to obtain information about any individual's private life by payment to a third party or by impersonation or subterfuge. It is unacceptable to pay any intermediary for such information which was, or must have been, obtained by such means.

NB The entirety of Section 3 does not apply where it can be demonstrated that the activity was justified as being in the public interest. The public interest includes, but it is not confined to:

- detecting or exposing crime or serious impropriety;
- protecting public health and safety
- preventing the public from being misled by an action or statement of an individual or organisation.

There is also a public interest in freedom of expression itself.