



House of Commons
Culture, Media and Sport
Committee

**Self-regulation of the
press: Replies to the
Committee's Seventh
Report of Session
2006–07**

**First Special Report of Session
2006–07**

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The Culture, Media and Sport Committee

The Culture, Media and Sport Committee is appointed by the House of Commons to examine the expenditure, administration, and policy of the Department for Culture, Media and Sport and its associated public bodies.

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[Chairman]

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The Committee is one of the departmental select committees, the powers of which are set out in House of Commons Standing Orders, principally in SO No 152. These are available on the Internet via www.parliament.uk.

Publications

The Reports and evidence of the Committee are published by The Stationery Office by Order of the House. All publications of the Committee (including press notices) are on the Internet at

http://www.parliament.uk/parliamentary_committees/culture__media_and_sport.cfm

Committee staff

The current staff of the Committee are Kenneth Fox (Clerk), Martin Gaunt (Second Clerk), Daniel Dyball (Committee Specialist), Sally Broadbridge (Inquiry Manager), Lisa Wrobel/Anna Watkins (Committee Assistant), Rowena Macdonald (Secretary), Jim Hudson (Senior Office Clerk) and Laura Humble (Media Officer).

Contacts

All correspondence should be addressed to the Clerk of the Culture, Media and Sport Committee, House of Commons, 7 Millbank, London SW1P 3JA. The telephone number for general enquiries is 020 7219 6188; fax 020 7219 2031; the Committee's email address is cmscom@parliament.uk.

First Special Report

Self-regulation of the press

On 11 July 2007, the Committee published its Seventh Report of Session 2006–07, on Self-Regulation of the Press.¹ The Committee has now received responses from the Department for Culture, Media and Sport and the Press Complaints Commission. These replies are published below as Appendices 1 and 2.

¹ HC 375, Session 2006–07.

Appendix 1 – Reply from the Government

1. The Government thanks the Committee for its report on self-regulation. The industry benefits enormously from this type of Parliamentary scrutiny periodically, as it serves to air issues of concern, and helps to prevent complacency in the self-regulatory process.

2. We certainly agree the report's over-arching conclusion—that self-regulation of the press should be maintained. We further agree that there is no case for statutory regulation and that a free press is a hallmark of our democracy.

3. For these reasons, it is entirely appropriate that the Committee's recommendations are directed to the industry and its own regulator, the Press Complaints Commission (PCC).

4. The key issues for this inquiry were the events which led to the imprisonment of the *News of the World* reporter, Clive Goodman, for his part in tapping telephone messages. The PCC has already made it clear that it deplored such behaviour. Not only did the *News of the World* act against the law, but it also breached the Code of Practice overseen by the PCC. After the Committee completed its inquiry, the PCC also concluded its own investigation and published detailed new guidelines for editors on subterfuge and newsgathering. These guidelines make a number of the changes as recommended by the Committee and introduced a number of additional measures. Key changes are that:

Contracts between the press and external contributors or service providers should contain explicit requirements to abide by the PCC's Code of Practice and the Data Protection Act;

Staff contracts should contain reference to the need to abide by the Code of Practice and the Data Protection Act;

The press should review regularly their procedures and training in the Data

Protection Act and other privacy-related matters, including the need for stringent audits of cash payments.

5. We believe that the implementation of these measures will do much to bolster public confidence in the way information for stories is gathered.

6. We note the Committee's views on the issue of custodial sentences for offences under section 55 of the Data Protection Act.

7. The Committee's recommendations did not seek to intervene in any way in what a newspaper or magazine might choose to publish, but looked at the way in which information is gathered. This is an area of legitimate public concern. If self-regulation is to continue to be supported by the public, then the industry itself must remain vigilant about ensuring that it gathers its information in an ethical way.

Appendix 2 – Letter from the Director of the Press Complaints Commission

I have been asked by the board of the Press Complaints Commission to write to you in response to the Select Committee's recent report.

There is much in the report that the Commission welcomes. In particular, the Committee's findings that there is no case for a statutory regulator of the press and that a privacy law would be undesirable are important statements of principle that the Commission wholeheartedly endorses. As to its own performance, the Commission was grateful that the Committee highlighted the amount of pro-active and behind the scenes work that the PCC carries out, and for its conclusion that this was some of the most valuable work that it undertakes. The Commission recognises, though, that there is still a job to do in raising awareness of the range of services that it offers. Several initiatives have been planned in order to achieve this, including publication of a new pocket leaflet which outlines in a brief and accessible way how the PCC can help people. This includes out of hours contact details for Commission staff. It has been sent to civil servants, government ministers, MPs, members of the devolved assemblies and many others who advise or may come into contact with people who are in the news.

Similarly, the Commission was pleased that the Committee welcomed the extension of its remit to include audio-visual material on newspaper and magazine websites. Since the publication of the Committee's report, the PCC has made its first ruling on a complaint about audio-visual material, upholding a complaint that mobile phone footage taken during a lesson and published on a newspaper's website intruded into the privacy of pupils while they were at school. The Commission notes that the report raised the question about whether the remit should go even further. The Commission's flexible structure means that it will be able to adapt quickly to any further developments in technology, and indeed it would be surprising if this was the last occasion on which the Commission's remit ever changed. We will keep the Committee notified of any new moves in relation to online regulation.

The Report contained welcome support for the principle of conciliating complaints, but suggested that the Commission should make greater efforts to publicise breaches of the Code that are settled without the need for an adjudication. The Commission accepts this recommendation, and is looking into ways that this could be achieved which do not undermine the advantages of having a complaint resolved rather than adjudicated.

The Commission notes the Committee's findings on both the Clive Goodman case and the Data Protection Act, and its endorsement of the conclusions of the PCC's report into subterfuge. There are two things to report. The first is that the Commission has hosted a training seminar for national newspaper journalists on undercover newsgathering. It invited Mick Gorrill from the Information Commissioner's Office to speak on the Data Protection Act. A similar event will be held in September for Scottish journalists in Glasgow, where Mr Gorrill—who appeared before the Select Committee—has again kindly agreed to speak. The Commission will also shortly be offering in-house training to all major newspaper publishers. The second thing to report is that the Commission will be

writing to newspaper and magazine companies in the autumn to find out how they have responded to the recommendations in the Commission's report.

Finally, the Commission was somewhat dismayed to be criticised for its handling of the situation regarding photographers and Kate Middleton, and for the publicity that the Committee chose to give to this unjustified criticism. It was Commission officials who took the initiative and proactively approached her lawyers in January to offer to help. We had ourselves spotted that the situation appeared to be troubling, even before the notorious scrum on Miss Middleton's birthday. As a result, a series of conversations followed with her representatives, during which the Commission made clear that it was ready to act at a moment's notice. This the Commission did as soon as it was requested to do so. The Commission rejects the idea that it should intervene in cases without the say so of the person affected. Apart from being objectionable in principle, it would very quickly establish a two-tier service which favoured celebrities and high profile people and which would be impossible to enforce fairly. The Commission was also equally disappointed that there was no recognition in the report of how it has developed an effective system of handling pre-publication concerns about newsgathering, which delivers results without the need for a formal complaint.

However, that point aside, the Commission welcomes the numerous constructive comments and suggestions contained within the Report.