

THE PRESS STANDARDS BOARD OF FINANCE LIMITED
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Editors' Code of Practice Committee

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PRESS INFORMATION

Editors' Code changes agreed

REVISIONS to the Editors' Code of Practice, to which the British Press subscribes voluntarily and which is enforced by the Press Complaints Commission, were announced today.

Following the annual review by the Editors' Code of Practice Committee, two changes are made to the preamble, which sets out the spirit and philosophy of the Code, and two to Clause 10, covering the use of Clandestine Devices and Subterfuge.

The PCC, which adjudicates on complaints under the Code, has ratified the changes, which take effect from August 1, this year.

The first amendment is designed to ensure that the preamble and the public interest exceptions are seen as central to the Code. The preamble's first paragraph has been revised to state:

*"All members of the press have a duty to maintain the highest professional standards. ~~This~~ **The Code, which includes this preamble and the public interest exceptions below,** sets the benchmark for those ethical standards, protecting both the rights of the individual and the public's right to know..."*

The second change follows guidance on online publications issued earlier this year by the Press Standards Board of Finance Ltd (PressBoF), representing the publishers who co-ordinate and fund the newspaper and magazine industry's actions on self-regulation.

This specifically excluded *user-generated and non-edited* material from the Code's remit in online publications. It defined editorial material as that for which the editor of the newspaper or magazine is responsible and could reasonably have been expected both to exercise control over and to apply the terms of the Code.

To reflect that, the Editors' Committee has revised the preamble's third paragraph to make clear that the Code applies only to *editorial material*. It will now say:

It is the responsibility of editors and publishers to apply the Code to editorial material in both printed and online versions of publications. They should take care to ensure it is observed rigorously by all editorial staff and external contributors, including non-journalists.

The Clause 10 changes are a response to concerns about intrusions into privacy raised by the Information Commissioner - related to illegal trading in confidential information - and by the Clive Goodman case.

While in no doubt that the existing Code covered such cases, the Editors' Committee believed this should be stated explicitly. The first amendment was to prevent, unless in the public interest, the accessing of digitally-held private information without consent. The second specified that engaging in misrepresentation or subterfuge via

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agents or intermediaries could only be justified in the public interest.

Clause 10 is revised to state:

i). *The press must not seek to obtain or publish material acquired by using hidden cameras or clandestine listening devices; or by intercepting private or mobile telephone calls, messages or emails; or by the unauthorized removal of documents, or photographs; or by accessing digitally-held private information without consent.*

ii). *Engaging in misrepresentation or subterfuge, including by agents or intermediaries, can generally be justified only in the public interest, and then only when the material cannot be obtained by other means.*

Code Committee chairman Les Hinton, Executive Chairman of News International, said: "These revisions reinforce the powerful protection the Code already provides.

"First, we wanted to ensure that the preamble and public interest exceptions – which set out to balance the rights of the individual and the public's right to know – are both instantly recognised as essential, and indivisible, elements of the document itself by anyone using the Code, be they a journalist, reader, lawyer or a judge.

"Second, it was vital that the Code's approach to online and printed versions of newspapers was fully synchronised. The online guidance note's definition of editorial material as that which might reasonably be expected to be edited applies equally well to printed versions. It means, for example, that while readers' Letters to the Editor continue to be covered by the Code, advertising and marketing material continue not to be.

"Finally, in Clause 10, we felt that, under the spirit of the Code, as removal of documents or photographs without consent is already unacceptable, then hacking into computers to obtain such material must also be. Similarly, the use of third parties to gain information that would otherwise be protected by the Code would also amount to a breach. In both cases, it would be better, for the avoidance of doubt, to state this specifically.

"The Code is stronger and more effective because of it."

To ensure a high profile, the Society of Editors is printing and distributing 40,000 wallet-size copies of the revised Code to Britain's journalists and to politicians and leaders of civil society. This is by arrangement with PressBoF, which comprises members of the Newspaper Publishers Association, the Newspaper Society, Periodical Publishers Association, the Scottish Daily Newspaper Society and Scottish Newspaper Publishers Association.

Note for Editors:

The Editors' Code Committee writes, reviews and revises the Code of Practice. Its members are: Chairman: Leslie Hinton, News International; Neil Benson, Trinity Mirror Regional Newspapers; Adrian Faber, Express and Star, Wolverhampton; Mike Gilson, The Scotsman; Douglas Melloy, Rotherham and South Yorkshire Advertiser; Ian Murray, Southern Evening Echo; Lindsay Nicholson, The National Magazine Company; Jonathan Grun, Press Association; David Pollington, The Sunday Post; Alan Rusbridger, The Guardian; Neil Wallis, News of the World; Harriet Wilson, Conde-Nast magazines; John Witherow, Sunday Times, and Peter Wright, The Mail On Sunday.

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