

## **Code Committee Chairman's Report: 2004**

TWO major innovations aimed at moving forward the process of self-regulation marked out the year as one of the busiest in the Code Committee's history. The Committee conducted its first annual Review of the Code and embarked on a project to produce its own official handbook. The projects sprang directly from two of Sir Christopher Meyer's proposals for 'permanent evolution' of press self-regulation, which the Committee readily embraced as extremely positive.

The Review, conducted in the light of public consultation, amounted to the Code's most thorough overhaul since the revisions in 1997, following the death of Diana Princess of Wales. The Code is already widely acknowledged as tough, comprehensive and concise, but our aim was to make it simpler to use, both for the editors and journalists for whom it is already a professional tool, and for complainants.

It gave us the opportunity to emphasise more explicitly some fundamental elements, particularly the responsibility to observe the Code not just to the letter but in the spirit. It also stressed that the Code covers online versions of publications, as well as printed copies; applies to all editorial contributors, including non-journalists; and that editors had the ultimate duty of care to implement its rules.

The Code emerged from the Review not only stronger, but shorter and crisper than before, while actually covering more ground. It introduced, for example, the requirement for publications to include a headline reference to the PCC in the report of any adverse adjudication against them. It extended privacy provisions to cover digital communications – forbidding the interception of private or mobile telephone calls, texts, or email messages, unless in the public interest. A new test was introduced to prevent payment to criminals for material that seeks to exploit, glorify or glamorise crime. At the same time, the rules were tightened so that a publication that paid a criminal in the genuine belief that it would obtain material in the public interest could not publish if the material yielded nothing of public interest. It would mean, in effect, that the money had been wasted – which is sure to discourage purely fishing expeditions.

Our purpose throughout the Review was to make the Code clearer and more accessible - better and more widely understood outside the industry as well as inside. Those same ambitions were at the heart of the project to produce The Editors' Codebook – a handbook which, for the first time, set the Code and the PCC's adjudications upon it in into context.

Over nearly 14 years, the body of PCC case law has become a unique guide to how the Code is interpreted. Although the handbook was not published until early 2005, the Committee's Secretary, Ian Beales, completed the research, groundwork and drafting in 2004 when the final draft was revised and agreed by the Code Committee. Ian deserves special recognition for the enormous effort he contributed to preparing the book.

One of its benefits was to demonstrate how much the PCC's adjudications have helped shape the thinking of the British press over the years. It is a powerful reminder that self-regulation, far from being an example of the press being the sole judge in its own court, relies heavily for its authority on the decisions of a body with a strong majority of lay members. We hope the Codebook will be invaluable to working journalists, students, lawyers and all those with an interest in making self-regulation work. Its very existence is testimony to the industry's commitment to that cause.

None of this could have been achieved without the continued strong teamwork of the Code Committee, which – despite serious debate on many individual issues - continues to reach its decisions by genuine consensus. We have never needed to take a vote. Given the strongly independent nature of the committee's membership, that is itself a major feat and I pay tribute to them all for their time, diligence and dedication.

During the year, we welcomed to the Committee Lindsay Nicholson, Editor-in-chief of Good Housekeeping magazine, and Harriet Wilson, Director of Editorial Administration and Rights at Conde Nast. They were nominated by the Periodical Publishers Association to replace Tom Loxley, following his departure from Maxim magazine, and James Bishop, of Illustrated London News, who had served on the Code Committee for nine years. I am extremely grateful for their contribution.

**LES HINTON**

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