

PRESS COMPLAINTS COMMISSION

CHARTER COMPLIANCE PANEL



2007

REPORT OF THE CHARTER COMPLIANCE PANEL

- 1 The Panel audits the standard of service given to complainants by the Press Complaints Commission. The members in 2007 were Sir Brian Cubbon and Mr Harry Rich.
2. This is the Fourth Annual Report of the Panel. This year:
 - we have audited a sample of 2007 files –
 - where a privacy complaint was made against a non-national newspaper;
 - where a decision was issued more than 12 weeks after the complaint was received;
 - where a complaint was rejected on third party grounds;
 - we examined the weekly summaries of complaints for decision by Commissioners for two weeks in April, and the adjudications issued since the last audit;
 - we reviewed records kept for us of calls to the helpline over a period of two weeks.
- 3 We have received continuous assistance from the Chairman, the Director and staff of the Commission. We have greatly admired the professionalism of the complaints officers.

Publicity for breaches of the Code

4. We welcome the great success of the Commission and its staff, helped by editors, in achieving the resolution of many complaints to the satisfaction of the complainant. But we have seen cases where an exclusive concentration on resolving the complaint can have disadvantages –

- a. If the dialogue with the newspaper and the complainant concentrates exclusively on resolution, it may appear unnecessary to investigate every aspect of the complaint. But if in the end resolution cannot be achieved, the complainant is dissatisfied if all aspects of his complaint appear not to have been investigated.
- b. The emphasis on having an amicable dialogue with the newspaper and the complainant should not prevent the complaints officer from challenging the newspaper's view in the occasional case.
- c. Some complainants drag out the resolution process, to such an extent that any remedy that is eventually agreed, e.g. a published clarification, is out of date when it appears. In appropriate cases it would be right, and arguably better for the Commission's reputation with editors, to draw a line under tedious negotiation, and take a decision on the complaint.

The Commission has accepted our points.

5. Although it is an important objective to achieve a high level of resolved complaints, in every resolved complaint there will usually have been a breach of the Code in the first place. We suggest that a higher objective for the Commission is a reduction in the number of complaints raising a possible breach of the code. This can be helped by the identification and exposure to editors generally

of the errors and breaches that led to the remedial action offered by the newspaper. To that end we are glad to see the much fuller statements now issued about resolved complaints, following an earlier recommendation of the Panel. We have now recommended that:-

- a. even greater care is taken in the report published biannually of resolved complaints to identify clearly the error by the newspaper for other editors. In our audit we found a few examples where the emphasis in the published statement was exclusively on the remedial action offered or taken.
- b. as well as listing these resolved complaints by newspaper in the Biannual Report, a more focussed document should be circulated to editors highlighting the general lessons to be learned. This would be particularly apt for privacy complaints: in one sample of ten privacy complaints the breach in four cases concerned the photographing or identification of a child under sixteen.

We are glad to record that the Commission has accepted these recommendations, and is set to issue the first “focussed” summary of resolved complaints early in 2008.

6. The Chairman of the Commission occasionally writes specially to an editor where the investigation of a complaint shows mistakes or inadequacies. We drew attention to a small number of complaints where we felt that the editor should have been sent a special letter about the delay in dealing with a complaint.

Third party complaints

7. When we looked at the sample of third party complaints alongside each other, we were not entirely clear about some aspects of the practice, e.g. the criteria on which the Commission might invite the “first party” to make a complaint. Following our recommendation, the Commission approved a careful note prepared by the Secretariat setting out comprehensively the practice to be followed.

Charter

8. We recommended a review of the Charter which lays down the standards of service that the Commission and the Secretariat aim to follow. This is the basis for our audit work, and the Charter Commissioner’s review of the handling of complaints. Following our specific suggestions, the Commission has approved a revised Charter, which commits the Commission to investigating and seeking to resolve complaints (where appropriate) fairly and impartially, and to explaining its decisions clearly and in full.

Helpline

9. A written record was kept for us of the calls to the helpline over a period of two weeks, and the advice given. This showed the advantage of providing clear guidance for those receiving these calls, on such matters as when to advise communication with the editor. A memorandum, which takes account of our comments, has been issued. We shall audit the helpline against this background in future.

Communication with the complainant

10. It is disappointing that where it is decided that a complaint shows no breach of the Code, the majority of

complainants still say that they are disappointed with the decision and cannot understand the reasons. We recognise that efforts are being made to improve the wording of decisions and to encourage complainants to ask for further explanation of

decisions. We also hope that decisions can avoid the sort of wordiness that detracts from the authority of the decision.

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