

Press Complaints Commission
Halton House, 20/23 Holborn,
London EC1N 2JD

Telephone: 020 7831 0022

Fax: 020 7831 0025

Textphone: 020 7831 0123

(for deaf or hard of hearing people)

Helpline: 0845 600 2757

Scottish Helpline: 0131 220 6652

Welsh Helpline: 029 2039 5570

24 hour Press Office: 07659 158536

24 hour Advice Line: 07659 152656

(leave a message and you will be
phoned back). *This is for use
in emergencies only*

Email: complaints@pcc.org.uk

www.pcc.org.uk



How to Complain





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Making a complaint – how do you find out more?

Making a complaint to the Press Complaints Commission about a newspaper or magazine could not be easier.

It is free, quick and effective.

This booklet has been produced to help you.

If anything here is not clear - or if you want further help - then just pick up the phone to us. We are there to give you all the assistance you need.

Our HelpLine number is 0845 600 2757. If you are ringing us from Scotland, the number is 0131 220 6652. From Wales, the number is 029 2039 5570.

If you are deaf or have problems hearing, you can use our Textphone on 020 7831 0123.

If you are blind, or visually impaired, we will provide you with a copy of this leaflet and of the Code on audio cassette.

Further information is also available on our web site – www.pcc.org.uk – which includes an online complaints form.

What do you need to do next?

If you have a complaint about something in a newspaper or magazine or about the behaviour of a journalist which you think breaks the press Code of Practice, the best thing to do first is to write to the editor about it as soon as possible. That is usually the quickest way of getting a correction or apology for an inaccuracy or intrusion. A copy of the Code of Practice is enclosed with this booklet.

If the editor hasn't replied to you within a week - or you are unhappy with his or her response - then write to us as soon as possible. We will then consider it. There are certain time limits to making a complaint which are set out below.

When writing to the PCC you will need to send us certain pieces of basic information. These are also set out below.

Please remember that, throughout the process, our aim will be to try and resolve to your satisfaction any complaint that raises a possible breach of the Code. Complaints can be resolved in a number of different ways, for example through the publication of corrections, letters or further articles.

Writing your letter of complaint

Writing your letter of complaint is a simple and straightforward process. If you need help in doing so, we will be more than happy to assist. There are three easy steps.

1. Look at a copy of the press Code of Practice to see which part of it you think the article has breached. If you need advice in doing this, our staff will help you.
2. Summarise your complaint in a letter to us and tell us why you think the Code has been breached. If there are any other relevant letters or documents which might help us to assess the complaint, then please send us copies.
3. Send us a cutting of the complete article - making sure the name of the publication is clear - and a note of the date on which it was published.

Then send your complaint to us in the post:

**Press Complaints Commission
Halton House, 20/23 Holborn,
London EC1N 2JD**

You should make your complaint within two months of the publication of the article.

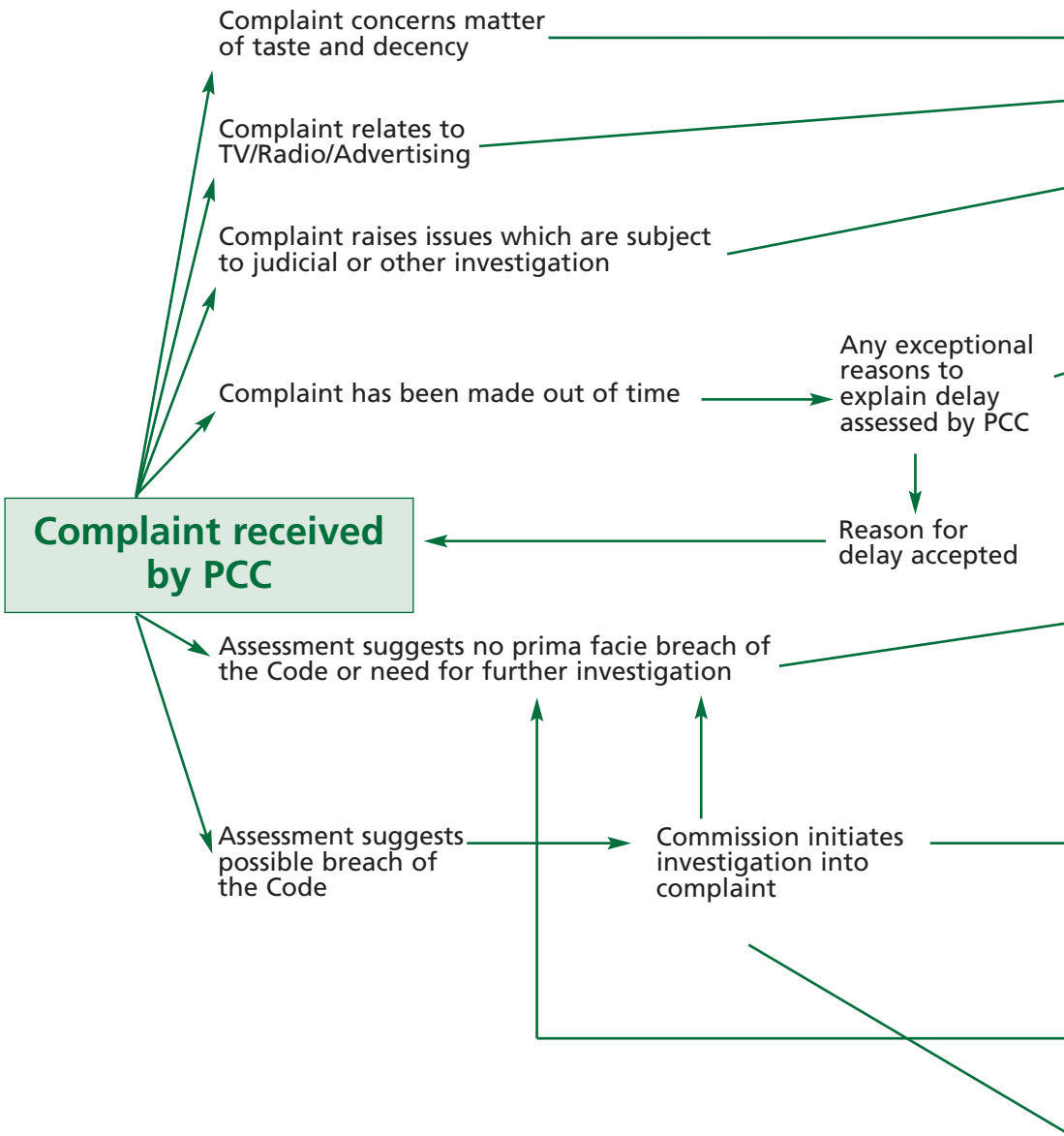
If you have immediately taken up the matter directly with the editor promptly after publication and are dissatisfied with the outcome, we will deal with complaints received up to two months after the end of effective correspondence with him or her.

We will accept a complaint via e-mail – you can send it to complaints@pcc.org.uk – but you will still need to send us in the post a hard copy of the article you are complaining about (unless you provide it as an email attachment or a website link).

What happens next?

1. Sometimes we receive complaints about matters that turn out to be outside our responsibility - for instance, about promotions or advertising material. If that is the case, we will tell you promptly and also tell you whether there is an organisation to which you may complain.
2. If your complaint is one that falls under the terms of the Code, an assessment will be made about whether a full investigation is required. If required, we will follow the procedure set out in point 4 below. If we think a full investigation is not required, your complaint will be presented to the Commission for a ruling under the Code. Commissioners will see your objections as well as a copy of the article under complaint. If they decide there has been no breach of the Code we will write to you with full reasons for this decision. We do not generally take complaints from people who are not directly involved in a story.
3. When we are unable to pursue the matter, we will nonetheless send a copy of your letter to the editor so that he or she is aware of your concerns.
4. If we think that an investigation is required because your complaint may raise a breach of the Code, we will send a copy of your complaint and your supporting documents to the editor, and ask for your comments on the editor's reply. As the investigation continues, you may be asked for more information and comments. You will be sent copies of all relevant documents.
5. Our aim will be to deal with your complaint as quickly and effectively as possible, and to resolve any matter that raises a possible breach of the Code to your satisfaction. This might, for instance, be done by obtaining an explanation from the editor, or by the publication of a correction, an apology, a letter from you or by a further article or private letter from the editor.
6. If we can't resolve the complaint to your satisfaction, the Commission will review all the circumstances - including any offers to resolve the complaint made by the editor - and take a decision as to whether there remain any issues under the Code requiring a decision. If the Commission upholds your complaint, the publication concerned will be obliged to publish an adjudication with due prominence. A copy of the ruling will be contained in our regular Bi-annual report, and also placed on our website. You may choose to withhold your name from any published ruling.
7. Following investigation, the Commission may also conclude that there has been no breach of the Code, or that it cannot take the matter further for some reason. Or it may decide that the remedial action taken or offered by the newspaper (such as a correction) has been a sufficient response to your complaint. In that case, it will conclude that no further action is necessary. However, if you reject an offer by the newspaper that the Commission regards as adequate, you may lose the right to take it up subsequently.
8. It is important to remember that final decisions on all complaints are made by members of the Commission and not the Commission's staff.

You will be kept informed at regular intervals throughout this process about how your complaint is progressing. A named complaints officer will always be available on the phone to discuss anything with you, or to give you advice via e-mail or letter.



PCC cannot deal with your case and will explain why (and, if appropriate, refer you to an alternative body)

Reason for delay not accepted – PCC cannot deal with your case

Commission issues decision to complainant and newspaper without publicity

Mediation successful, your complaint is resolved (summary of case published in PCC's report and on website)

PCC seeks to mediate amicable resolution to complaint where appropriate

Mediation unsuccessful

Complaint proceeds to formal adjudication by Commission

Complaint upheld (Commission's ruling published by offending newspaper with due prominence and on PCC website and in biannual report)

Complaint not upheld (Commission's ruling published on PCC website and in biannual report)

Your questions answered

Here are some answers to the questions we are most frequently asked. If you have others, we will be more than happy to help.

Q. How much will it cost me? Do I need a lawyer?

- A. Other than the price of a stamp to send us a letter, our service is completely free of charge. It is not necessary for a lawyer to make the complaint for you.

Q. I am not directly involved in the story. Can I complain?

- A. The PCC will normally only consider complaints from people who are directly affected by the matters about which they are complaining. Occasionally, the Commission may at its discretion consider a complaint from somebody who is not directly involved – but only if it raises a matter of significant public interest.

Q. How soon must I make a complaint?

- A. We generally accept only those complaints made within two months of publication. However, if you enter into direct correspondence with the editor straight after publication, but do not get a satisfactory response, we will accept your complaint up to two months from the time that correspondence ceased, providing that such correspondence has been continuous. We may accept complaints made later than that if the Commission considers there is good reason for a delay. For example, the Commission may be prepared to waive its usual rules if the newspaper has failed to inform a complainant about these time limits.

If you write to the editor and receive no reply at all you should contact us promptly.

Q. How long will the whole process take?

- A. If your complaint concerns a matter that falls within the terms of the Code, we aim to complete the whole process in an average of just thirty five working days. Of course, if the issues involved are complex, the process may take longer. It is essential that both parties to the complaint – the complainant (or their representatives) and the newspaper – co-operate swiftly with our enquiries. The Commission may take into account an unreasonable delay by either party.

Q. Can I get compensation?

- A. No. If you are seeking money rather than a resolution to your complaint (as outlined above), then you will need to take legal action through the Courts.

Q. Does the PCC have the power to stop publication of a story before it appears?

- A. No. However, you may want to talk to the newspaper yourself in advance of publication if you are concerned that a story may breach the Code. If you ring our Helpline we will certainly give you some advice about the Code and how it affects you, as well as the phone number of the publication concerned.

Q. What won't the PCC be able to deal with?

- A. We don't deal with legal or contractual matters that are dealt with more appropriately by the Courts, unless the Commission decides there are good reasons to do so. The Commission is also barred from dealing with a complaint when the matter complained of is – or is about to be – the subject of proceedings in a court of law or tribunal. Complaints about advertisements, promotions or competitions are dealt with by other regulatory bodies – the details of which will be available from our Helpline. In some very rare cases, the Commission may decide not to deal with or continue with a particular complaint.

We also don't deal with matters relating to taste, decency and offensiveness that do not otherwise breach the Code.

Q. What types of publications do you cover?

- A. All newspapers and magazines published in the United Kingdom apart from a handful of publications (around 1% of the total) that do not subscribe to the self-regulatory system, for instance because they are foreign language newspapers. We don't deal with broadcast material, books, leaflets or pamphlets.

Q. Do you cover online publications?

- A. We will take complaints about online versions of British newspapers and magazines – even if these are different from the printed versions you can buy in the shops. This includes complaints about audio-visual and audio material. We will still need a copy of the material in question.

Q. English is not my first language. Can you help?

- A. Although all complaints must be made in English, details on how to make a complaint are available in Urdu, Bengali, Chinese, Arabic, Somali and Welsh. Our staff will be happy to assist you if you need extra help.

Q. Is the PCC an independent body?

- A. Ten of the seventeen members on the Commission, including the Chairman, are nothing to do with the newspaper industry. Members of the Commission who are editors of the publication against which the complaint is being considered do not take part in any decision. Any self-regulatory body has members of the regulated profession amongst its members, but in the PCC's case they are in the minority. Moreover, decisions can only be taken when lay members outnumber editorial members.

What the PCC can and cannot do

The PCC's task is to resolve and adjudicate complaints that fall under the terms of the Code. It seeks to be as helpful as possible, including the following:

The PCC can deal with harassment as it happens

Clause 4 (Harassment) of the Code says that journalists must not persist in their attentions once they are asked to desist. The PCC can disseminate "desist messages" to relevant editors and broadcasters as a means of alleviating any harassment and preventing the formation of "media scrums". This service can be accessed using a 24-hour helpline, ensuring that problems can be dealt with out of office hours and at the weekend.

Informal advice is available

Experienced PCC staff are always available to discuss Code issues with complainants (and, in emergency situations, can be contacted on a 24-hour basis).

The PCC can keep private complaints private

If a complainant wishes to complain about an issue to do with his or her privacy, a complaint to the PCC does not have to involve sharing private details in public. Resolutions to privacy complaints can be "behind the scenes" and published outcomes can be anonymised.

There are some areas in which the PCC cannot generally intervene. Please bear them in mind before making a complaint.

Freedom of expression (including the freedom to be critical)

Newspapers are entitled to be partisan and publish robust criticisms of people and policy, provided that the terms of the Code are not

breached (i.e an article is not carelessly inaccurate or intrusive, and any comment is distinguished from fact). Some comment may seem to some readers to be unfair, but that alone is not the basis for a complaint to the PCC.

Reporting what is revealed in open court

Newspapers are generally entitled to publish information that is given in court or during inquests, provided that there are no court-imposed restrictions. There are three prominent exceptions to this: Clause 5 (Intrusion into grief or shock) still requires that publication is handled sensitively; Clauses 7 (Children in sex cases), and 11 (Victims of sexual assault) protect victims, even if there is no legal prohibition on naming them; and Clause 9 (Reporting of crime) states that regard should be paid to the vulnerable position of children who witness, or are victims of, crime.

Complaints which do not come from the person directly involved in the report ("third party complaints")

The PCC will not be able to consider complaints that relate directly to a named individual without the authorisation of that individual. Only in cases where there is an exceptional public interest would the PCC waive this rule. However, in regard to complaints about matters of general fact under Clause 1 (Accuracy) of the Code – where there are no obvious first parties cited in the article, who might complain – the Commission can, and regularly does, investigate complaints from any concerned reader.

For more information about what the PCC can and cannot do, please see the Frequent Asked Questions on our website: http://www.pcc.org.uk/faqs/index.html#faq1_13.

If you need advice on any of the points in this leaflet, call the PCC Helpline on 0845 600 2757.

The guidance set out in this leaflet is only a summary of some of the more important parts of the Commission's procedures relating to complaints under the PCC's Code of Practice. The Commission's constitution and powers are set out in its Memorandum and Articles of Association, a copy of which is published on our website.

Our service commitments to you

The PCC operates a Complainants' Charter which sets out the standards of service you can expect from us. There are eight key commitments we make to you.

- 1. We will respond swiftly to your enquiries.** We aim to answer your telephone call within four rings during business hours. If you complain to us, we will acknowledge your letter within three working days of our receiving it.
- 2. We will deal with your complaint as quickly as possible.** We aim to deal with complaints in an average of just 35 working days. If your complaint is a complex one which is going to take longer, we will explain why. We will aim to keep you informed of the progress of your complaint at intervals of no longer than fifteen working days.
- 3. We will work with you to try to resolve any complaint that raises a possible breach of the Code of Practice.**
- 4. Our procedures will be transparent.** The Commission will only consider material that has been seen by each party to the complaint.
- 5. We will process your complaint at no cost to you.** The PCC costs nothing either to the taxpayer or to those who complain. We will continue to operate a service which is free of charge.
- 6. We will be as accessible as possible.** Our literature is available in a range of languages to assist those whose first language is not English – and we will continue to widen the range of languages in which it is produced. We will maintain a Textphone to assist those who are deaf or have difficulty hearing – and make literature available on audio cassette for the visually impaired.
- 7. We will be as open as possible.** Members of staff will be available throughout the process to assist those making a complaint. Once your complaint has been taken up, a named complaints officer will deal with your complaint throughout and act as a continuing point of contact for you. Members of staff will at all times identify themselves by name, and be courteous and polite.
- 8. We will seek to improve standards year on year.** Every year we will publish statistics on the number of complaints received and resolved, and the average time it takes to deal with them. We will aim to make improvements in these standards each year. Once a year, an independent 'Charter Compliance Panel' will publish a report auditing our standards of service, and make recommendations to the Commission on how they can be improved.

Charter Commissioner

If you have any comment about the manner in which your complaint was handled by the Commission, you should write – within one month of being told the outcome of your complaint – to the independent Charter Commissioner c/o Press Complaints Commission, Halton House, 20/23 Holborn, London EC1N 2JD. The Charter Commissioner will investigate the matter and report any findings and recommendations to the Commission. He will not investigate complaints relating to the substance of a decision made by the Commission.

Checklist

Please use this checklist when writing to us to make sure we have everything we need to process your complaint quickly and effectively.

1. Have you sent us a cutting of the complete article, if possible, or a clear dated copy of the items concerned?
2. Have you told us the name of the publication concerned?
3. Have you given us a short summary of your complaint – and said how you believe the article has breached the Code of Practice?
4. Have you let us have copies of any relevant correspondence or documents which you believe may help the Commission to understand or assess your complaint?