

CONFLICTS OF INTEREST AND REGISTER

Introduction

The PCC is a non-statutory body whose main function it is to consider, decide or conciliate complaints brought against newspapers or other periodicals under the Editors' Code of Practice. The Commission is a company limited by guarantee whose members are directors of the company. A majority of members are lay members, with no current or any connection with the press; a minority of members has some present connection with the press.

All members of the Commission are bound by the law relating to directors of companies. They must act solely in the best interests of the Commission, uninfluenced by the possibility of personal benefit for themselves, their families, firms, employees, friends or other bodies of which they may be members, directors or trustees. They should be mindful that they are involved in exercising a judicial function which requires them to avoid potential and actual conflicts of interests.

Conflicts of Interest

Once appointed, members are expected to consider complaints strictly in accordance with the Editors' Code of Practice, and not as representatives of any particular point of view or interest.

A conflict of interest will arise if a member is influenced by, or could appear to be influenced by:

- (a) any significant personal or private gain or advantage, or the possibility of any loss or disadvantage; or
- (b) personal involvement in, or pre-judgement of, an issue, regardless of any financial connection, where such influences might be seen as improperly and materially affecting the member's judgement.

Personal knowledge of the complainant or the subject matter of the complaint does not, by itself, disqualify a member from participating in the consideration of a complaint. Nor does membership of a political party or of the House of Lords.

A shareholding in a company which is either a complainant or which is involved in the complaint in some way should not ordinarily disqualify the member from considering the complaint, unless the shareholding is significant.

A Press member will not be sent any papers, or be involved in consideration of any complaint involving his/her own newspaper, periodical or magazine.

Procedure

There are two types of disclosure that should be made: a disclosure of general interest (such as a close personal relationship with a member of the industry), and disclosures on specific complaints.

If a member's interests could give rise to a perception that his/her impartiality in the consideration of a complaint might be compromised, he or she must consider whether it is appropriate for him/her to decline to take part in the consideration of that complaint.

Where a potential conflict of interest arises a member should raise the matter with the Director, who may advise the member, if necessary following consultation with the Commission's legal advisors. Any final decision as to whether a member should take, or continue to take, part in the consideration of a complaint shall be taken by the Board of the Commission.

Breach of the Rules

Any complaint that any member (other than the Chairman) has been in material breach of the Commission's rules on conflicts of interest shall be referred to the Board of the Commission and the Appointments Commission of the company. Any complaint that the Chairman has been in material breach of the Commission's rules on conflicts or interest shall be referred to the Board of the Commission and the Press Standards Board of Finance Limited.

The Members' Register

A register of interests in respect of members and the Director of the Commission shall be published on the Commission's website. It shall include details of members' other directorships, remunerated employment, public appointments and charity trusteeships and, in the case of lay members, any payments from newspapers or magazines within the last twelve months.