

Peter Preston evidence - to the PCC governance review

As the then editor of the Guardian, I was closely associated with the winding up of the old Press Council and its replacement by the PCC nearly two decades ago. I'm very glad to see that it - and so press self-regulation - have survived. But I would make three short points to this governance review, even though they may seem to have little direct bearing on articles of association, transparency mechanisms and all the other more complex topics you are examining.

1) It is simply that the Commission will never enjoy a quiet life or complete public trust whilst many people within the press it seeks to regulate speak or write so scornfully about it. Much publicity for the PCC is poor publicity - and this seems an endemic condition, because many of those who deal in scorn or distrust either don't acknowledge that there is such a thing as "the press", as opposed to a flood of newspapers and magazines catering for very different audiences, or don't understand how the Commission operates.

2) Lord MacGregor saw much of this coming. He also spotted the departing Press Council's difficulty in making its writ run because it was slow and legalistic, and therefore did not attract the direct involvement of those who carried real clout with journalists themselves - their editors. That's why he insisted that editors themselves should take their places on the Commission. He wanted newspapers to sit up and take notice. And he also wanted editors to understand how the Commission worked and show their commitment to its ideals.

The basic idea in the early days was that editors - all editors - should serve for a couple of years in rotation. Thus, I succeeded Max Hastings of the Telegraph. And I think I learned a great deal. But since then it seems that the idea of rotation has been dropped or let slide (presumably by the NPA, which looks after press nominations). Editors - and sometimes non-editors - have been allowed to linger almost indefinitely; others have never featured.

At the moment, not one national daily editor has a chair (a loss because they superintend six times as many stories). The job seems to have been shuffled over to Sunday editors (perhaps because they're thought to be less busy early in the week). My successor had the Guardian has never had a Commission seat, and nor has anyone from the FT, the Times or the Independent. In short, the papers most consistently questioning of Commission performance have never been part of its deliberations.

I don't know whether that's because they've been asked and declined, or never been asked (because covertly thought too hostile) but I do know that it's an absolute shot in the foot. I believe that the NPA - if it wishes to remain involved at all - should be asked to draw up a 24-month rota of national editors, dailies as well as Sundays, and make it clear to their members that service on the Commission is a duty, not an optional exercise. Self-regulation is too important to be neglected, or attacked from the outside by editors without experience of what it does. A spell on the Commission, I found for myself, is the best possible route to understanding. It's crazy to cut that route off.

3. And then there's the matter of sanctions. I think the clamour for fines on Ofcom lines is foolish: it involves lawyers, mounting expense and - crucially - delay. Just look at the length of time Ofcom takes to make rulings once Schilling and Co get in on the act. The critical point about the PCC (Lord MacGregor again) is that it should be fast, flexible and cheap. Maybe adding points of reform - like applicant lay members - has been an advance over the years, but more and more layers of bureaucracy don't and won't help. What will be important, though, is public perception that the PCC can inflict real pain on journalists who don't abide by the code.

That can be addressed in two ways. One, simply, by Commission rulings insisting on the length and position of adverse adjudications. No more argument. It just needs to be done. And, secondly, there's the much more serious question of breaches of contract. I was part of the discussion, long ago, that advocated writing code compliance into journalists' contracts, and thus making outright defiance of the code a contractual disciplinary offence. It is a tough sanction, and one - vitally - for individual newspapers and editors to operate for themselves. The Commission merely give its verdict. It's up to the paper concerned to decide what happens next. But sometimes, in some

flagrant cases, the paper or the magazine in question would seem to have been part of the cover-up itself, to have behaved in bad faith, almost with insolence.

I believe that the PCC must be given the right to pick out such examples and say publicly that something special must be done - in effect, to red card the offender. A paper that lies, covers up or fails egregiously to co-operate deserves to be suspended from membership for a period, or to see the editor responsible himself contractually terminated.

It won't, I hope, come to that very often. But the Commission is a defender, not a doormat, and it needs to have the real ability to name, shame and, at one remove, see that some public punishment follows.

Peter Preston Jan 15