

A matter of trust

THE CODE SAYS...

Clause Fourteen — Confidential Sources

Journalists have a moral obligation to protect confidential sources of information.

The obligation on journalists to protect their confidential sources is deeply ingrained in the culture of British journalism. Perhaps for that reason, this clause, one of the shortest in the Code, rarely attracts complaints.

The PCC usually considers cases of alleged breach of agreements of confidentiality only when another Code issue is involved. However, the Commission has issued specific guidance concerning confidential sources:

- The clause should not be interpreted as preventing the publication of confidential information.
- Journalists should take special care when dealing with members of the public unversed in media matters who may not appreciate that at the start of a conversation they should make clear that it is non-attributable.
- A journalist who induces a member of the public to talk off the record, and then publishes the remarks on the record could be in breach under the Code.
- The obligation of confidence should not be used by

journalists as a shield to defend inaccurate reporting. Wherever possible, efforts should be made to obtain on-the-record corroboration of a story from unnamed sources.

- If a complaint hinged on material from an unnamed source, the PCC would expect the newspaper either to produce corroborative material to substantiate the allegations — or to demonstrate that the complainant had a suitable opportunity to comment on them.
- There would be a particular responsibility on editors to give a reasonable opportunity of reply to complainants who felt they were victim of allegations from an unnamed source.

Blowing cover: On the rare occasions that complaints arise, they are unlikely to be deliberate, but due to carelessness or inexperience. However, that is no excuse under the Code.

An ex-employee of the Government's Rural Payments Agency complained that an e-mail that she had sent to an evening newspaper, criticising her former bosses, was forwarded to the RPA for comment. She had asked for anonymity, but her details were not deleted.

The paper apologised, explaining that it was a mistake by a trainee, who had been disciplined.

The PCC ruled that this was a serious and thoughtless error that could not pass without censure. The complaint was

upheld. (*A woman v Evening Chronicle, Newcastle; Report 73, 2006*).

The cover of another employee was similarly blown when a newspaper quoted him anonymously in a story about plans to close the mortuary where he worked. The paper described him as a mortuary worker. But the establishment had only two employees and the other one was his boss. So he was quickly identified, and his comments to the newspaper earned him the sacked for gross misconduct.

The editor said it had not realised there were only two employees. The PCC ruled that the onus was on the newspaper to establish the correct form of words to protect the source. (*A man v Lancashire Telegraph: Report 76, 2007*).

KEY RULINGS:

- [Guidance Note on Court Reporting](#).
- [A woman v Evening Chronicle, Newcastle \(Report 73, 2006\)](#).
- [A man v Lancashire Telegraph \(Report 76, 2007\)](#).

KEY QUESTIONS

- **Is the source confidential?**
- **Could an unnamed source be identified?**

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