

PRESS COMPLAINTS COMMISSION

CHARTER COMPLIANCE PANEL



2006

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 2006 were Sir Brian Cubbon and Dame Ruth Runciman.
2. This is our Third Annual Report. This year we have reviewed progress on our earlier recommendations as well as auditing a sample of complaints files in 2006 where privacy or accuracy was the issue. We also looked at the weekly dossiers for Commissioners for two weeks in April, and 20 adjudications.
3. We have found much to praise, not least in the care and patience the complaints officers show in dealing with individual complaints, and in negotiating the satisfactory resolution of complaints. This is borne out by the Customer Survey. But as our focus changes from year to year, we still find areas where improvements should be made. We are pleased with the help and support we receive from the Chairman, Director and staff of the Commission. In this year's audit we have together agreed on a number of significant changes in procedure and practice, as this report shows.

Publicity for the decisions taken on complaints
4. The Commission has always recognised that the publicity that must be given to an adverse adjudication is perceived as a strong sanction by editors, and the Commission has recently surveyed the prominence given to published adjudications. We share this view of the importance of adjudications and their publication, but we have noticed one or two examples of an excessive disparity between the prominence given to the adjudication and the original article that gave rise to it. We have also noticed headlines for adjudications that hardly catch the eye. However prominent the adjudication, the heading "Press Complaints Commission" or the name of a little known complainant will not attract the attention of the reader. We recommend that this should be pursued.
5. The decisions of the Commission need to be widely disseminated among editors and newspapers in a way that demonstrates the lesson to be learned. This is an important educative role, and also helps the general public. In addition to published adjudications, the Commission's biannual report summarising decisions and its Annual Review already give a large amount of good information.
6. We have been glad to see, following our earlier recommendations, that the published summary of a resolved complaint is now much fuller and brings out clearly the mistake that led to the complaint. We have developed this theme, with the following changes, which have all been agreed:
 - a. Similar publicity should be given in the biannual report to those complaints where sufficient remedial action is offered by the newspaper but is not accepted by the complainant as resolving the complaint. The complaint has usually shown a breach of the Code, and the lessons to

be learned are as instructive as for some resolved complaints.

- b. In a few cases an investigation reveals mistakes or inadequacies at the newspaper's end, and as agreed last year the Chairman writes specially to the editor about them. Ways will be found to give general publicity to this action.
- c. There were also a few cases where the editors' comments are not needed to decide a complaint, but a point arises, eg about future reporting, which should be mentioned to the editor specially, as well as just sending a copy of the complaint and decision.
- d. These and other examples of editors' integral part in the complaints system could be periodically summarised, using the PCC website and building on the Best Practice Note issued to editors a year ago.

Communication with the complainant

7. During the year we have recommended improvements (which the Commission has accepted) in communications with the complainant:
 - a. The drafting of a decision, however straightforward, is important. Adjudications, we feel, tend to be clearer and more fully argued. But a decision that there is no breach of the Code is very important for the recipient. Of course there will always be complainants who do not accept the decision or the reasons given for the decision. But it is unsatisfactory that the deeper survey of complainants' views (introduced after an earlier recommendation

from the Panel) showed that where there was a No Breach decision, 57% of complainants say that they were disappointed with the outcome and could not understand the reasons.

The Commission has accepted our recommendation that there should be a deliberate effort to reduce the figure of 57%. We suggest that more could be done to explain the wider background to the Commission's practice. While the Commission takes the Code as its starting point, many complainants start further back down the track and simply believe that the newspaper has been unbalanced in its reporting or irresponsible. They may need an explanation of the importance of press freedom and the evils of censorship.

The finding in the survey is underlined by the cases that go to the Charter Commissioner. He receives a fair number where the complainant considers that there should be an absolute requirement on the press to be accurate and fair.

- b. We welcome the progress in adapting stock letters to fit the circumstances of complainants and their representatives. There is a continuing need for stock letters to be tailored in this way, eg where the complainant is clearly familiar with the Commission's procedure. These stock letters are often a complainant's first contact with the Commission on his complaint.
- c. The record now made (on our recommendation) of the general nature of calls

made to the helpline shows that many are outside the Commission's remit (eg are about advertisements). Where it is a PCC complaint, the helpline is the PCC's shop window, and for monitoring and auditing, it would be useful to have some record of the nature of the complaint and the advice offered.

Internal procedures

8. Other changes that have been recommended and approved are:
 - a. to improve the audit process, the orderliness of the complaints files will be further improved; including the inclusion of the file number on all documents, and the date on which a fax has been received;
 - b. an adjudication on the website, and in PCC publications, should carry the date on which it was issued. In an adverse decision speed can be

crucial to fairness, and this will enable the Office to monitor whether publication by the newspaper is delayed.

Checking stories

9. Last year we commented that the underlying rules on checking stories before publication did not seem altogether clear. We are glad that a recent adjudication has shown that in certain circumstances failure to check a story with the subject of the story could be a failure to "take care" under clause 1 of the Code that the story was not inaccurate or misleading.

Mental illness

10. In previous reports we have mentioned the concern about media reporting where mental illness is involved. We welcome the full Guidance Note that the Commission has issued on the handling of mental illness.

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