

COMPLAINTS

THE COMPLAINTS WE COULD DEAL WITH

Complaints with merit

In 2009 there were 738 complaints that raised a possible breach of the terms of the Editors' Code of Practice (compared to 678 in 2008). 609 of those complaints were amicably settled when the newspaper or magazine in question took remedial action with which the complainant was satisfied – usually (in 541 cases) this action followed successful mediation by the PCC but, on some occasions, the matter was resolved even before the Commission launched its investigation. Where a settlement was reached between the parties, the PCC did not make a subsequent ruling on the case.

In the remaining 129 cases, the PCC ruled that there had been a breach of the Code, although, in 111 of those, remedial action by the offending publication (even though not considered suitable by the complainant) was considered sufficient by the Commission and public censure was therefore unnecessary. Critical adjudications – in which the Commission elected publicly to censure the editor – were issued in the 18 cases where remedial action was either not forthcoming or was inadequate, or in cases where a breach of the Code was so egregious that it could not be remedied.



Resolved complaints

2009 saw a record number of complaints being settled through mediation to the satisfaction of the complainant. Summaries of every such case (except those where the complainant asked for no further publicity) can be seen at www.pcc.org.uk. To find out more about complaints from Lord Mandelson, Ummah.com, Leona Lewis and many others, please visit our website.

Complaints can be resolved in a variety of ways. Some are obvious: the publication of an apology or correction; the removal of offending material from a newspaper's website; or a published letter from the complainant. Other methods are more surprising: a meeting with the editor or journalist; a bunch of flowers; or a trip to an adventure park.

It is important to the credibility of the self-regulatory system that, when mistakes are made, they are corrected properly and with due prominence. This does not mean necessarily that a correction must fill the same space as the original item, but there must be a relationship between the significance of the initial transgression and the strength of the remedial action.

Our survey of corrections and apologies we negotiated in 2009 was broadly encouraging since the vast majority (83.9%) appeared either further forward than the offending material, on the same page or in a dedicated corrections column.

The Commission will work hard to improve its record in this area, and calls on the industry to play its part in publishing corrections prominently. In 2010, the PCC will be examining the issue of online corrections and what constitutes 'due prominence' online.

Complaints that raised no breach of the Code

Overall, the Commission received just under 1000 distinct complaints where a ruling was possible but where the terms of the Code were not breached. In all of these cases, the PCC issued rulings to the complainants, some following an investigation, others for which no investigation was necessary. 21 of those rulings were published by the Commission because they raised significant points of principle and are recorded on the 'adjudications' section of our website.

Prominence of Corrections and Apologies:

66.2%

Further forward or on the same page

4%

More than 5 pages later than the original

17.7%

Designated corrections column

12.1%

Within 5 pages of the original

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Investigations

When the PCC talks about an investigation into a complaint, it means that an initial assessment has shown that there may be a possible breach of the Editors' Code of Practice. Consequently, a designated PCC complaints officer will write to the editor in question and request a response to the issues raised by the complainant.

The editor may accept (following prompting by the PCC office) that something has gone wrong. In these cases, PCC staff will act as mediators, trying to find a settlement that is acceptable to the complainant. If no settlement is possible, the matter will return to the Commission for formal assessment. It may conclude that an offered remedy is sufficient.

But it may decide that a breach of the Code has not been – or cannot be – remedied and in those cases it will publish a critical adjudication, which the offending publication is also obliged to publish in full and with due prominence.

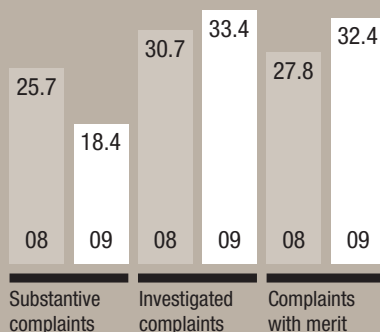
If the editor does not make any offer to settle the complaint, but puts forward a defence, the PCC will use its investigation to obtain all of the necessary information, and test the assertions made on both sides, before the Commission examines the complaint in full. It will then issue a ruling as to whether the Code has been breached.

Overall, the Commission initiated 1134 investigations in 2009, up from 949 in 2008.

Complaints by time taken

The PCC aims to deal with complaints in an average of 35 working days. In 2009, it dealt with substantive complaints in an average of just 18.4 working days. Complaints which warranted an investigation took longer in general to deal with but we still reached our target average:

Number of days taken





● Resolved	541
● No breach	223
● Sufficient remedial action	90
● Public censure	18
● Not pursued	262

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● National titles	51.51%
● Regional and local titles in England and Wales	33.33%
● Scottish newspapers	8.24%
● Magazines	4.79%
● Northern Irish newspapers	2.13%

Complaints by type of publication

People are often surprised that complaints about the national press do not make up a higher proportion than they do. Looking at cases where an investigation was warranted, the proportions are as shown.