

THE PRESS STANDARDS BOARD OF FINANCE LTD

Editors' Code of Practice Committee

Private and confidential

Agenda

For meeting at the Newspaper Society,
74-76 Great Russell Street, Bloomsbury, London
Thursday, 27 April, 2006 at 10.30am
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1. Apologies
 2. Minutes of 29 September, 2005 (circulated)
 3. New members; Adrian Faber, David Pollington
 4. Business arising, if not dealt with below.
 5. Editors' Code website
 6. Code Review 2006
 7. Other business
 8. Next meeting
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Agenda item 4: Editors' Code website

There have been suggestions that The Editors' Codebook, suitably updated, should be available for both the public and the industry on a website. At the same time, there have been suggestions from the PCC and others (see Code Review) that the Code Committee should increase its transparency, possibly via its own website. This could contain information about the committee, its membership and constitution.

However, it could also contain a Q and A on the Code, which might answer the simpler misunderstandings revealed by some of the proposals to the Code Review- i.e. *Does the Code cover digital manipulation? Is Citizen Journalism covered?* If the Committee liked the idea in principle, it could be investigated further. Any final decision would rest with PressBoF.

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Agenda item 5

CODE REVIEW 2006

Introduction

THE Code Review this year attracted submissions totalling 25,000 words, embracing 50 proposals (MediaWise's contribution ran to 6,200 words). The summaries here are therefore highly compressed, but digital copies of the main submissions are available, if Committee members wish to see them.

Key proposals cover:

- Discrimination, with proposals from the Muslim Action Committee, the Equality and Diversity Forum, the NUJ, Campaign for Press Freedom and MediaWise.
- Suicide reporting: from the Samaritans, the PCC and others.
- Accuracy, including covering headlines, from the PCC.
- Harassment, an anomaly raised by a PCC Commissioner.

To save the committee's time, I have separated the suggestions into three groups:

Proposals on policy or remit (all from MediaWise) many of which, where valid, might be met by changes in presentation, rather than in the Code itself.

Specific suggestions for Code changes, contained in substantive submissions.

Miscellaneous other suggestions, which appear unlikely to have great merit.

I have added my comments, summarising options, and identifying four possible revisions, although clearly it will be for the Committee to decide on any action. One concern is that from 50 possible suggestions, four possible changes may appear over-cautious, or negative. As always, any decision must be able to withstand inevitable public scrutiny. **IMB**

Proposals on policy and remit

1. MediaWise, claiming to be a 'critical friend' of self-regulation, offer a raft of proposals. Many concern the Code's policy, presentation and implementation. Their suggestions include:
2. **Transparency:** The Code Committee should publish on a website proposals for revisions to the Code with a summary of reasons for acceptance or rejection.
3. **Compliance:** All publications should be urged to introduce a regular, Guardian-style corrections column, in a guaranteed space and independently supervised.
4. Equivalent prominence should be given to a substantial correction where possible.
5. Agreement should be reached with successful complainants about the wording of corrections and/or apologies, or offer a right of reply.
6. It should be mandatory that published corrections and apologies etc must be tagged to cuttings and digital records of offending articles, with automatic reprimands if this is not done.
7. PCC adverse adjudications should be signposted on Page One.
8. **Compensation:** If the publication repeats the breach, Editors should offer compensation to individuals directly affected.
9. **Journalists' conduct** under Clause 4 Harassment should be taken into account by the PCC when considering adjudications.
10. **Conscience clause:** the Code Committee should recommend that editors take into account the personal misgiving of individual journalists when assigning tasks.
11. **Media scrums:** the Code should indicate the efforts to be made, such as pooling arrangements, to prevent an 'overwhelming' media presence, especially at distressing events. Failure to withdraw after a request from the police, or family concerned, should constitute a breach of the Code.
12. **Taste and decency:** While not attempting to sanitise war, the Code should remind editors to avoid exposing young children to horrific images on news stands – e.g. by splashing images of the bloodied heads of Saddam Hussein's sons on front pages.

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13. **Photography:** The Code should include advice on the use of archive pictures that illustrate stories very different from the original topic. Publications should make such use clear and, where practicable, seek appropriate and explicit permission from those pictured.
14. The Code should include guidance about the circumstances under which manipulated images may (or may not) be published – i.e. *Manipulated images should be clearly marked as such, and should not be used to illustrate hard news stories except in exceptional circumstances.*
15. **Citizen journalism:** This form of non-professional intervention could become an extension of paparazzi-style newsgathering. When buying or publishing images from the public, particular care should be taken to ensure material has not been obtained illegally or by invasions of privacy, and that ownership rights of photographs are properly protected and acknowledged.
16. **Informed consent,** a familiar concept in broadcasting codes or guidance, is relevant to the press because of the advent of confessional journalism. Direct touting for sensational revelations, the thinly disguised 'threat' – 'We are going to print this about you, but if you talk to us/accept our money, then at least you will be able to give your side of the story' – and the arrival of citizen journalists make it important to ensure that lay contributors understand clearly the terms of their involvement with the press and that the subsequent story accurately reflects that which was proposed.
17. Guidelines (or formal, industry-wide agreements) should exist to prevent either the public or the publication from being exploited. In the interests of accuracy, the Code should protect lay people who are 'bamboozled into contributing to a fiction'. No clause adequately deals with this matter, and that limits opportunities for complaint.
18. **Chequebook journalism:** Some newspapers actively encourage informants to sell information, especially about celebrities. This can give rise to unethical practices, yet the Code is silent about it, except for payments to witnesses and convicted criminals. The Code Committee should consider an additional Clause along the lines:
19. *'When paying individuals for exclusive access to information, such arrangements should be made honestly and with a proper regard for the truth. Readers should always be informed when money has been paid for revelations, and to whom.'*

COMMENTS:

20. The Editors' Code is designed to set a baseline for standards that attract the widest voluntary support within the industry, thus achieving universal compliance and a level playing field. The Code is short, concise, and minimalist. Editors are free to set stiffer in-house tests - corrections columns, for example, gained ground without coercion. MediaWise's culture of imposed obligations could create a complex, broadcasting-style Code and by eroding editors' discretion undermine voluntary compliance.
21. A Code website, as a virtual extension of The Editors' Codebook has attractions. It could make clear that many of MediaWise's Code suggestions are already covered - such as citizen journalists ('external contributors, including non-journalists' - Preamble). Misleading use of archive pictures or distorting picture manipulation would raise Accuracy issues, as would 'bamboozling lay people into contributing to a fiction'.
22. Media scrums are not in the hands of the press alone and are better tackled by wider industry concordats, which the PCC and Code Committee support. The Commission is investigating file-tagging options. To introduce compensation for repeat offences would set a sanctions precedent that would change the culture of self-regulation. The PCC is already able to determine whether publishing adjudications with due prominence should mean equal prominence. It has so far decided that it should not.
23. The Preamble makes clear that editors are responsible for implementing the Code, thus avoiding the need for a conscience clause. Do Editors need the Code to tell them if they are offending their readers on taste and decency grounds?
24. Payment for stories is legitimate in a free market and it seems odd to insist that this is the only area where a need for *honesty and truth* should be codified. Newspapers often make clear, voluntarily, that payments have been made for stories and to whom. In some cases - e.g. payment to whistleblowers - it could be inappropriate and breach the Code's requirement to protect confidential sources.

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Proposals for Specific Code Changes

The proposals are grouped under the relevant Clauses, However some Accuracy issues are related to parallel suggestions under Discrimination, and the Committee may wish to discuss them together.

ACCURACY

From the Equality and Diversity Forum (see also Paras 70-73), and PCC

25. **Clause 1i.** The Equality Forum accept that editors may be alert to the risk of a negative impact of reporting on community tensions, but say such concern is not reflected in the Code. They propose changes to Clause 1i and to Clause 12 Discrimination (*see below*) to avoid unnecessarily inflaming community relations, while protecting newspapers' right to "put into the public domain information to which the public is entitled."
26. They suggest: The clause should read ... *inaccurate, misleading, distorted or exaggerated information.*
27. The PCC suggest: the Code committee should consider adding and headlines after ... *including pictures.*

From the Muslim Action Committee (see also Paras 65-69)

28. As part of their proposals following the Danish cartoon controversy, the Muslim Action Committee propose an additional sub-clause, which would become 1iii.
29. The MAC suggest:
1iii: The Press must take care not to publish reckless and malicious expressions insulting or desecrating anyone's creed or conscience, including pictures.

From MediaWise, and Campaign for Press and Broadcasting Freedom

30. **Clause 1ii:** Currently no consideration is given to the significance of an inaccuracy to the people involved rather than the context within a story.
31. Suggestion: *The Code committee should indicate what they think the term means.*
32. **Clause 1iii** MediaWise suggest headlines on news stories which state opinions as facts (i.e. "Bombers Are All Spongeing Asylum Seekers") breach the requirement to distinguish clearly between comment, conjecture and fact.
33. They suggest adding to Clause 1iii:
In particular, editors should seek to ensure that prominent headlines to news stories are factual rather than conjectural.
34. The Campaign for Press and Broadcasting Freedom raises a similar point, citing the PCC's rejection of inaccuracy complaints because the articles express a 'personal view or robust opinions.'
35. Suggested addition:
It is particularly important that any personal views expressed in articles are not only clearly labelled as such, but are also based, demonstrably, on the facts of the matter in question, and not on rumour, hearsay or personal prejudice.

COMMENTS:

36. **Headlines:** The danger of adding headlines to the list is that they could be judged in isolation, rather than in the context of the story. There is nothing currently to prevent the PCC adjudicating on headlines which - when taken together with the rest of the story - are inaccurate, misleading, distorted, or indeed amount to conjecture rather than fact. It is also within the PCC's scope to decide that, on balance, the headline was misleading. To that extent there is no need for a change. *However, the PCC have expressed concern over misleading headlines and the Committee could decide to make a change to emphasise that.*
37. **Exaggeration and significance:** If exaggeration - 'enlarging beyond the limits of truth'- amounts to distortion, or is misleading, it is already covered by the Code. If not, it is probably not significant. Any attempt to define significance itself would put the PCC in a straitjacket, whereas it currently adjudicates case by case, depending on the circumstances.

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38. Reckless, malicious expressions and insults: These are subjective judgments that have little to do with Accuracy and appear unworkable. For example, it might not be inaccurate to publish a picture of the Prophet, nor might it be malicious, but Muslims would regard it as insulting. Should the complaint be judged on the intention (malicious) or the effect (insulting)? Such a rule would not only inhibit serious criticism of religion (Moonies, Scientology etc). Osama Bin Laden and Saddam Hussein have creeds. Even MPs claim a conscience.

OPPORTUNITY TO REPLY

From MediaWise

39. MediaWise suggest the current wording is not a Right of Reply because it requires judgments on what is fair and what is reasonable, and who decides. They say this means an emotive demand could be dismissed as unreasonably called for.
40. They suggest: Drop the word 'unreasonable.'

COMMENTS:

41. 'Unreasonable' was not intended to cover emotiveness - which might be reasonable in some circumstances - but to invite a commonsense approach. Esther Rantzen complained about not having an opportunity to reply even though the *S.Telegraph* had published a letter listing her complaints. The first letter was a fair opportunity; the second was an unreasonable request. However, it could be argued that if 'unreasonable' were dropped the word 'fair' would do both jobs equally well.

PRIVACY

From MediaWise

42. MediaWise believe that generally the clause does not prevent intolerable levels of intrusion, even for those whose job alone puts them in the public eye. Specifically, they suggest greater protection for those who enter the public sphere as a result of personal tragedy, and are revisited regularly for comments or anniversaries, and for people whose homes may be more publicly accessible or exposed to public view.
43. They suggest: Add to Clause 3i:
Special care should be taken to seek appropriate consents and avoid unnecessary intrusions into privacy when revisiting tragic events on anniversaries.
44. Add to Note: Private places.... including the immediate environs of a person's home.

COMMENTS:

45. Reference to tragic anniversaries is, as MediaWise say, standard in broadcasting codes, which are longer, more detailed and more unwieldy than ours. Within the spirit of the Editors' Code, the need for sensitivity expressed in Clause 5 remains, even if diminished by time - the PCC has condemned insensitive publication a year after death. *The Committee may think this is something better covered in a guidance note, Codebook or website (see above).*
46. The redefinition of private places has been tried and failed. The immediate environs of a person's home apply equally to Buckingham Palace as to a suburban semi. The current definition gives the PCC scope to exercise commonsense judgment.

HARASSMENT

From Eve Salomon, PCC Commissioner

47. Jeremy Clarkson in *the Sun* urged readers to send empty envelopes to the League of Cruel Sports using their Freepost address - so that the league paid - adding: "I am going to send a paving stone or horse." *The E.Standard* took a similar line. The League complained that they'd received bricks, books, abusive letters. suffered financial loss and this amounted to harassment under the Code. The PCC rejected the complaint on the grounds that the Harassment clause covered newsgathering, not published content.

SAMARITANS' CODE OF PRACTICE COMMITTEE

48. Ms Salomon's suggestion: *The Code doesn't make it clear that this applies only to newsgathering and should be changed.*

COMMENTS:

49. There is a genuine ambiguity here. It is arguable that, in the spirit of the Code, if harassment is improper pre-publication, then it would be improper in publication - though hugely difficult to define. If the Committee does not wish to pursue the concept of 'published harassment' then the Clause should be changed.
50. One possible form of words:
Journalists involved in newsgathering, must not engage in intimidation etc...

INTRUSION INTO GRIEF OR SHOCK

From The Samaritans, MediaWise and the PCC

51. The Samaritans and MediaWise are concerned at reporting which they say can glamorise suicide, lead to copycat cases - particularly among teenagers - and cause relatives lasting distress. They suggest Clause 5 fails to recognise suicide as the one form of death where graphic and detailed reporting is likely to cause further fatalities - and cite scientific research to support this. The Katherine Ward case is taken-as evidence of the Code's failure to prevent insensitive-publication.
52. The Samaritans believe positive reporting can help to destigmatise suicide. They want to see guidance which prevents sensationalised reporting of graphic images, publication of explicit or technical detail - such as methods, or names of suicide websites - and the linking of unrelated cases in one story - "...another suicide, just days after etc."
53. While accepting a public interest in some cases - such as suicide bombers and hunger strikers - they believe suicide reporting should generally be *discreet and sensitive*. The Code should give guidance on issues such as the *use of real or reconstruction pictures*, the need for special care in *reporting celebrity suicides* - because of the risk of imitation - and the desirability of publishing *Helpline contacts* for vulnerable people. The Samaritans say *third party complaints* about suicide reports should be allowed.
54. MediaWise take a similar view and, also cite the Ward case.
55. They propose a new sub-clause:
Particular care should be taken when reporting the circumstances of newsworthy suicides, to avoid sensationalism and unnecessary detail about suicide methods, and to consider the consequences for family members, especially children.
56. The PCC, in their Ward case adjudication, acknowledged that publication of photographs was likely to offend and upset readers, but said this was a taste and decency issue, unsuited to industry-wide rules.
57. However the Commission suggested the Code Committee might consider...
...the extent to which the reporting of suicide - and any sudden death - is covered by the Code.

COMMENTS:

58. These proposals raise three key issues: insensitive publication, as in the Ward case; the impact on the bereaved; and the risk of imitative acts. Arguably, the Code covers the first two already. While not embracing taste and decency, Clause 5's call for sensitivity in publication gets close to demanding a subjective judgment, which may explain in part why most newspapers did not use the Ward pictures.
59. However, the Code's assumption that suicides are no different from other deaths is seriously challenged by the copycat evidence, which seems well documented. Many editors already apply a self-denying ordinance on excessive detail in suicide reports, as with other copycat activity - e.g. glue-sniffing and bomb hoaxes. Given the PCC's comments, the question is whether that is enough or whether it should be codified, and how.
60. One danger of a suicide clause is of raising false expectation. Any consensus on the danger of press reports prompting copycat suicide is not matched by agreement on how to avoid it. Some relatively sober, well-intentioned reporting of suicide in the U.S. press still outraged 'informed' opinion. We would need to minimise exposure to such criticism, while leaving editors free to decide on taste and decency as now.

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61. A possible form of words, which could be subject to the public interest asterisk:
ii) *When reporting suicide, care should be taken to avoid excessive detail about the method used.

CHILDREN

From MediaWise, and the Cambridgeshire Education Child Protection Service

62. MediaWise suggest the Code's protection for children, while strengthened, needs further improvement. Editors need reminding that children should be interviewed or photographed only with the consent of an appropriate adult. Errant juveniles, such as those subject to ASBOs, should be protected from demonisation in the press. MediaWise ask that the Code be reviewed in the light of the 1989 UN Convention on the Rights of the Child.
63. They propose the Code should state:
Children should not normally be primary sources for information about anything other than their own opinions or direct experiences, and then only with the consent of an appropriate adult.
64. Cambridgeshire Education Child Protection Service claim children are put at risk from paedophiles - and sometimes from estranged violent parents - when newspapers publish school photographs that give full names by which they can be traced.
65. They urge that the Code follows the DfES guidance for schools that if a photograph is used, the child should not be named, and if the child is named the picture should not be used. They say parents consent to the naming of pictured children because they are unaware of the full risk - i.e. that the pictures could be taken from the paper's website, and digitally altered to become child porn. They suggest children should be appropriately dressed and not pictured in any way that could be misconstrued as sexually provocative.

COMMENTS:

66. Broadly, MediaWise's suggestions are already in the Code. Any further reminders of Editors' responsibilities might be better via guidance notes, or on a website. Insisting that children are interviewed only in the presence of an adult could be unnecessarily restrictive - such as in local surveys where groups of children speak about innocuous issues - pop, sport or hobbies. *The Code appears to comply with UNCRC provisions - which also advocate children's access to the print media.*
67. The DfES guidance on school photographs specifically does not apply to newspaper pictures. These are left to the discretion of local schools and Editors, an arrangement the Code committee has tacitly supported. If the proposal were to be adopted, a local paper running a story on a 2006 Billy Elliot would have to choose between giving the boy's name or using his picture, but not both, which would be sad for child, school and newspaper. Most editors already apply sensible restrictions on the use of pictures showing children inappropriately dressed. Again, does this need codifying?

DISCRIMINATION

From the Muslim Action Committee, Equality and Diversity Forum, MediaWise, Campaign for Press and Broadcasting Freedom, the NUJ and others

68. The Muslim Action Committee represent 700 UK Islamic organisations. They expressed grave concern over publication of the Danish cartoons, and announced that, as part of a *Global Civility* programme, they would seek a change in the Code to prevent similar material appearing in the British press. The Barnabus Fund, a Christian action group, responded by urging supporters to write opposing change, as the current Code worked well and ought not discriminate in favour of individual faiths. We received 90-plus letters.
69. In fact, the Muslim Action Committee's suggested amendments to the Code do not to identify a particular faith. *The MAC expressed a desire to meet representatives of the PCC and Code committee.* They propose three amendments:
70. In Accuracy (see also above) they suggest:
Iiii: The Press must take care not to publish reckless and malicious expressions insulting or desecrating anyone's creed or conscience, including pictures.

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71. In Discrimination 12i they suggest:
The press must avoid prejudicial, insulting or pejorative reference to an individual's race, colour, religion etc... adding *insulting*.
72. They propose an additional Discrimination sub-clause:
12iii. The press must avoid any publication or reference leading to provocation, incitement to violence or hatred based upon an individual's religion.
73. The Equality and Diversity Forum's concerns (*also listed under Accuracy*) are to reduce the negative impact of reporting on community tensions. They want to curb *exaggerated* reporting, and to prevent damage to *communities* – such as Muslims, Gypsies or asylum seekers – caused by stories that reinforce negative stereotypes. Such stories can create “the perception that any member of a group is responsible for the behaviour of some of its members.” They say this can increase hostility to people who, while not named in a story, are part of the community affected by it.
74. However, the Forum accept that the press must be free to comment negatively on ethnic and faith community issues and categories of migrants. They therefore propose an additional sub-clause 12iii covering *gratuitous* ('unwarranted, without good reason') prejudicial or pejorative references. This incorporates the wording of the PCC's guidance on refugees and asylum seekers in 2003.
75. The Forum suggest two changes:
Accuracy 1i should add... inaccurate, misleading, distorted or exaggerated information
Discrimination: 12iii: The press must avoid gratuitous prejudicial or pejorative reference to an ethnic or faith community or other section of society, where that reference is likely to generate an atmosphere of fear and hostility not justified by the facts.
76. MediaWise too seek greater protection for groups such as Muslims, Gypsies, and refugees and asylum seekers. They are concerned at the damage to community relations, especially when inaccurate coverage can 'unduly influence' government policy. In some cases – such as Roma and other Travellers and refugees and asylum seekers – minorities are unaware of the press coverage that has resulted in hostility. MediaWise claim the PCC has indicated that where there is no first party it is open to anybody to complain – opening the door to third party complaints. The PCC deny this.
77. MediaWise suggest:
In Clause 12, 'Legal status' is added to the list of discriminatory categories.
78. There should be an additional sub-clause or rider to the effect that:
Concern that specific instances of inaccurate or prejudicial coverage might have a deleterious effect on community relations, would be grounds for third party complaints.
79. The Campaign for Press and Broadcasting Freedom also advocate third party complaints. They suggest citizens have 'communicative rights' to factually accurate reporting, free from hatred, bigotry and intolerance. They should be entitled to complain if those rights are denied, especially as people with little grasp of English, on the run, or in detention centres would have neither the ability nor chance to complain to the PCC. At the same time they want the Discrimination categories widened to include groups – so as to stop 'much of the racist comment that besmirches the British press.'
80. They suggest:
Discrimination 12: Delete reference to an individual's race, colour etc....
81. The NUJ believe the current Code allows publications to scapegoat whole communities. The press should avoid prejudicial or pejorative references to an individual's refugee status, and details of that status should be avoided unless genuinely relevant to the story.
82. They suggest:
In Clause 12. 'Refugee status' is added to the list of discriminatory categories.

COMMENTS:

83. The Code attempts to balance the freedom of the individual and the freedom of expression, which is why the discrimination categories exclude groups and third party complaints. It is difficult to conceive how any of the suggestions above would not inhibit freedom of speech and lead to

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editorial censorship. The press already exercise restraint - no mainstream UK newspaper published the Danish cartoons.

84. **Muslim Action:** The MAC's suggestions for both the Accuracy and Discrimination clauses are loose, subjective, unlikely to achieve their objective, and open to abuse. It would not be inaccurate to publish the Danish cartoons nor, necessarily, reckless and malicious. The PCC would therefore have to decide whether the simple fact that Muslims were insulted was a breach in itself. Similarly, a requirement to avoid any publication or reference leading to provocation, incitement to violence or hatred based upon an individual's religion not only sets faith apart from other social issues but is also at the whim of a complainant's capacity to be provoked or incited. A report about BNP thugs trashing a mosque, however well balanced, might provoke violent retaliation. *Should such a report breach the Code? The suggested addition of the word insulting might be accommodated in Clause 12i but, since pejorative does a similar job better, is it needed?*
85. **Inclusion of groups:** The Equality and Diversity Forum, MediaWise, Campaign for Press and Broadcasting Freedom and NUJ each seek to widen the Discrimination remit, either by adding legal or refugee status to the categories or by making the rules applicable to groups. The term legal status is so vague as to be meaningless. Adding refugee status might protect individual refugees from pejorative references without taking the refugee issue out of the public domain, but it would almost certainly open the floodgates: Gypsies, Travellers, Asylum seekers would seek similar protection.
86. The Equality Forum's call to minimise community tension by avoiding prejudicial references...likely to generate a climate of fear and hostility not justified by the facts etc tries to provide some balance by the use of gratuitous and reflects previous PCC guidance. However, if the clause also covers all other sections of society, special mention of ethnic and faith group is superfluous, if not discriminatory. Delete that, and we are left with:
The press must avoid gratuitous prejudicial or pejorative reference to any section of society, where it is likely to generate fear and hostility not justified by the facts.
87. Then it becomes very wide and invites complaints from any section of society. The risks of these complaints succeeding may be fairly minimal - the chances of a story being at once gratuitous (unwarranted, without good reason), prejudicial and likely to generate both fear and hostility that can't be justified must be remote - but the block on group complaints would have been removed and the floodgates opened.
88. It might send a positive message in an area where we seen as vulnerable, but there is a real risk attached. As it stands, the fear and hostility element is already PCC guidance. The choice for the Committee is whether to enshrine it in the Code, or leave it simply as guidance.

VICTIMS OF SEXUAL ASSAULT

89. Tom Welch of *Media Lawyer* discovered a problem of jigsaw identification in the current clause. In a rare case, one newspaper kept within the Code by naming the defendant, but giving no details of any relationship - such as employer, workmate, friend - which could help identify the victim. However, another newspaper in the same region ran the story, naming neither defendant nor victim but identifying the relationship - Boss Rapes Secretary On London Eye. As a result readers who saw both newspapers, could identify the victim.
90. To avoid this we could add an additional sub clause:
liii. To avoid the risk of unintentional identification, no details should be published of any close relationship - e.g. relative, employer, colleague, boyfriend - between victim and defendant, even where neither party is named.

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MISCELLANEOUS ISSUES

EQUALITY IN REPORTING

From [redacted]

91. [redacted] is a comic performer whose provocative opinions on religion at an Edinburgh Fringe event were not included in a review on a similar topic in *The Observer*. His complaint to the PCC that this omission was discriminatory because of his religious background was not upheld. He suggests *inter alia* that the Discrimination clauses should oblige the press to include, in a news story, any individuals, groups or representatives of groups, who are genuinely relevant to it.

92. His suggestion:

12ii Details of an individual's, community's or representatives of a community's race, colour etc.....must be avoided unless genuinely relevant to the story. Individuals, communities or representatives of communities whose race, colour etc....is genuinely relevant to the story must be included along with these details.

MENTAL ILLNESS

From [redacted]

93. [redacted] complained to the PCC about reports of a case in which their son, a voluntary in-patient at a mental hospital, was accused of sexual assault. Their complaint was not upheld and they now suggest sweeping and unworkable provisions in the Code to protect those suffering from mental illness or learning difficulties. These included a ban on publishing *anything that might distress the patient – even if the material was in the public interest.*

PUBLIC INTEREST

From [redacted]

94. [redacted] wants the Code's Public Interest requirement to cut both ways – so that complainants can invoke it to support their case. His complaint to the PCC about an article on global warming was rejected, because he was not personally affected, but he felt he had a right to raise it in the public interest. He would also like to know how long it is before an Editor has to answer his letters...

READERS' LETTERS

From [redacted]

95. [redacted] urges that the Code should oblige regional Editors to print contributions from both sides of a point of view in their Readers' Letters columns.

FRIVOLOUS COMPLAINTS

From [redacted]

96. [redacted] finds it bizarre that the PCC does not limit the number of complaints individuals or organisations can make. He suggests this 'generosity of spirit' leaves the system vulnerable to abuse by those (he cites Essex county council) who use the complaints mechanism constantly – with a possible chilling effect on Editors who might be deterred from publishing contentious matters which could be in their readers' interest.