

balancing the rights of the media and the public at times of tragedy

In our last issue, *MM* considered the culture of the press and its impact on the coverage of distressing news events such as the multiple shootings by Derrick Bird and Raoul Moat. In response, Will Gore, the Director of Public Affairs at the Press Complaints Commission, describes the tensions and dilemmas involved in reporting and regulating the coverage of such events, and the proactive role of the PCC in providing both support for those involved and guidance for acceptable standards in journalism.

As the body that regulates newspapers and magazines in the UK, the Press Complaints Commission (PCC) is well aware of the difficulties a community can face when the media descends *en masse* to cover a major news event, especially where death and injury are at the heart of the story.

The tragic shootings in Cumbria last summer have become a clear case in point, as Paul Willis reported in your last edition, with media outlets vying for information. And yet **such events should – indeed must – be reported in an open and democratic society.** For the PCC, therefore, the issue is finding a **balance** between the rights of newspapers to cover the news and the rights of individuals (especially the bereaved and the vulnerable) to maintain their privacy and to decide whether or not they speak to journalists.

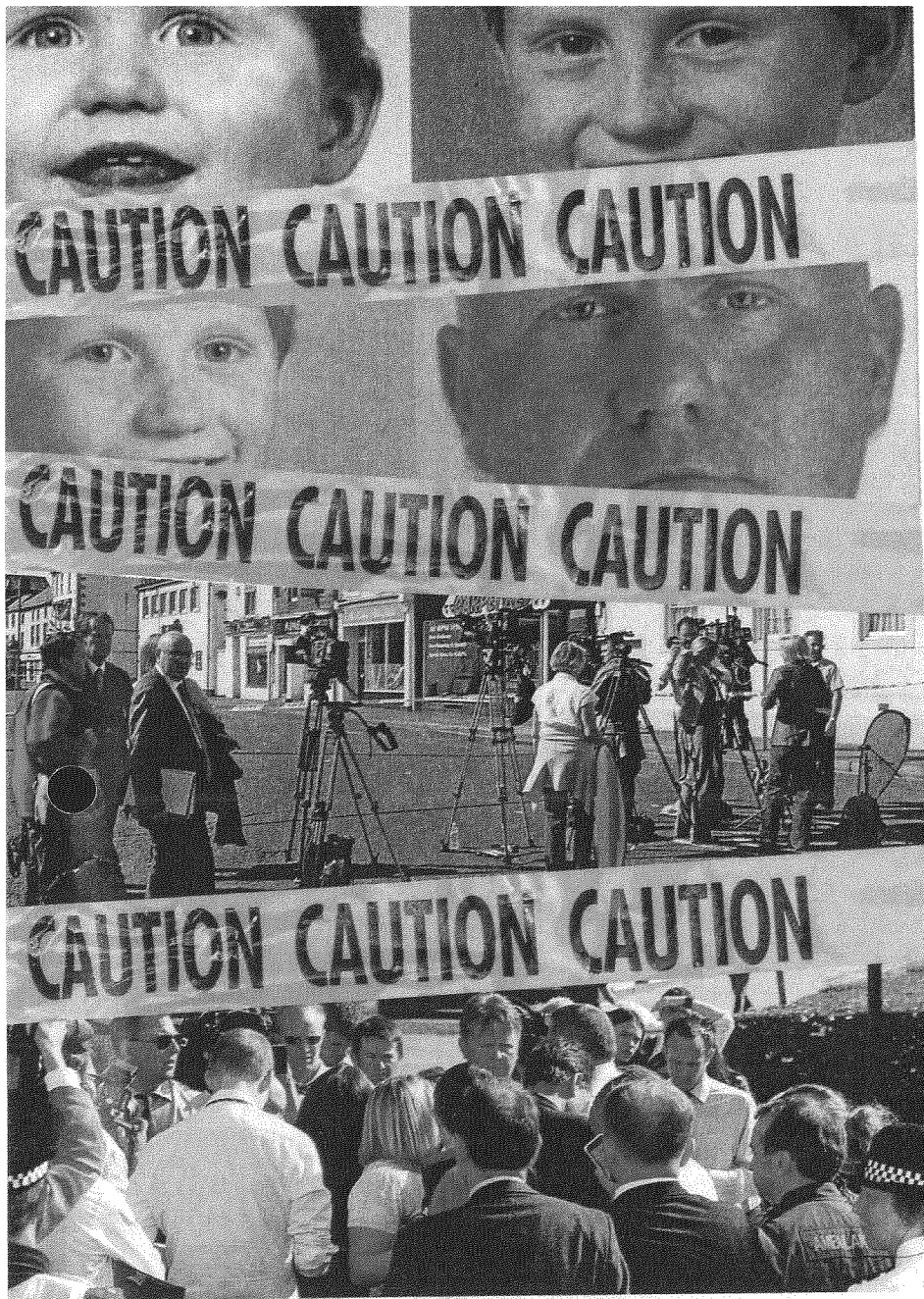
Of course, for the Commission's services to be effective they need to be well-known. Fortunately, the majority of people know about the PCC (over 80% according to public opinion surveys in 2010 and 2008). But that is not always enough, which is why the Commission increasingly seeks to work proactively to raise understanding of its work and to contact people who we believe might be subject to media scrutiny as the result of a specific story or incident. We do not simply sit in London and await complaints.

When news first started to filter through of the Cumbrian shootings (shortly after the second shooting had taken place), we immediately recognised that journalists would wish to cover the incident in some depth. As a result, we contacted local police and hospitals straight

away, sending information about the PCC and encouraging people who had concerns about media activity to get in touch. This is standard practice for the Commission when a serious and high-profile incident arises: liaising with public authorities to ensure that they can assist in our communication with local people.

Over the subsequent few days our staff had several conversations with police communicators during which we explained that our role was not confined to examining complaints about material that had already been published. In fact, our approach is **increasingly designed to avoid problems arising in the first place.**

In particular, the PCC can play a vital role in ensuring that those who do not wish to speak to the media – especially those who are attempting to come to terms with personal tragedy – can avoid unwanted questioning by journalists. To achieve this end, the Commission has developed a system by which individuals can contact the PCC and make clear that they are not speaking to media outlets. We will pass on these so-called **'desist requests'** to relevant executives at newspapers and magazines. Ignoring such a request can lead to a serious breach of the Editors' Code of Practice and an adverse ruling from the PCC, which no editor wants.



Interestingly, the Commission's jurisdiction in the provision of this service also extends to broadcasters, enabling individuals to feel secure that their wishes will be respected across different media platforms. (Broadcasters have voluntarily accepted the PCC's jurisdiction in this area because Ofcom, the regulatory body for TV and radio programmes, is not empowered to intercede with such pre-publication issues.)

In Cumbria, both in the immediate aftermath of the shootings and, more recently, as the inquest hearings begin, the PCC has passed on such desist requests from relatives of those killed by Derrick Bird. Any suggestion that journalists have ignored the wishes of those who seek to avoid media attention would be speedily investigated by the Commission.

It is important to the PCC that our contact with community representatives has an appropriate level of continuity. As is well-known, we dealt with several dozen complaints about articles that caused distress and offence to those affected by the tragedies in and around Whitehaven. What is less widely known is that senior staff of the Commission, including Director Stephen Abell, travelled to Cumbria for meetings with local

police, the editor of the Whitehaven News and local clergy (including the Archdeacon of West Cumberland), who had played a prominent role in the aftermath of the shootings. We wanted to make certain that those with direct access to local people could remind them of our ongoing desire to ease their concerns; we also wanted to learn whether there were things we could do differently – and better – in the future.

For there is no doubt that the PCC must constantly strive to improve the public services it offers as a means ultimately to improving standards in the press.

That is why we have recently undertaken a major revision of our guidance for members of the public who find themselves in the spotlight as the result of the death of someone close to them. And it is why we will continue to liaise with police forces, coroners, hospital authorities and others up and down the UK to ensure that those who need our guidance can gain access to it – both now and in the future.

When the inquests into the deaths of those killed by Derrick Bird take place, a PCC representative will travel to Cumbria once again to meet with families and to listen to any

concerns that remain untackled.

There is no doubt that the media – like any profession – make mistakes, which is why it is essential that newspapers and magazines can be held to account by members of the public through the Press Complaints Commission. On the other hand, journalists have a legitimate job to do and must be permitted to do it properly, by acting with sensitivity and within the framework of the Editors' Code of Practice. The task of the PCC is to ensure that everyone – especially those who unwittingly find themselves the subject of media scrutiny – knows what type of journalistic activity is acceptable and what is not.

Will Gore is the PCC's Director of Public Affairs. He can be contacted via email: will.gore@pcc.org.uk

The PCC and the Editors' Code of Practice

The Press Complaints Commission is an independent body which administers the system of self-regulation for the UK newspaper and magazine industry. We do this primarily by dealing with complaints, framed within the terms of the Editors' Code of Practice, about the editorial content of newspapers and magazines (and their websites). The Code covers issues such as accuracy and privacy in reporting and how journalists should behave in gathering the news, and can be seen on our website: www.pcc.org.uk.

There are a number of provisions in the Code that newspapers must abide by when reporting a death:

- The press must take care not to publish inaccurate, misleading or distorted information (Clause 1);
- Journalists must not engage in harassment (Clause 4);
- In cases involving personal grief or shock, enquiries and approaches must be made with sympathy and discretion and publication handled sensitively (Clause 5, i);
- The press must not include excessive detail when reporting suicide, in order to minimise the risk of copycat cases (Clause 5, ii).

Further information and contact details

More information on how we work may be found on our website: www.pcc.org.uk. If you have any queries at all, please do not hesitate to contact us directly and we will be happy to help. All of our services are free to use.

Our contact details are as follows:

Press Complaints Commission
Halton House
20/23 Holborn
London EC1N 2JD
020 7831 0022 (24 hour emergency advice
line: 07659 152656)
Email: complaints@pcc.org.uk