

Press Complaints Commission

FOR CONSIDERATION FOR PUBLICATION

From the Chairman

The Editor,
The Guardian,
119 Farringdon Road,
London EC1R 3ER

9th June 2003

Dear Alan,

Your leader (*Sara's Law*, 9th June) and Roy Greenslade's article (*Toothless Tiger*, 7th June) perpetrate myths about the PCC's role in the Sara Cox case which need correcting.

First, it is wrong to suggest that the PCC was in some way "feeble" in its handling of the case, or that the system is "inadequate", because the Commission never had the opportunity to investigate the case or deploy its sanctions. Seven days after the pictures of Cox appeared, and one day after the newspaper published the apology to Cox brokered through the PCC and agreed to by her, she decided to take a legal action. The PCC – as any other regulatory body in a similar position – was at that point precluded from dealing with the matter further. To condemn the PCC for not taking action that it would have been unlawful for it to take is absurd.

Second, in seeking – during the full seven days in which it had some locus in this dispute – to resolve the complaint, the PCC acted quite properly. We were established by Calcutt as a conciliation service, and we do it well. This case was no different. We negotiated an apology in words agreed by Cox, in a place of her choosing and with a picture and headline dictated by her. We did it for her in six days – a little quicker than our average of thirty two working days, and a light year quicker than the law. Good for the PCC. As for the other part of the PCC's remit – to adjudicate and, where necessary, to censure – we were legally blocked from taking further action, as I explain above.

Third, you seem to suggest that this case – on which, despite your wholly inaccurate headline on 7th June, there was never even a ruling in Court – sets some form of precedent that will act as an impetus for celebrities who are rich enough to use the Courts to do so. They have always had that right, and always will. As I have made clear before, the PCC and the Courts are not in competition. For those who want to risk everything in a very public, protracted, costly legal action, let them do so. For the 99% of people who prefer a fast, free and fair service, the PCC will remain the best and most effective route. And, as our own customer surveys show, the increasing number of people who use it, like it. So, this changes nothing.

My own view is that this case involved a very serious invasion of privacy. It is a pity that Sara Cox never let the PCC's much swifter justice take its course.

*Yours very
Christopher*

Sir Christopher Meyer

1 Salisbury Square London EC4Y 8JB Telephone 020 7353 1248 Facsimile 020 7353 8355

Textphone for deaf and hard of hearing: 020 7583 2264
email: complaints@pcc.org.uk web site: www.pcc.org.uk

Chairman
Sir Christopher Meyer

Members of the Commission
Matti Alderson
Roger Aiton
Professor The Lord Chan
Edmund Curran
Paul Dacre
Jane Ennis
Mary Francis
Dr. Arthur Hearnden
Vivien Hepworth
Paul Horrocks
Professor Robert Pinker
David Pollington
Dianne Thompson
The Right Rev. John Waine
Neil Wallis

Director
Guy Black