

PRIVATE AND CONFIDENTIAL

PCC PAPER: 3856

**The Clive Goodman phone message tapping case**

1. Commissioners will have seen coverage of the guilty plea of Clive Goodman, Royal Editor of the News of the World, to a charge of phone message tapping under the Regulation of Investigatory Powers Act.
2. When news of the charge broke in August, the Chairman was quick to issue a statement, attached. The matter has been kept under review at recent Commission meetings.
3.
4. On the day of the plea, the editor and the PCC both issued statements, which are attached. After deploring the crime in this case, CM's statement referred to the fact that the Commission would now be considering the matter. The issue for the Commission is what, if any, further steps should be taken.
5. In order to assist Commissioners, some relevant press coverage is attached.
6. To some extent, the editor's letter has answered the sort of questions that we might have put to him. However, the coverage of the case has arguably raised further questions. Clause 10 of the Code is of course relevant – and there can be little doubt that it has been breached – but the Commission may also derive authority from the first line of the Code which says 'all members of the press have a duty to maintain the highest professional standards'. Attention has been drawn to the allegation in the Daily Mail that Mr Goodman's co-defendant, Glen Mulcaire, was paid around  a year by the News of the World. Should the Commission, for instance, be enquiring further about this?
7. It is also likely that further information will come to light when the judge makes his sentencing remarks. One approach might be for the Commission to review the position following those remarks – expected in January – and decide at that point whether to write to the editor with further questions based on what is known now and whatever comes to light later. Or we could make the first formal approach sooner than that – and explicitly reserve the position regarding the judge's comments. Another view may be that, regardless of what emerges, the matter has

been dealt with by the Court and the Commission should have no further role to play.

8. The Commission's decision on how to proceed will naturally be scrutinised by politicians – particularly the CMS Select Committee, which is known to have been interested in this and may hold a hearing – and by the press itself. We will therefore have to defend it publicly at some point, perhaps before a Select Committee hearing.
9. We look forward to the discussion on how to proceed.

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04.12.06

Phone message tapping, the PCC and the Editors' Code of Practice

**EMBARGO: IMMEDIATE 09.08.06**

**Phone message tapping, the PCC and the Editors' Code of Practice**

The Press Complaints Commission has received a number of enquiries following the news that the police are investigating allegations about a News of the World journalist and the interception of telephone messages. The Commission cannot of course comment on the specific matters that are being investigated by the police.

However, in addition to the general law, journalists are also bound by the terms of the press Code of Practice. Clause 10 (i) of the Code states that:

"The press must not seek to obtain or publish material acquired by using hidden cameras or clandestine listening devices; or by intercepting private or mobile telephone calls, messages or emails; or by the unauthorised removal of documents or photographs".

Sir Christopher Meyer, Chairman of the PCC, said:

"We make no comment about the current allegations for obvious legal reasons. But on the general issue, it is absolutely clear that intercepting private or mobile telephone messages is completely unacceptable under the Code, unless there is a compelling public interest reason for doing so. Even then journalists must also of course abide by the terms of the law. The Commission reserves the right to investigate the newspaper's conduct in this case, if, at the end of the legal process, it appears that there are unresolved questions about its application of the Code of Practice.

The PCC has also made it unambiguously clear in recent guidance to journalists on the Data Protection Act, and in a speech I made earlier this year, that offering money for confidential information, either directly or through third parties, may be illegal and that journalists must have regard to the terms of the Act".

ENDS

Notes for editors

1. In 2003 the PCC upheld a complaint against the Sun newspaper for publishing the transcript of a private telephone conversation. The adjudication can be found [here](#)
2. The Guidance Note on the Data Protection Act can be found [here](#)
3. A copy of the full text of Sir Christopher Meyer's speech made earlier this year can be found [here](#)
4. The PCC is an independently-run self-regulatory body which administers a 16 clause Code of Practice on editorial standards and newsgathering methods for print journalists. More information – including details of its rulings and complaints that breach the Code of Practice – can be found at [www.pcc.org.uk](http://www.pcc.org.uk).
5. For more information, contact Stephen Abell on 020 78310022.





