



Reference: RJT/LT/Z0065

Information Commissioner's Office
Promoting public access to official information
and protecting your personal information

Ian Beales
Secretary
Editor's code of practice committee
PO Box 235
Stonehouse
GL10 3UF

RJT 32

16 April 2007

Dear Ian

Thank you for your letter dated 27 March 2007 concerning proposed changes to the Editor's Code of Practice.

I note that the Committee will not be using the wording that I first suggested at our meeting in October 2006. However, as you are aware, I am not committed to any particular wording. I recognise that the proposed changes to Clause 10 are intended to address the issues which we have raised at the self-regulatory level. I hope that they will be introduced with maximum publicity and advice to the media. Otherwise, the 'burial' of the changes within the existing Code, and the absence of a section explicitly prohibiting the obtaining of any private information without consent or a public interest justification, may present the risk that unacceptable activity will continue.

You should be aware that I am still committed to the introduction of stronger penalties to address the illegal trade in personal information. It remains to be seen how effective the proposed changes will be in practice and the proposed increase in the maximum sentence is aimed not just at the press but at the wider problem. It is essential that there should be an effective deterrent across the board.

Finally, I should add that my staff are currently working with the industry on the production of section 55 guidance for journalists and I would expect it to be incorporated into the Editor's Codebook at the relevant section to supplement your changes to the Code and clarify the application of the Data Protection Act 1998.

I am copying this letter to Belinda Crowe at DCA and Sir Christopher Meyer at PCC.

Yours sincerely



Richard Thomas
Information Commissioner

Richard Thomas

From: Lee Taylor
Sent: 01 March 2007 14:23
To: Richard Thomas
Subject: FW: Guidance for journalists of Section 55 of the Act

Richard, FYI the email I sent to Guy. Should I also send the draft guidance to the code committee directly (Les Hinton). Lee

-----Original Message-----

From: Lee Taylor
Sent: 28 February 2007 15:36
To: 'Guy Black'
Subject: Guidance for journalists of Section 55 of the Act

Dear Guy

Further to the meeting between yourself, Murdoch MacLennan and Richard Thomas on 4 January 2007 please find attached a first draft of a guidance note on the offence at Sec 55 of the Data Protection Act 1998. As you discussed with Mr Thomas the guidance aims to help journalists get a clearer picture of what the offence is and how journalists can avoid problems with it. Our aim is for the finished guidance to be incorporated as an explanatory note in the editors' codebook. This is separate to more detailed guidance we hope to produce independently on the public interest exemption.

We would welcome your comments and those of the NPA with a view to the guidance being jointly badged. Please pass this on to Mr MacLennan.

Regards
Lee Taylor