

Appendix 4

Dear Ms Brudenell

We, the undersigned, are the six editorial commissioners currently sitting on the Press Complaints Commission. We take deep exception to the slur on our reputations as commissioners contained in the Rule 13 Warning letter sent to our Chairman, Lord Hunt.

The Letter says: *'Serving editors sat on the PCC board and made decisions on the application of the Editors' Code of Practice in relation to complaints at (sic) breach. This led to the perception that a small number of editors were "marking their own homework" and undermined public trust in the system of self-regulation for the press.'*

In fact the evidence referred to in the Letter demonstrates the exact opposite. You quote p46, lines 9-15 of the evidence of Lord Grade, who is himself a PCC lay commissioner, where he discussed the role of Pressbof. However you omit his much more pertinent evidence, p47 line 11 to p48 line 14, when he was asked by the Inquiry: *'Are you able to assist the Inquiry with some sense of the dynamic of PCC meetings, particularly when adjudications are being discussed? Is there any sense in which the editors line up on one side and the independent public members on another side?'*

He replied:

'I've never experienced that. I must have attended now eight or nine meetings. Where a case is going against a newspaper, where the recommendation of the officers is that there's been a clear breach of the code... the editorial figures on the board, who are in a minority, are the first to speak out in condemnation and say, "I can't believe they did that, that was a --"

'You know, it's a very, very honest debate. A very, very honest debate. Anybody with an interest, obviously, leaves the room at that point, if they're part of a group and it's one of their newspapers in the group, whether it's a local newspaper or national newspaper. No, the debates are very, very, very fair. There are debates about the wording and quite often... There are examples where editorial figures around that table have strengthened the criticism in the adjudication. So I don't have any issue in that regard whatsoever, and I wouldn't -- personally speaking, I wouldn't be there if that was the case.'

The Letter also ignores evidence given to the Inquiry by Tina Weaver, until recently Editor of the Sunday Mirror and a PCC Commissioner since 2008 (p86 line 25 to p87 line 19):

'There's a greater majority of lay commissioners than editor[s] -- I think the figure is 10 to 7 -- and normally, at any given time, there are less industry members in the room because you leave the room if the adjudication is about a paper within your group. We have 165 papers at Trinity Mirror, including the regionals. I don't sit in judgment on any of the regional papers.

'I've been around the table. We have very, very robust debates about the rights and the wrongs of the story, and it's very rarely that the editors agree, so it normally goes to a vote and sometimes I'll agree with another editor, sometimes I won't. So I don't think there's a dominance of industry figures swaying the opinions.'



'If you look at the make-up of the Commission, you have a very high calibre of Lay Commissioners. We have a retired judge, a headmaster, a former chief superintendent. We had until recently a bishop. They're not the sort of people who are going to be swayed by newspaper editors.'

It has always been the rule at the PCC that editorial commissioners have to declare a conflict of interest in any case concerning their own newspaper, or a newspaper under the same editorial management. They are not shown any of the documentation, have to leave the room during the discussion of the case, and take no part in the adjudication.

It is also a matter of fundamental principle that the Editorial Commissioners are always in a minority – there are currently six Editorial Commissioners against nine Lay Commissioners plus the Chairman, who is always lay. This means that, even if all Editorial Commissioners were to vote together, they would always be outvoted by the lay members. In practice, direct splits between Lay and Editorial Commissioners are unheard of.

It is a great shame that the Inquiry's chairman did not take up the invitation from PCC Chairman Lord Hunt to visit the PCC. Had he done so he could have seen for himself how the Commission deliberates, and asked the Commission's staff, who attend all Commission meetings, whether they ever saw any evidence of editorial commissioners 'marking their own homework'.

The Chairman has given his assurance that the Inquiry would only make findings of fact on the basis of material fully rehearsed in evidence; we are greatly concerned that this letter indicates that the Inquiry is now proposing to draw conclusions on evidence that not only has not been properly investigated or tested, but is actually directly contradictory to first-hand evidence of which the Inquiry must have been aware, but has chosen to ignore.

This raises the prospect that, as a result of the procedure adopted by the Inquiry, important recommendations about a new regulatory regime – including the possibility of a statute that could overturn 300 years of press freedom - are being based on false assumptions about the way in which the PCC operates, rather than fair conclusions based on fully rehearsed evidence, properly analysed.

We would welcome confirmation that the Chairman has seen this statement.

Yours sincerely

Ian Carter
Ian MacGregor
Donald Martin
Lindsay Nicholson
Tina Weaver
Peter Wright

