

Code Committee Chairman's Report: 2003

The success of the Code in raising journalistic standards is something that many within the publishing industry have acknowledged in recent years. At the same time, it is a claim dismissed in some quarters as wishful thinking. The Code Committee was, therefore, particularly gratified that one of the main findings of the Culture, Media and Sport Select Committee's recent inquiry was that the Code had been responsible for the general improvement in standards of press behaviour. This view was an independent verification of what many of us had long believed.

It also chimed with a more general political willingness to leave the regulation of editorial standards to the Code and the PCC. I reported last year that the Committee was determined to find a practical solution to the then Lord Chancellor's concerns about the practice of paying witnesses in criminal trials - something that was already strictly regulated by the Code. I am pleased to say that following fruitful negotiations with the Lord Chancellor's Department, the Committee was able to amend the Code so that:

- In no circumstances can payments to witnesses - or people who may reasonably be expected to be called as witnesses - be made once someone has been arrested. This prohibition lasts until the suspect has been freed without charge or bail or the proceedings are otherwise discontinued, or has entered a guilty plea or until the court has announced its verdict;
- payments in cases where proceedings are not active but are 'likely and foreseeable' are only permissible in strictly limited circumstances, and only when there is an over-riding need to make the payment in the public interest;
- there is an absolute ban on offering payments that are conditional on the outcome of a trial.

As a result of this change to the Code, there are now no plans to bring forward legislation.

I can also report that we have had an ongoing and co-operative dialogue with HM Treasury over the implementation of the EU Market Abuse Directive, which will affect financial journalists. The government has repeatedly indicated that it will allow self-regulation to match the standards that are required by the Directive, and that there will be no need for legislation. I envisage that we will be able to do this by rewriting the Financial Journalism Best Practice Note and amending the Code of Practice slightly. This should take place towards the end of this year or early in 2005.

The Committee also liaised with the Home Office over the issue of how newspapers report allegations of crime before charges have been brought. There had been some suggestion that legislation was needed in order to give people accused of certain crimes anonymity in these circumstances - but I am glad to report that the Home Office was not persuaded by this view and instead asked the Code Committee and the PCC to consider whether self-regulation could address the concerns that had been raised. Consideration is currently being given to this and I shall report in more detail on what progress has been made in next year's annual review.

Sir Christopher Meyer's 'permanent evolution' plans contained two suggestions that directly affect the Code Committee: the annual 'audit' of the Code to ensure that it is as relevant as possible, and the production of a journalists' handbook to explain how the Commission interprets the Code in practice and information about its Guidance Notes. The Committee is very grateful to Ian Beales - who took over from Grahame Thomson as its secretary at the end of 2003 - for overseeing both enterprises. The handbook will be a significant piece of work and a major step forward in ensuring that the Code and the PCC case law are as widely understood by editors and journalists as possible. The review of the Code will be the most extensive since it was rewritten after the death of Diana, Princess of Wales, and will come after an intense period of public and industry-wide consultation.

There have been three changes to the membership of the Code Committee since last year. Following Charles Moore's retirement as editor of the Daily Telegraph, I am pleased to say that Alan Rusbridger, editor of The Guardian, has agreed to serve, while Peter Wright, editor of the Mail on Sunday, replaced departing Daily Express editor Chris Williams. Anita Syvret resigned as a member and was replaced by Neil Benson, the Editorial Director of Trinity Mirror. We are grateful to Charles, Anita and Chris for everything that they have done for the Committee.

Executive Chairman of News International plc, Les Hinton has been Chairman of the editors' Code Committee since 1998.

Les Hinton

Chairman of the Editors' Code of Practice Committee

Executive Chairman, News International