

## **PRESS ASSOCIATION ANNUAL STATEMENT TO IPSO FOR 1 JAN-31 DEC 2016**

### **Introduction**

The Press Association (PA) is the national news agency of the United Kingdom and Ireland.

It was founded in 1868 and sits at the heart of the UK media industry. Based in Vauxhall Bridge Road in London, the agency also has offices in Howden (East Yorkshire) Glasgow, Nottingham and Bristol, as well as reporters and photographers based across the UK and Ireland.

PA is a multi-media agency providing a wide range of content for use in print, online and for broadcast. Our extensive output includes words, pictures, video, social media, graphics and data.

This can be delivered to customers who then build their own output with the help of PA material, and there are other customers who will use PA content and use it without any further editing. This applies to some print customers, and we can also provide multi-media digital feeds of content direct to websites.

Content includes a commitment to extensive coverage of the House of Commons and the Lords, as well as Scottish Parliament, Wales and Northern Ireland assemblies, the High Court, Old Bailey and courts across the UK and Ireland, as well as day to day reporting on all the major news and sports stories. The agency also includes an Entertainment team, and Features department, providing a wide range of content including Travel, Fashion, Lifestyle and Real Life.

Although all our reporters are multi-skilled and can take pictures and shoot video on smartphones if required, we have a team of photographers around the UK and a group of video journalists.

PA is largely owned by national and regional media organisations and its services are bought by almost every media outlet in the UK, including all the national newspapers, regional media groups, national and regional broadcasters and digital only publishers. PA also has a variety of international customers. Most customers have subscriptions with PA, though some content is purchased on an ad hoc basis.

The responsible person for Ipsos matters is the Editor-in-Chief Peter Clifton.

### **Our editorial standards**

PA strives to maintain high editorial standards. We declare that our service is "Fast, Fair and Accurate". Our customers expect to be able to use a PA story without making further checks, so we are always aware of the burden of responsibility that we carry when we report stories.

We believe in robust and vigorous pursuit of stories but we are also risk averse on behalf of our customers, particularly if legal risks or issues relating to the Editors' Code of Practice are involved.

The surest safeguard for PA and our customers is that our stories are sourced. PA does not declare that breaking news is a fact: it attributes it to a named source or - very rarely - an unnamed but wholly reliable source.

So, a story on the wire about a major breaking story will be attributed to a source and our customers will be able to rely on it as an accurate report of what has been announced.

The process is, of course, slightly more complex, because even if a story can be attributed we may still carry out further checks, as not all sources issuing statements are reliable.

PA uses social media on occasion to assist its newsgathering in the field. We adhere to very strict guidelines on verifying content we find on social media, and we do not use content without permission.

News is often referred to as the first draft of history and reporting it is certainly not an exact science. Sometimes, in the heat of covering breaking news, the story will change and some details may simply prove to be wrong. For example, names may be spelled incorrectly for some reason.

If we make an error in a story we take immediate steps to correct it and to draw it to our customers' attention. Whenever corrections or amendments are made to our reports, we keep the original versions in the archive of our content production system.

Like all media organisations we are subject to pressure from the people and organisations that we report on, some of whom claim we have got the story wrong. We always investigate these claims in real time as soon as they are made. If we believe that the complaint is only being made because we have exercised our right to highlight a legitimate angle on a story that does not please them we will resist their claims, even if this may involve the threat of a complaint to Ipso.

PA is proud of its reputation for speed, impartiality and accuracy. With mounting concern around the increase in fake news online, the role of a news agency with our clear principles is more important than ever.

The nature of our journalism means we do not have to routinely seek guidance from Ipso, but there will be occasions when we do so.

We have a good relationship with Ipso, and share all desist notices with our customers on the main newswire.

The Editor-in-Chief and Newswire Editor discussed PA's relationship with Ipso at a lunch with Niall Duffy, Director of External Affairs, during 2016. We did not host a meeting for staff with an Ipso representative in 2016, but we would very much like to in 2017.

### **Our complaints handling process**

The Press Association has always prided itself on its willingness to deal with complaints quickly and reasonably, whether received directly or via the regulator.

If we believe that we have broken the Editors' Code we will always seek to resolve the complaint to the satisfaction of the complainant. If we do not believe that the Code has been broken we will present reasoned arguments to that effect to the complainant or to Ipso.

The Editor-in-Chief or a senior colleague – for example Newswire Editor Teilo Colley - are responsible for handling complaints.

We have a permanent central register held on our editorial system of serious complaints and their outcomes.

If a customer receives a complaint about a story that contains PA content we will always assist them as they deal with it.

### **Our training process**

We have always insisted that our editorial staff are aware of the many responsibilities that they have with regard to media law and the Editors' Code.

The launch of Ipso prompted our associated company PA Training to develop an online training course on the Editors' Code. This course was refreshed to reflect changes to the

code, and all PA's editorial staff completed the course again in 2016. Wesley Johnson is the editor responsible for training.

In addition, the hard copies of the Code of Practice, provided by the Society of Editors, have been made available to all our editorial staff.

Mike Dodd, the editor of Media Law - also an associated PA enterprise - circulates regular updates for the benefit of staff and offers training sessions for new staff. Ipso advisories are available on our editorial system and the Editor-in-Chief uses staff notices to highlight issues of concern as they arise.

### **Our record on compliance**

I am pleased to report that there were no complaints against PA which have been ruled on by Ipso's Complaints Committee during 2016.

There were two complaints that involved PA and Ipso.

The first was considered by Ipso as Sophia Murray v Telegraph.co.uk and the full details of the investigation are on the Ipso website here:

<https://www.ipso.co.uk/rulings-and-resolution-statements/ruling/?id=04533-16>

The complaint related to pictures of Sophia Murray and her mother which were taken by a PA photographer. We supported the Telegraph with a detailed rundown of events on the day. Our photographer was in an accredited position for taking pictures, did not get close to the mother and pram, and did not leave the accredited area to pursue them. Furthermore, it was not possible to identify Sophia from the pictures. The complaint was not upheld.

The only Ipso complaint in 2016 about PA copy was passed on via a number of PA subscribers in July.

[REDACTED]

[REDACTED] The complaint was  
withdrawn. [REDACTED]

## Why people trust the Press Association

The core editorial values of the Press Association can be summed up in three words: fast, fair and accurate. All are equally important: the PA does not sacrifice accuracy or balance for the sake of speed. As we sometimes say: "We must be first - but first we must be right."

These are the guiding principles for everything the PA reports, photographs, writes or broadcasts and they underpin our reputation for journalistic integrity. They explain why PA is trusted both by those we report on and the customers who use the service. They believe we offer them a fair deal.

The responsibility on the PA and its journalists is immense. The Press Association helps set the news agenda. It influences both the decision-making and what eventually appears each day in newspapers, websites and broadcast media across the country and around the world. When a story breaks, the cry across the newsroom that "it's on PA" is the catalyst for action.

The PA's official history says: "Throughout the media industry, the PA has a reputation for speed, accuracy, fairness and flexibility. It does not have any political views. It writes no opinionated editorials - or editorials of any kind whatsoever. It does not campaign or crusade. It simply gathers the news and the pictures and distributes them as fast as modern communications systems will allow."

The following notes outline how our guiding principles apply. It is essential that these rules are honoured not only to the letter but in the full spirit. That is what PA's sense of fair play is about.

- Every reasonable endeavour will be made to ensure all material transmitted in the name of the Press Association is factual, fair and is sent to customers without unnecessary delay.
- All our stories carry attribution and wherever possible the source is identified and on the record.
- All PA reporters, writers and photographers will follow rigorously the Editors' Code of Conduct in its true spirit.
- Any serious error of fact will be corrected at the earliest opportunity and, where applicable, a suitable apology or clarification will be transmitted to customers.
- To be trusted the PA must be editorially independent. It is the duty of the PA Editor to resist attempts by any individual or organisation to unduly influence the content of the PA wire.
- Organisations cannot buy their way onto the PA wire - a business relationship with PA's commercial division will not influence the editorial judgment of journalists providing the main wire. The usual news values will apply. Likewise, individual journalists will not file copy or pictures as the result of receiving an inducement and in disregard of editorial judgment.

- All PA customers will be treated equally, regardless of size, influence or power and with courtesy and consideration. We go the extra mile to help all our customers.
- Our responsibility to our customers means that we must combine vigour in pursuing stories with caution. For example, when following up exclusives, we must balance the demand to get a story on the wire with the requirement to behave responsibly.
- When the PA provides pooled coverage on behalf of all the media, we will supply the material to all the organisations who usually participate in pooled coverage and at our discretion to other media organisations.
- The PA's central role in the media allows us privileged access to information but we will never exploit this position and will ensure that such material is provided to all our customers. Embargoed information must never leak from PA: it would be a betrayal of the trust placed in us.
- In general the PA will not make payments to individuals for stories, features or pictures. Any exception must be agreed at department head level and such transactions must adhere strictly to the Code of Conduct.

## **DEALING WITH COMPLAINTS**

The Press Association sets high editorial standards, follows the Editors' Code of Practice - in its spirit and not just to the letter - and readily corrects mistakes.

We deal with complaints effectively but as we are now a member of the Independent Press Standards Organisation (Ipsos) we are required to have a documented internal complaints procedure.

Complaints may be made in good faith because there is a genuine belief we have got something wrong. They may also be made in an attempt to intimidate us.

By following this robust complaints procedure we can speedily resolve genuine complaints and we can stand up to the bullies.

Dealing with a complaint may take only a few minutes. For example, we may have spelled somebody's name incorrectly and we run an immediate correction. But some complaints will need more consideration and the exercise of judgment. For example, we may receive a complaint that our story unfairly represents what someone has said. In these cases investigations may take longer before we can reach a conclusion. In both cases the principles underlying our actions remain the same.

We must always take a complaint about PA content seriously. This is because it is only fair to do so. It is also because if we do not deal effectively and fairly with a complaint we may find ourselves embroiled in a lengthy process involving Ipsos.

The new Ipsos complaints system requires members to attempt to resolve complaints using their internal complaints procedures. If that process fails, or if there is no resolution after 28 days, Ipsos will launch its own investigation.

So, whether we receive a complaint directly from the complainant or via Ipsos, we have an opportunity to resolve it using our own internal complaints procedure.

It is of course essential that all PA journalists should have a good working knowledge of the industry's Code of Practice and must pass whatever tests are required to prove that. Ipsos will require us to demonstrate the steps we take to ensure compliance by our staff. A copy of the Code is attached to this document.

## **Complaints sent directly to PA and not arising from an approach to Ipso**

Complainants may approach us directly without first contacting Ipso.

If individual PA journalists try to resolve complaints on their own they could make the matter worse - for example, it is not acceptable to bury a correction in a new lead.

So in all these cases the journalist who receives a complaint must raise it with the duty editor, who will decide what to do, take prompt action and if necessary escalate the complaint to the Editor.

The duty editor should treat all complaints seriously and attempt to find a fair resolution. We should not adopt a defensive position and should maintain an open mind.

The objective should always be to seek a fair, speedy resolution if we accept that we have made a mistake.

For example, if it is clear that an error has been made we should promptly take action to make amends.

Remedial action may include:

:: Writing to the complainant

:: Amending our internal files

:: A correction on the wire

:: A clarifying advisory

:: Killing the story, picture, video or other content and taking follow-up action to remove it from online sites

:: An apology and correction or clarification on the wire

We may seek the agreement of the complainant before taking some of these measures on the understanding that they will draw a line under the matter.

If after a thorough investigation we do not think that we have done anything wrong we should inform the complainant that we reject their complaint.

We should also inform them that we are regulated by Ipso and follow the Code of Practice. This information means they will know that they can take their complaint further by going to Ipso if they still believe they have a grievance against us.

It is rare that we will find ourselves in this position but if we do we have to be prepared for a complaint to be made to Ipso and we must be very confident that we will defend it successfully.

This decision to finally reject a complaint should therefore be taken by the Editor, or the duty editor.

In this case we should ensure that we have a document trail of how we handled the complaint in case it goes forward to Ipso. We should keep letters and emails and make a note of phone calls relating to a complaint, particularly if you think it will not be resolved swiftly to everyone's satisfaction.

See below for how Ipso will deal with complaints. We must offer full cooperation with an Ipso inquiry about a complaint.

### **Complaints arising from an approach direct to Ipso**

The first we may learn about a complaint against us could be a referral from Ipso – the complainant has gone directly to the regulator without contacting us. In this case we will be required to try to resolve it using our internal complaints procedure.

Responding to a complaint from Ipso will be the responsibility of the Editor, although he may delegate investigation of it to a senior editor.

The procedure will be similar to handling complaints which come directly to us.

The investigating editor should treat all complaints seriously and attempt to find a fair resolution. We should not adopt a defensive position and should maintain an open mind.

The objective should always be to seek a fair, speedy resolution if we believe that we have made a mistake.

For example, if it is clear that an error has been made we should promptly take action to make amends.

Remedial action may include:

:: Writing to the complainant

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We should seek the agreement of the complainant before taking some of these measures on the understanding that they will draw a line under the matter.

If we fail to reach a satisfactory resolution with the complainant, or if a resolution is not reached within 28 days Ipsos may take over the investigation.

We should offer full cooperation and behave in a fair and transparent manner.

### **Maintaining records of complaints**

Ipsos will require us to file an annual return on our complaints procedure, what we have done to ensure compliance and the complaints that we have received that were referred to Ipsos.

If we have a complaint that involves Ipsos we must keep a record of all correspondence and the relevant content so that we will be able to present the case effectively and summarise it when we make our report to Ipsos.

Senior editorial staff have access to a shared folder named Ipsos (link: <https://pressassociation.sharepoint.com/sites/Editorial>). Inside there will be a file for the year in question and files for individual cases dealt with during that year. Copies of relevant documents including correspondence should be copied into the file.

Access has been granted to: Pete Clifton, Teilo Colley, Alan Marshall, Richard Woodward, Martin Keene, Wesley Johnson, Ashley Broadley, Stephen Godsell and Jonathan Grun. More names can be added as necessary.

### **The Ipsos complaints procedure**

This is how Ipsos explains its complaints procedure to the public:

#### **1. Submitting your complaint to IPSO**

As explained below, if we believe that your complaint raises a potential breach of the [Editors' Code](#), we will generally send a copy of your complaint to the publication you have complained about, for it to deal with the issue through its internal complaints procedure.

Because we will generally start by sending your complaint to the publication, you may wish to write to the publication first to explain your concern, before contacting IPSO. We are able to provide you with contact details for publications if you need them. Regardless of whether you submit your complaint first to the publication or to IPSO, you are welcome to contact us at any time if you are worried about how the publication is handling your complaint or need advice.

Complaints to IPSO must be made in writing. You may find it easiest to do so through our complaints form, ([here](#)). You will need to provide us with a copy of the article you wish to complain about (if there is one) and set out how you believe the Editors' Code of Practice has been breached. You should also provide copies of any other documents which would help us to understand the complaint. If you have previously written to the publication about your complaint, you should include copies of the correspondence. Further information is available below about how we will handle your complaint.

The easiest way to make a complaint is via our online complaints form, but if you would prefer to submit your complaint by email you can do so by writing to [inquiries@ipso.co.uk](mailto:inquiries@ipso.co.uk). Complaints may also be sent via post to: IPSO, Gate House, 1 Farringdon Street, London EC4M 7LG

If you are not submitting your complaint via the online form, please ensure that you have included the following information:

- The name of the publication;
- A copy of the complete article, if available, and a note of the publication date;

- The Clause(s) of the Code under which you wish to complain;
- A summary of your complaint, which explains how you believe the article has breached the [Editors' Code of Practice](#);
- Copies of all of the correspondence you have had with the publication;
- Any other relevant documentation.

Please note that all information provided with a complaint will need to be passed on to the publication in question, in order for it to be considered by the Complaints Committee, which ultimately makes decisions about whether the Editors' Code of Practice has been breached.

## 2. Initial assessment

Once we have received your complaint, our Executive staff will first assess whether it falls within our remit and if it does, whether it raises a possible breach of the Code. If the answer to either is no, we will write to you to explain the reasons why we are unable to take your concerns forward. You are entitled to request a review of this decision within seven days. Staff may also need to write to you to request further information or offer advice if you need help understanding how your complaint relates to the terms of the Editors' Code.

If we receive a large number of complaints about the same issue that we decide require investigation, we may choose a "lead" representative complaint, or choose to draft a "summary" of the complaints received to ensure that we are able to handle the issue proportionately and within a reasonable timescale. If we do so, all complainants will be notified that the complaint will be handled in this way and will receive an update at the conclusion of the process.

## 3. Referral to the publication

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If your complaint raises a possible breach of the Code, and you have not previously complained to the publication, we will generally pass your complaint to the editor, who should seek to resolve the matter directly with you. We call the time that your complaint is being handled by the publication's internal complaints process the "referral period". As an alternative, we may begin to investigate the complaint immediately, without a referral period, if we consider it is essential for us to do so.

In normal circumstances, we will take over the handling of your concerns either once the publisher's internal complaints procedures has concluded, or if the matter has not been resolved after 28 days. Alternatively, the publication may request during the referral period that we begin investigating the complaint without waiting for the end of the 28 days.

If at any time during the referral period you have any difficulties dealing with the publication directly, you should contact us. We will be happy to give you informal guidance on your complaint or the [Editors' Code of Practice](#) at any time during this period and are here to support you.

If your complaint is successfully resolved by the publication during the referral period, please let us know as soon as possible. If we have not heard from you after 28 days, we will write to you to ask whether you wish to pursue your complaint to IPSO and to request that you provide us with copies of your correspondence with the publication if you want to pursue the complaint further through IPSO's procedures.

#### 4. The investigation

If your complaint is not resolved through the publication's internal procedures during the referral period, with your agreement we will begin the investigation and mediation phase of the complaint by writing to the editor of the publication to request its response to the complaint. This is likely to include asking the publication specific questions about its response to the complaint. We may also ask you to clarify aspects of your complaint, or provide further information to assist our investigation.

You will be provided with a copy of the publication's response to your complaint, and given the opportunity to comment on it. We will also seek to mediate an outcome to your complaint which is satisfactory to you, if appropriate. This may provide a faster resolution to a complaint than would be likely through the formal adjudication process. It also provides a wider range of possible outcomes than the remedial action IPSO may require where it establishes a breach of the Editors' Code. The following are examples of action that have been taken by publications to resolve complaints to the satisfaction of complainants:

- The publication of a correction, clarification or apology;
- The publication of a letter or article by a complainant;
- A private letter of apology to a complainant;
- Amendments to an online article, or removal of material;
- Assurances about future publication or conduct.

If your complaint is not resolved amicably, it will be passed to the Complaints Committee for a ruling on whether the Editors' Code of Practice has been breached (see below).

We try to conclude the majority of complaints that we investigate or mediate within 90 days. To help us do so, we require that both publications and complainants comply with

reasonable deadlines for replying to our correspondence, although we will always consider reasonable requests, in advance, for additional time.

The Complaints Committee is able to take any unreasonable delay in correspondence into account in coming to a view on a complaint. Should a publication persistently fail to respond to reasonable requests for information in a timely way, the Committee may, after having given notice, adjudicate on the complaint without the information. In the case of complainants, if a complainant does not respond to correspondence, we will provide a reasonable deadline after which the complaint may be closed as not pursued.

We will not generally reopen a complaint which has been closed because of a failure by the complainant to provide a timely response. Complainants who seek to reopen complaints that have previously been closed as not pursued will be asked to explain the reasons for their delay in responding. IPSO will only reopen a complaint in circumstances where, in the view of its Executive staff, to refuse the request would be unreasonable.

## 5. Adjudication by the Complaints Committee

If your complaint remains unresolved, the Complaints Committee will decide whether there has been a breach of the Editors' Code. You can find information about the Committee's members [here](#). The Complaints Committee will take into account only information which has been seen by both sides to the complaint, and will publish its decision setting out whether the Editors' Code has been breached, and why, on our website. If you have concerns about the publication of the decision, or information about you in the decision, please see below the section on "Anonymity and publication of decisions" for more information.

## 6. Remedies

If the Complaints Committee determines that the Code has been breached, it can require the publication of its upheld adjudication and/or a correction. The nature, extent and placement of corrections and adjudications will be determined by the Complaints Committee.

In cases where the Committee finds that a publisher's arrangements for upholding standards and compliance were at fault, IPSO may also inform the publisher in writing that further remedial action is required to ensure that the publication meets the requirements of the Editors' Code.

## 7. Anonymity and publication of decisions

As part of IPSO's commitment to transparency, we publish each decision made by the Committee as soon as is reasonably possible following the conclusion of the complaint.

If you have any concerns about the publication by IPSO of its decision on your complaint, you will be given an opportunity to raise them before the Committee is asked to consider the complaint. Unless there are special circumstances (such as a court order), we will publish the decision on your complaint if you have not raised concerns about its publication before the decision is issued to you by the Committee.

The Complaints Committee considers requests made by complainants that material should not be included in its published decisions on a case-by-case basis, but starts from the standpoint that decisions should generally be published in full, except in cases involving intrusion into privacy or where IPSO is satisfied that the complainant has a legal right to be anonymous.

In considering requests that decisions be anonymised, the Committee may take into account:

- Whether the subject matter of the complaint includes information about the complainant which is private or personally sensitive, could cause the complainant distress or gratuitous embarrassment, or could otherwise cause harm to the complainant (such as by harming their relationship with an employer);
- Whether the decision could identify the complainant as a confidential source of information;
- Whether inclusion of the complainant's name in the decision could cause significant harm to a third party;
- Whether inclusion of the complainant's name in the decision could represent a specific threat to their security.

The Committee will only agree to anonymise a decision having first considered whether there are other means by which a complainant's legitimate concerns could be addressed. It may refuse to grant anonymity but agree to omit specific information from a published decision.

To avoid prejudging a complaint, the Committee will generally be grant anonymity where it appears that there is a significant overlap between the reasons for the anonymity request and the grounds for the complaint.

If the Committee declines your request to be anonymous (or that specific information should not be published about you), you will have the opportunity to withdraw your complaint before the Committee rules on your complaint.

The Committee will not generally consider requests for anonymity made after a decision has been issued.

## 8. Review

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If you are informed by our Executive staff at the start of your complaint that it will not be considered further because it falls outside our remit or does not raise a possible breach of the Editors' Code and believe that this decision is incorrect, you are entitled to request a review of the decision by the Complaints Committee within 7 days.

If your complaint has been the subject of a decision by the Complaints Committee following investigation and you believe that the procedure by which the Committee considered the complaint was flawed, you may request a review by the Complaints Reviewer. The Complaints Reviewer post must be filled by an IPSO Board member, and is currently Richard Hill MBE. You can see more information about him [here](#). Any request for a review must be made in writing within 14 days of the date the Complaints Committee issues its decision.

IPSO will then decide whether to refer the complaint to the Complaints Reviewer. If the referral is made, the Reviewer will review the process by which the decision was made, and inform the Complaints Committee within 14 days whether it considers that the process was substantially flawed. If the Reviewer does not consider that the process was substantially flawed, the decision will then be issued. If the Reviewer does consider that the process was substantially flawed, the decision will be reviewed by the Complaints Committee, taking into account the Complaints Reviewer's findings. The Committee will then issue its final findings.

## 9. Confidentiality

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IPSO operates transparently and welcomes scrutiny of its procedures and decisions. We are aware, however, of the fact that many complaints to IPSO relate to sensitive and confidential issues. Complainants and others who seek IPSO's advice must have absolute confidence that their privacy will be respected.

In addition, in order for IPSO to be able to investigate complaints effectively, it is essential that neither party to a complaint publishes information which has been provided as part of the investigation, including correspondence, without the consent of the other party. Material provided by both complainants and publications during an investigation must only be used for the purpose of the complaint.

This does not prevent either party from disclosing information about the complaint to third parties in order to seek assistance with the complaints process, so long as they take reasonable steps to ensure that the third parties are aware of and will respect the confidentiality of the process.

Decisions by the Committee on complaints remain confidential until published by IPSO.

A failure to abide by IPSO's policy on confidentiality may affect our ability to continue to deal with a complaint or, if relevant, may be considered when the Committee reaches a decision on the complaint.

Significant, repeated or deliberate disclosure of confidential information by a publication may be regarded by IPSO as raising concerns about the publication's standards.

Significant, repeated or deliberate disclosure of confidential information by a complainant may be dealt with by IPSO in accordance with its policy on [Unacceptable behaviour by complainants](#).

## 10. Accommodating individuals with disabilities

If you face difficulties in pursuing a complaint or otherwise making use of IPSO's services because of a disability, we will make reasonable adjustments to our ordinary procedures in order to accommodate your needs.

If this applies to you, please let us know through any means of communication that is convenient to you, explaining the nature of your disability and any accommodation by us that you are seeking. We will ordinarily require you to provide some evidence in support of the request to allow us to undertake a proper assessment as to how your needs may appropriately be accommodated.

In considering the nature of the adjustments to be offered, we must have regard for the need to ensure that the complaints process is transparent, effective and fair to both parties. Generally speaking, this requires a written record, in some form, of the nature of the complaint, the response by the publication and the process that has been followed. This is particularly the case as complaints are investigated and presented to the Committee for consideration in writing.

We will let you know how we propose to accommodate your needs; if we are unable to meet your request fully, we will explain why. If you have concerns that the accommodation offered is not sufficient, let us know and we will consider further your request and the outcome. Please contact us for more details.

## 11. Unacceptable behaviour by complainants and vexatious complaints

Our Executive staff should be accessible and courteous to everyone who comes into contact with us. We understand that in some cases complainants will contact us in highly distressing circumstances, and may need significant support and assistance; we will not

normally limit the contact which complainants have with us. However, in a small minority of cases, complainants seek to interact with our staff in an unacceptable way.

IPSO's Regulations make clear that it may reject without further consideration complaints which are vexatious or disproportionate. We interpret this provision to apply both to the nature of the complaint, and to the manner in which it is pursued. We do not expect our staff to tolerate unacceptable behaviour by complainants. Unacceptable behaviour may involve vexatious or disproportionate pursuit of a complaint. It also extends to any other behaviour that, because of its frequency or nature, hinders our ability to handle complaints effectively, including:

- using abusive, offensive, aggressive, racist or foul language in conversation or correspondence with staff;
- harassing, verbally abusing or seeking to intimidate staff;
- engaging in unreasonably protracted or repetitive communications with staff;
- attending IPSO's offices and seeking to speak with a member of staff without an appointment;
- repeatedly refusing requests by staff to follow IPSO's procedures, despite having been provided with appropriate information about these procedures;
- making persistent and/or unreasonable demands of staff and/or the complaints process.

We reserve the right to take appropriate action in cases where complainants are behaving unacceptably. This may involve restricting the manner in which the complainant may communicate with our staff or declining to further consider a complaint.

## 12. Complaints about IPSO

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Complaints about IPSO's complaints process that fall outside the remit of the Complaints Reviewer should be made in writing to the Chief Executive, Matt Tee, via post to IPSO's main [address or email](#).

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This is the industry's Code of Practice:

### **Editors' Code of Practice**

The Independent Press Standards Organisation (IPSO), as regulator, is charged with enforcing the following Code of Practice, which was framed by the Editors' Code of Practice Committee and is enshrined in the contractual agreement between IPSO and newspaper, magazine and electronic news publishers. Click [here](#) to download an A4 version of the Code.

## About the Editors' Code of Practice

The Editors' Code of Practice is administered by the Editors' Code of Practice Committee. Further details about their work and the Code can be found [here](#).

This updated version of the Editors' Code of Practice came into effect on 1 January 2016. Any complaint about material or conduct before that date will be considered by IPSO in relation to the version of the Code as it existed at that time. A copy of the previous version of the Code is available [here](#).

### The Code

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The Code – including this preamble and the public interest exceptions below – sets the framework for the highest professional standards that members of the press subscribing to the Independent Press Standards Organisation have undertaken to maintain. It is the cornerstone of the system of voluntary self-regulation to which they have made a binding contractual commitment. It balances both the rights of the individual and the public's right to know.

To achieve that balance, it is essential that an agreed Code be honoured not only to the letter, but in the full spirit. It should be interpreted neither so narrowly as to compromise its commitment to respect the rights of the individual, nor so broadly that it infringes the fundamental right to freedom of expression – such as to inform, to be partisan, to challenge, shock, be satirical and to entertain – or prevents publication in the public interest.

It is the responsibility of editors and publishers to apply the Code to editorial material in both printed and online versions of their publications. They should take care to ensure it is observed rigorously by all editorial staff and external contributors, including non-journalists.

Editors must maintain in-house procedures to resolve complaints swiftly and, where required to do so, co-operate with IPSO. A publication subject to an adverse adjudication must publish it in full and with due prominence, as required by IPSO.

#### 1. Accuracy

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i) The Press must take care not to publish inaccurate, misleading or distorted information or images, including headlines not supported by the text.

ii) A significant inaccuracy, misleading statement or distortion must be corrected, promptly and with due prominence, and — where appropriate — an apology published. In cases involving IPSO, due prominence should be as required by the regulator.

iii) A fair opportunity to reply to significant inaccuracies should be given, when reasonably called for.

iv) The Press, while free to editorialise and campaign, must distinguish clearly between comment, conjecture and fact.

v) A publication must report fairly and accurately the outcome of an action for defamation to which it has been a party, unless an agreed settlement states otherwise, or an agreed statement is published.

## 2. \*Privacy

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i) Everyone is entitled to respect for his or her private and family life, home, health and correspondence, including digital communications.

ii) Editors will be expected to justify intrusions into any individual's private life without consent. Account will be taken of the complainant's own public disclosures of information.

iii) It is unacceptable to photograph individuals, without their consent, in public or private places where there is a reasonable expectation of privacy.

## 3. \*Harassment

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i) Journalists must not engage in intimidation, harassment or persistent pursuit.

ii) They must not persist in questioning, telephoning, pursuing or photographing individuals once asked to desist; nor remain on property when asked to leave and must not follow them. If requested, they must identify themselves and whom they represent.

iii) Editors must ensure these principles are observed by those working for them and take care not to use non-compliant material from other sources.

## 4. Intrusion into grief or shock

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In cases involving personal grief or shock, enquiries and approaches must be made with sympathy and discretion and publication handled sensitively. These provisions should not restrict the right to report legal proceedings.

## 5. \*Reporting suicide

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When reporting suicide, to prevent simulative acts care should be taken to avoid excessive detail of the method used, while taking into account the media's right to report legal proceedings.

## 6. \*Children

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- i) All pupils should be free to complete their time at school without unnecessary intrusion.
- ii) They must not be approached or photographed at school without permission of the school authorities.
- iii) Children under 16 must not be interviewed or photographed on issues involving their own or another child's welfare unless a custodial parent or similarly responsible adult consents.
- iv) Children under 16 must not be paid for material involving their welfare, nor parents or guardians for material about their children or wards, unless it is clearly in the child's interest.
- v) Editors must not use the fame, notoriety or position of a parent or guardian as sole justification for publishing details of a child's private life.

## 7. \*Children in sex cases

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- The press must not, even if legally free to do so, identify children under 16 who are victims or witnesses in cases involving sex offences.
- In any press report of a case involving a sexual offence against a child -
  - i) The child must not be identified.
  - ii) The adult may be identified.
  - iii) The word "incest" must not be used where a child victim might be identified.
  - iv) Care must be taken that nothing in the report implies the relationship between the accused and the child.

## 8. \*Hospitals

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- i) Journalists must identify themselves and obtain permission from a responsible executive before entering non-public areas of hospitals or similar institutions to pursue enquiries.
- ii) The restrictions on intruding into privacy are particularly relevant to enquiries about individuals in hospitals or similar institutions.

## 9. \*Reporting of Crime

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- i) Relatives or friends of persons convicted or accused of crime should not generally be identified without their consent, unless they are genuinely relevant to the story.
- ii) Particular regard should be paid to the potentially vulnerable position of children who witness, or are victims of, crime. This should not restrict the right to report legal proceedings.

## 10. \*Clandestine devices and subterfuge

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- i) 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; or by accessing digitally-held information without consent.
- ii) Engaging in misrepresentation or subterfuge, including by agents or intermediaries, can generally be justified only in the public interest and then only when the material cannot be obtained by other means.

## 11. Victims of sexual assault

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The press must not identify victims of sexual assault or publish material likely to contribute to such identification unless there is adequate justification and they are legally free to do so.

## 12. Discrimination

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- i) The press must avoid prejudicial or pejorative reference to an individual's, race, colour, religion, sex, gender identity, sexual orientation or to any physical or mental illness or disability.
- ii) Details of an individual's race, colour, religion, gender identity, sexual orientation, physical or mental illness or disability must be avoided unless genuinely relevant to the story.

## 13. Financial journalism

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- i) Even where the law does not prohibit it, journalists must not use for their own profit financial information they receive in advance of its general publication, nor should they pass such information to others.

ii) They must not write about shares or securities in whose performance they know that they or their close families have a significant financial interest without disclosing the interest to the editor or financial editor.

iii) They must not buy or sell, either directly or through nominees or agents, shares or securities about which they have written recently or about which they intend to write in the near future.

#### 14. Confidential sources

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Journalists have a moral obligation to protect confidential sources of information.

#### 15. Witness payments in criminal trials

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i) No payment or offer of payment to a witness – or any person who may reasonably be expected to be called as a witness – should be made in any case once proceedings are active as defined by the Contempt of Court Act 1981. This prohibition lasts until the suspect has been freed unconditionally by police without charge or bail or the proceedings are otherwise discontinued; or has entered a guilty plea to the court; or, in the event of a not guilty plea, the court has announced its verdict.

\*ii) Where proceedings are not yet active but are likely and foreseeable, editors must not make or offer payment to any person who may reasonably be expected to be called as a witness, unless the information concerned ought demonstrably to be published in the public interest and there is an over-riding need to make or promise payment for this to be done; and all reasonable steps have been taken to ensure no financial dealings influence the evidence those witnesses give. In no circumstances should such payment be conditional on the outcome of a trial.

\*iii) Any payment or offer of payment made to a person later cited to give evidence in proceedings must be disclosed to the prosecution and defence. The witness must be advised of this requirement.

#### 16. \*Payment to criminals

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i) Payment or offers of payment for stories, pictures or information, which seek to exploit a particular crime or to glorify or glamorise crime in general, must not be made directly or via agents to convicted or confessed criminals or to their associates – who may include family, friends and colleagues.

ii) Editors invoking the public interest to justify payment or offers would need to demonstrate that there was good reason to believe the public interest would be served. If, despite payment, no public interest emerged, then the material should not be published.

## THE PUBLIC INTEREST

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There may be exceptions to the clauses marked \* where they can be demonstrated to be in the public interest.

- The public interest includes, but is not confined to:
  - Detecting or exposing crime, or the threat of crime, or serious impropriety.
  - Protecting public health or safety.
  - Protecting the public from being misled by an action or statement of an individual or organisation.
  - Disclosing a person or organisation's failure or likely failure to comply with any obligation to which they are subject.
  - Disclosing a miscarriage of justice.
  - Raising or contributing to a matter of public debate, including serious cases of impropriety, unethical conduct or incompetence concerning the public.
  - Disclosing concealment, or likely concealment, of any of the above.
- There is a public interest in freedom of expression itself.
- The regulator will consider the extent to which material is already in the public domain or will or will become so.
- Editors invoking the public interest will need to demonstrate that they reasonably believed publication - or journalistic activity taken with a view to publication – would both serve, and be proportionate to, the public interest and explain how they reached that decision at the time.
- An exceptional public interest would need to be demonstrated to over-ride the normally paramount interests of children under 16.